



DEBATES OF THE SENATE

1st SESSION



42nd PARLIAMENT



VOLUME 150



NUMBER 271

OFFICIAL REPORT
(HANSARD)

Tuesday, March 19, 2019

The Honourable GEORGE J. FUREY,
Speaker

CONTENTS

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

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

THE SENATE

Tuesday, March 19, 2019

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

Prayers.

[Translation]

SENATORS' STATEMENTS

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, I have received a notice from the Leader of the Opposition who requests, pursuant to rule 4-3(1) that the time provided for the consideration of Senators' Statements be extended today for the purpose of paying tribute to the Honourable J. Trevor Eyton, who passed away on February 24, 2019. After these tributes, we will continue with regular Senators' Statements.

There are many senators who wish to make statements today and I understand that there has been an agreement to extend the time for regular statements to a total of thirty minutes.

Is that agreeable to honourable senators?

Hon Senators: Agreed.

[English]

THE LATE J. TREVOR EYTON, O.C.

Hon. Larry W. Smith (Leader of the Opposition): Honourable senators, it is with sadness that I rise today to pay tribute to the Honourable J. Trevor Eyton, who passed away last month. Senator Eyton served almost 19 years as a member of the Senate of Canada, representing the province of Ontario. He was a straight-talking, hardworking and thoughtful man, who served his fellow citizens with dedication. He will be greatly missed.

As a young man, Trevor Eyton exhibited leadership as a captain of the University of Toronto Varsity Blues football team. He was drafted into the CFL by the Saskatchewan Roughriders and then traded to the Toronto Argonauts. He attended just one day of training camp before deciding that the legal profession was his true calling, but his connection to sport never faded. Trevor Eyton served for many years as governor and chair of Canada's Sports Hall of Fame in Calgary and as the governor of the Canadian Olympic Foundation helping our athletes reach their full potential.

Upon graduating from the University of Toronto Law School in 1960, Trevor Eyton joined Torys law firm upon the advice of Bora Laskin, who would later become Chief Justice of the Supreme Court.

From there he went on to make his mark in business. For many years he was a president and CEO of Brookfield Asset Management, and he also served on the board of such corporations as Coca-Cola Enterprises and John Labatt Incorporated.

In 1986 he was invested as an officer of the Order of Canada. The citation noted not just his considerable accomplishments as a businessman and lawyer, but for his charitable and community work as chair of the board of governors of the University of Waterloo and his involvement with Sunnybrook Hospital and the Arthritis Society. Five years later, he was named to the Senate of Canada upon the recommendation of the Right Honourable Brian Mulroney.

Senator Eyton was immediately thrust into political life during the infamous GST debate in the Senate at that time.

[Translation]

Over the years that followed, Trevor Eyton threw himself into his work as a senator with the enthusiasm and dedication he showed in every aspect of his life.

[English]

At one point or another, Senator Eyton was a member of most of our standing Senate committees, notably serving as co-chair of the Standing Joint Committee for the Scrutiny of Regulations of the Senate and the House of Commons, and as deputy chair of Legal and Constitutional Affairs. Senator Eyton also helped shepherd government legislation through the Senate, including a bill in 2007 to provide greater consumer protection to users of the payday lending industry.

In May 2009, during his last speech in the Senate before retirement, Senator Eyton paid tribute to his family for their love and support, saying:

I recognize they are much of the reason for all the good things that have happened to me. It is something that I keep in mind all the time.

In their time of sorrow, I wish to assure his loved ones that Senator Eyton's service to Canadians will never be forgotten. On behalf of his friends in the Conservative caucus, and indeed on behalf of all Honourable Senators, I extend sincere condolences to his children Debbie, Susie, Adam, Christopher and Sarah, to his grandchildren and great-grandchildren, and to his many friends across our great country. Thank you.

Hon. Peter Harder (Government Representative in the Senate): Honourable senators, I rise today to pay tribute to the former Honourable Senator Trevor Eyton. He will be remembered in this chamber for his business acumen and his collegiality. Those of us who had the pleasure to know him personally will remember his wicked sense of humour and talent as a raconteur. Some stories of which I would not bear repeating in this session.

His life was the classic small-town boy makes good. From law school he entered Torys, then a small firm, and he grew with that firm to become one of Canada's most prestigious legal firms. From there he went into the world of business where his ability to make deals, to connect people and make companies successful became legendary.

He gave back to communities and to institutions he cherished, including the University of Waterloo, my alma mater, and the University of King's College at Dalhousie in Halifax. Let us not forget the work he did to build the SkyDome in Toronto and bringing the Blue Jays to glory, fleetingly.

He was a *bon vivant* who appreciated the good things in life and liked nothing better than to share them with his friends and family.

He never took himself too seriously, but he took his work and the work of this place very seriously. As a senator, he contributed his business ability while continuing to serve on the board of some of Canada's largest and most prestigious corporations.

It was my honour to serve with him on the Magna International board of directors and see his dedication to the role of an independent director on a publicly traded company educate me. He was also on the selection committee to choose Canada's CEO of the year. I think honourable senators would agree he knows how to choose them, and he did.

[Translation]

My honourable colleagues may have talked to Trevor at the Centre Block closing ceremony.

[English]

Those of us who attended the event to bid Centre Block farewell may have had the chance to speak with Senator Eyton as he made what was likely his last appearance on the hill in December.

• (1410)

His dedication to this place — and I dare say the Centre Block — was enduring, and I appreciate some of the last advice he would give to us as a senator in his departing remarks upon his retirement. I would like to quote from that speech, which has already been referenced. He said:

... the Senate would operate more effectively if it were less partisan and more collegial, especially in its role as the chamber of sober second thought.

I could not think of more fitting words as we approach our work here in the coming months, and I hope that in so doing we honour Trevor by living by them.

Hon. Yuen Pau Woo: Honourable colleagues, I would like to add my voice in tribute to the former Senator John Trevor Eyton.

Senator Eyton was appointed by former Prime Minister Brian Mulroney to the Senate of Canada in 1990, where he served until his retirement in 2009.

[Translation]

A native of Quebec City, Senator Eyton was a renowned lawyer and entrepreneur before starting his career in the Senate.

[English]

Before this happened, he almost had a career in the Canadian Football League. Senator Eyton was drafted by the Saskatchewan Roughriders and then was traded to the Toronto Argonauts. After the first day of training, however, he realized that a career in law would better serve his passions in the future. That led him to obtain his Bachelor of Arts from the University of Toronto in 1957 and go further to earn his Bachelor of Laws degree, also from the University of Toronto, in 1960.

Senator Eyton devoted his life to public service, including serving as Chairman of the Board of Governors of the University of Waterloo and as Chancellor of Dalhousie University, and he was involved with a number of charities, including the Arthritis Society, The Olympic Trust and Sunnybrook Research Institute.

In recognition of his life's work, he was awarded honorary Doctor of Laws degrees by both the University of Waterloo and the University of King's College at Dalhousie.

Senator Eyton recognized the importance of international relations and trade, especially in North America. He was awarded Mexico's highest civilian award, the Order of the Aztec Eagle. He was also honoured for his dedication to promoting trade and investment between Canada and Mexico. In fact, he co-founded the Canada-Mexico retreat where business leaders and government officials leaders from both countries could meet, discuss and deepen their relationships.

On behalf of the Independent Senators Group, I would like to offer condolences to the family and loved ones of Trevor Eyton — athlete, lawyer, corporate titan, community leader and distinguished senator.

Hon. Terry M. Mercer (Acting Leader of the Senate Liberals): Honourable senators, on behalf of the independent Senate Liberals, I would like to join in paying tribute to our former colleague, the late Trevor Eyton.

Senator Eyton served in this place with distinction for more than 19 years. He had an innate ability to get to the heart of the issue — in asking excellent questions and in carefully weighing everything he heard in this chamber and in committee.

Outside Ottawa, he was involved in countless community organizations: Junior Achievement, the Duke of Edinburgh's Award program and the Canadian Olympic Foundation.

He was an officer in the Order of Canada, a fitting honour for a career and life lived for the betterment of all Canadians.

Though he identified as a Conservative senator and donor, he had friends all around — so much so that he was also a member of the Liberal Party of Canada's Laurier Club and attended its events on a number of occasions. He was the original non-partisan in this place.

As a Nova Scotian, I must also mention that he had a connection with my home province in that he served as chancellor of one of the oldest educational institutions in the country, King's College in Halifax, from 1996 to 2001.

Honourable senators, Trevor Eyton was a success in law and in business, and left a strong legacy here in the Senate.

I would like to express condolences on behalf of the independent Senate Liberals to his children — Debbie, Susie, Adam, Christopher and Sarah — his beloved grandchildren and great-grandchildren, and to all his loved ones and friends. Thank you.

The Hon. the Speaker: Honourable senators, I would ask that you join me and rise in a minute of silence for our late colleague.

(Honourable senators then stood in silent tribute.)

VACCINES

Hon. Stanley Paul Kutcher: Honourable senators, I rise today to bring our awareness to a public health concern that has reached a tipping point globally and in our beloved country of Canada.

Throughout history, measles, diphtheria, polio and smallpox have devastated humankind. In Canada, they once killed hundreds of children annually. We know from the historical record that some families lost most, if not all, of their children to these highly contagious diseases.

Now the death rate from these terrible illnesses is almost zero. The reason for this is safe and effective vaccinations. They have saved lives, decreased suffering and reduced attendance on already overburdened health systems.

The recent resurgence of some of these diseases in Canada is extremely unsettling given the medical knowledge that we have that allows us to prevent these infections and eliminate outbreaks. As a senator and as a physician, I cannot sit idly by while this continues.

Canadians are thankful for the heroes of public health who educate us and work to prevent the devastations of the past. One such person is Dr. Noni MacDonald of Dalhousie University and the IWK Health Centre in Halifax, Nova Scotia. I am honoured to call her a friend and colleague. Anyone who knows Noni has seen her passion for improving the health and well-being of children and youth. She is nationally and internationally renowned for her work on vaccines. She was the first female Dean of Medicine in Canada and a founding member of the Canadian Center for Vaccinology.

Canadians need leaders like Dr. MacDonald to help ensure that our use of vaccinations meets public health standards so as to guard the health of our most vulnerable citizens and not be put in peril by disinformation that is now widely promoted.

Honourable senators, today I hope to raise awareness in our chamber of the work of those who strive to improve the health and lives of Canadians, those who champion evidence-based medicine from bedside to policy. It is important during this time of disinformation about vaccines that we turn to our trusted heroes to guide us.

Dr. MacDonald continues her leadership by helping develop an updated global immunization plan. In Canada, we must ensure that we are leaders and not followers in this important work.

Honourable senators, I thank all our health professionals for their tireless pursuit of evidence-based health interventions and ask you to engage with me and other senators as we begin to develop strategies to ensure that the health and safety of Canadians does not continue to be put at risk.

Hon. Rosemary Moodie: Honourable senators, today I rise to speak to you about one of the top 10 threats to global health that we face in 2019, vaccine hesitancy — the growing reluctance or refusal to vaccinate when vaccines are readily available, which is threatening to reverse the progress that has been made in tackling vaccine-preventable diseases.

• (1420)

The concerns of the World Health Organization are supported by some very alarming figures. In 2018, the incidence of measles globally has jumped 50 per cent. Europe saw nearly 83,000 cases, the most in two decades. In that same period, the incidents increased by over 500 per cent in the United States, prompting congressional hearings to manage this growing public health threat.

In Canada, 19 cases of measles in the first eight weeks of this year.

Canada's Chief Public Health Officer has voiced her concern over the re-emergence of vaccine-preventable diseases. I too am concerned and so should we all be.

Remember the polio outbreaks in the 1940s and the need for the iron lung that kept patients alive when their own paralyzed chest muscles prevented breathing? Remember that before the introduction of the measles vaccine in 1963, millions were infected, tens of thousands ended up in hospital, hundreds dead.

We have seen enormous success with the widespread use of vaccines. There has been a significant decrease in childhood death. Vaccines have prevented at least 10 million deaths between 2010 and 2015. Vaccines work because they protect individuals and communities. All of us, the healthy and the most vulnerable amongst us, benefit when Canadians are vaccinated.

Our emerging reality is that people are forgetting about the dangers of polio and measles. The spread of false information has led to the fear of the vaccine rather than — and more than — the fear of the disease.

A quarter of Canadians identify as vaccine hesitant and often actively delay vaccination, thereby risking the re-emergence of disease.

Efforts to educate and reassure people about vaccination are under siege. False and misleading information through social media and controversial campaigns such as the anti-vax billboards in Ontario these last months build resistance.

Honourable colleagues, vaccines are one of the greatest success stories in health care, yet today this success is threatened by uncertainty, fear, misinformation, and an erosion of public confidence.

Today I'm inviting you all to contribute to the dialogue that will determine how we as a Senate can best address this growing crisis. Thank you.

[Translation]

ETHIOPIAN AIRLINES FLIGHT 302 AND CHRISTCHURCH TRAGEDIES

Hon. Larry W. Smith (Leader of the Opposition): Honourable senators, I rise today to pay my respects and offer my condolences to the families in Canada and around the world mourning the loss of loved ones who died in the two separate tragedies that have occurred in recent days.

[English]

Today we remember 157 passengers killed in the crash of Ethiopian Airlines flight 302 on March 10, including 18 of our fellow Canadian citizens. Many of those on the flight were working in support of the international community, particularly for the United Nations and its affiliates. We offer sincere condolences to the families and friends of all the victims, who must be experiencing unimaginable shock. We will keep them in our thoughts in the days ahead as they come to terms with this tragedy.

What happened in Christchurch, New Zealand, last Friday was a horrific, targeted crime by a self-proclaimed white supremacist against Muslim men, women and children, peaceful worshippers at two mosques in that city. The loss is staggering, 50 people killed and dozens more injured. We offer our best wishes to those who remain in hospital for a quick recovery. While their bodies may heal, their hearts must surely remain broken by what they have witnessed and endured.

I know all honourable senators join me in condemning this evil terror attack and in expressing solidarity with the Muslim community in New Zealand, here in Canada and around the world. You are not alone in your time of sorrow.

[Translation]

At this dark time, we are reminded of that day not so long ago, just two years ago, when a massacre was committed at the Islamic Cultural Centre in Quebec City, in my home province.

[English]

The lives of six men were brutally cut short and 19 others were injured. We think of their families today who now share profoundly in the grief of families on the other side of the world.

Honourable senators, too many families are suffering the absence of their loved ones, never to be reunited. I hope that our words today offer them a measure of comfort and that they feel our sympathy and sadness.

Hon. Yuen Pau Woo: Dear colleagues, I would like to add my voice to those who have already spoken about recent tragedies that have taken place seemingly so far away and yet which strike so close to home.

On March 10, a flight from the Ethiopian capital of Addis Ababa bound for Nairobi crashed shortly after takeoff. One of the victims was Micah John Messent from Courtenay, British Columbia. He attended the Vancouver Island University in Nanaimo and completed a degree in Indigenous studies. A young environmentalist, he was on his way to a UN conference in Kenya.

Shortly before his departure, he put the following message on Instagram:

I'm headed to Kenya TOMORROW where I'll have the chance to meet with other passionate youth and leaders from around the world and explore how we can tackle the biggest challenges that are facing our generation.

We mourn Micah along with the other 17 Canadians and a total of 157 people who lost their lives in this tragic crash.

Just five days after the Ethiopian Air crash, we learned the horrific news about a heinous act of violence in Christchurch, New Zealand. Many of the 50 victims were refugees, fleeing violence in their native countries to make a new start in a place that they thought they and their families would be safe in. Haji-Daoud Nabi and his family fled their home in Afghanistan to seek a better life in New Zealand. In the 40 years since that time, Mr. Nabi gave back to his community by leading an organization to welcome other refugees. According to his son, Mr. Nabi shielded one of his friends from the gunman and he lost his life in doing so; the friend, however, survived.

Two other victims include a Syrian refugee family who escaped to New Zealand. The father and son lost their lives while a second son was injured.

The youngest victim of the attack was Mucad Ibrahim who was three years old. His family had fled Somalia looking for security and hope as refugees in New Zealand.

To the victims of this deplorable hate crime, we say you will be remembered. To the loved ones of the victims, we mourn with you. And to our Muslim brothers and sisters in Canada and around the world, we stand with you.

Hon. Jim Munson: Honourable senators, during the past 15 years, I have stood in my place and have spoken about so many issues close to my heart, the biggest being autism and, of course, Special Olympics. But nothing prepared me for this.

I'm talking about the Ethiopian Airlines tragedy which claimed the lives of 157 people, including 18 Canadians. This hits close to home.

By now you have heard or read about Ethiopian Airlines flight 302 which crashed shortly after taking off March 10 from the Addis Ababa International Airport.

By now you have heard or read about the many personal stories, heartbreaking stories, about who was on that aircraft. What hits close to home is how close MPs and senators were to the horrific accident.

The Canada-Africa Parliamentary Association, three senators, four MPs and three officials were in Addis on the morning of the crash. Our delegation was on a direct Ethiopian Airlines flight from Toronto to Addis Ababa.

We have been told that 10 of the 18 Canadians who died were on our flight from Toronto. They would be taking a connecting flight from Addis to Nairobi, Kenya. That was two hours after we landed in Addis.

The moment when we heard about the crash, we were numb with emotional pain. As a former journalist, I have covered many tragedies but this time it felt different. On Ethiopian television the commentators talked to the victims coming from 35 countries. I wondered how many Canadians were on-board.

• (1430)

We were soon briefed by Antoine Chevier, Canada's Ambassador to Ethiopia, and then the reality sank in. He knew and his staff knew the work of a diplomat would begin, from going to the crash site to preparing for the arrival of loved ones from Canada.

Honourable senators, three minutes is not enough time to tell every story of the 18 Canadians who lost their lives that morning, but I will tell one of a special man who was a professor at Carleton University in Ottawa, Pius Adesanmi.

There was a celebration of his life at the Metropolitan Bible Church on Saturday. He was a husband, a dad and a professor who came to Canada many years ago to teach. He was loved and described as a man with a large heart who always wanted to make things better.

At 47 years of age, the Nigerian-born Adesanmi was Director of the Institute of African Studies at Carleton University. He was everything to his students and more. According to the *Ottawa Citizen*, he was a specialist in African literature, a poet, a

columnist for Nigerian newspapers, a satirist and a blogger. There was even more. Here are the words of his cousin: "larger than life in real life," and someone "in search of the healing treasures of knowledge."

Honourable senators, we grieve for Professor Adesanmi, we grieve with the families of the 17 other Canadians, and we grieve that 157 people from 35 countries are no longer with us.

Six years ago, Professor Adesanmi was asked to take part in a writing exercise where participants would write their own epitaph. This is what he wrote:

Here lies Pius Adesanmi, who tried as much as he could to put his talent in the service of humanity and flew away home one bright morning when his work was over.

THE LATE ANGELA REHHORN

Hon. Gwen Boniface: Honourable senators, I rise today on a very sombre occasion to pay tribute to Orillia resident Angela Rehorn who was tragically killed in the plane crash in Ethiopia in her twenty-fifth year. She was travelling to Africa to attend the UN Environment Assembly as a youth delegate.

Angela was a recent graduate of Dalhousie University where she studied marine biology and sustainability. She had returned to her hometown of Orillia to work with The Couchiching Conservancy as a participant in the Canadian Wildlife Federation's Canadian Conservation Corps. More recently, she volunteered her time to do a species survey and was developing a citizen science project on bat conservation.

While growing up in her hometown of Orillia, Angela was an active and involved student at Patrick Fogarty Catholic Secondary School, and her extracurricular activities included competitive swimming and soccer. Family, friends and acquaintances fondly remember her athletic achievements, love of the outdoors, and most of all her passion for environmental protection and conservation. One of her grade-school teachers reflected that she was a bright light and she had so much to offer.

I ask you to join me and Member of Parliament Bruce Stanton as we extend our condolences to Angela's family and friends during this very difficult time. Thank you.

CHRISTCHURCH TRAGEDY

Hon. Marilou McPhedran: Honourable senators, I am joining you in paying tribute.

Last week in New York, Senators Pate, Dasko and I, with Canada's Ambassador to the United Nations and hundreds of Canadians, stood together in tribute to the 18 Canadians who died in the Ethiopian Airlines crash, including Danielle Moore, with Manitoba roots, who was one of the youth delegates of the United Nations Association in Canada delegation en route to the UN Environment Assembly.

Today, I also pay tribute to the victims of the terrorist attack that took place on Friday, March 15, in New Zealand, when one man murdered 50 Muslims in two mosques while they were at

prayer. The youngest victim was only three years old. This was a terrorist attack that does not fit the popular stereotype of terrorist attacks.

As we saw just a year ago, on January 29, in Sainte-Foy, Quebec, when six Muslims at prayer were murdered, this is terrorism fuelled by notions of white supremacy and Islamophobia.

Less than five months ago, at the Tree of Life synagogue in Pittsburgh, 11 Jews were murdered by a shooter who invaded their Shabbat morning service.

The Internet is riddled with language of hate and threats of terror from those who are the haters. Words matter, and the words we use to describe these events matter. Genocide starts with words. Language has the power to shape thoughts, and thoughts the power to shape actions. Uttering by words can be an indicator of bigotry, and bigotry can be the basis of justification for discriminatory and harmful actions.

Consider this example — just one of many and one of the shortest I found — on the website for some sporting clubs here in Ontario:

We also have a muslim mosque that collected just 75 signatures to ban assault weapons . . . and this muslim petition of just 75 signatures is what the government is noticing; yet, our tax paying citizens' petition of 75,000 signatures against Bill C-71 gets ignored as if it never existed.

If you find yourself dismissing this example as just words, think again. We have an obligation to all of those who have lost their lives to hatred and who live their lives in fear of threats to use words that convey the truth of what is happening around us. We must define such attacks on places of worship as terrorism. We must identify and expose xenophobic haters and hold them accountable.

Targeted attacks based on race are on the rise in Canada. We need to pay close attention to hate speech, whether directed at Indigenous peoples, Jews, Muslims or others seen as different in some unacceptable way to the haters. Thank you. *Meegwetch*.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Olumuyiwa Balogun Adesanmi and Tise Adesanmi, accompanied by friends and family. They are the guests of the Honourable Senator Bernard.

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

Hon. Senators: Hear, hear!

THE LATE PIUS ADEBOLA ADESANMI

Hon. Wanda Elaine Thomas Bernard: Honourable senators, I rise today to pay tribute to the late Dr. Pius Adesanmi. I will be reading a statement written by his colleague and friend, Dr. Nduka Otinio, from the Institute of African Studies at Carleton University.

On Sunday, March 10, 2019, Dr. Pius Adebola Adesanmi, a Nigerian-Canadian writer, scholar, educator and public intellectual was killed along with 156 others from 35 countries in the Ethiopian Airlines plane that crashed. His tragic demise at the age of 47 has left many in the global communities that he navigated reeling with pain.

He is survived by his wife, his children, his septuagenarian mother, his sisters and brothers.

Born in Nigeria in 1972, he obtained a first-class undergraduate degree in French. After gaining his master's degree in Nigeria, he moved to Canada in 1998 to complete doctoral studies at the University of British Columbia. Upon graduation, he was hired by Penn State University in the United States but returned to Canada in 2006, when Carleton University appointed him to the Department of English.

In 2010, his work garnered international recognition when he won the inaugural Penguin Prize for African Writing for his book *You're Not a Country Africa: A Personal History of the African Present*. This followed his earlier Association of Nigerian Authors' Poetry Prize. In 2015, he was appointed the Director of Carleton's Institute of African Studies, a position he held until his tragic death.

The many people he served are clearly devastated by the sudden death of an intellectual and social activist celebrated for his eloquence and courage in speaking truth to power.

• (1440)

Professor Adesanmi travelled the world with an exceptional dedication to his vocation. The many tributes to him since his passing describe him as the "epitome of hope and hard work," "a world-class mentor and a pacesetter" and an "invaluable gift from Nigeria to the . . . world."

He impacted his students at Carleton with his brilliance and infectious personality, inspired his colleagues and staff with his commitment to service and touched the lives of many across the world with his incisive wit and positive vision. He will be sorely missed.

ETHIOPIAN AIRLINES FLIGHT 302 TRAGEDY

Hon. Mary Coyle: Honourable senators, I rise today to add another grieving voice and heart to those of our fellow Canadians and global neighbours who are mourning the loss of their loved ones in the tragic crash of Ethiopian Airlines flight 302. The world lost 157 valued people. Canada lost 18. Such devastating and shocking losses of our fellow human beings is something unfathomable and unfortunately very hard to recover from.

This shock really hit home for me. I started my career in Africa nearly 40 years ago. Ethiopia, the country of departure of flight ET302 and Kenya, the intended destination of the flight are magnificent places, rich in talented people, diverse cultures, histories and beautiful natural environments. Several people on the flight were working for the United Nations or other humanitarian agencies. Like my 25-year-old self those many years ago, for some it was their first time travelling to the region of their dreams. For others, they had dedicated their long careers to the betterment of the continent.

Fortunately, I did not lose any close family members or friends. However, one dear friend, Lila Pavey of Halifax and formerly of Botswana, lost two people — her beloved uncle Peter deMarsh of New Brunswick, chair of the International Family Forestry Alliance and the Canadian Federation of Woodlot Owners, as well as the main support to Lila's grandmother. Lila also lost her dear friend Stephanie Lacroix, who worked with her in Botswana. Steph was a Canada Service Corps project officer with the United Nations Association in Canada. Stephanie was accompanying three other bright young Canadians to the UN Environment Assembly in Nairobi.

We all extend our deepest sympathies to the families, friends, neighbours and colleagues of the 157 people killed in the air crash. We give our thanks to the Ethiopian people who are working hard every minute to assist the family members of the victims. And we send a note of very sincere appreciation to our colleagues at the Embassy of Canada in Addis Ababa for the sympathetic and important assistance to the loved ones of the Canadian victims of the crash.

And to the bright lights of our country lost, Angela Rehborn, Danielle Moore, Dr. Pius Adebola Adesanmi, Amina Ibrahim Odowa, Sofia Abdulkadir, Kosha Vaidya, Prerit Dixit, Anushka Dixit, Ashka Dixit, Derek Lwungi, Michah Messent, Peter deMarsh, Jessica Hyba, Darcy Belanger, Stephanie Lacroix, Dawn Tanner, Ameen Ismael Noormohamed, Rubi Pauls and family, may you rest in peace. You will not be forgotten.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of a delegation of church leaders. They are the guests of the Honourable Senator Hartling.

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

Hon. Senators: Hear, hear!

ROUTINE PROCEEDINGS

SENATE ETHICS OFFICER

INQUIRY REPORT TABLED

Hon. A. Raynell Andreychuk: Honourable senators, I have the honour to table, in both official languages, the Inquiry Report of the Senate Ethics Officer, dated March 19, 2019, concerning Senator Lynn Beyak, pursuant to subsection 48(18) of the *Ethics and Conflict of Interest Code for Senators*.

[Translation]

CORRECTIONS AND CONDITIONAL RELEASE ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-83, An Act to amend the Corrections and Conditional Release Act and another Act.

(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.)

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET DURING SITTING OF THE SENATE

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

That the Standing Senate Committee on Energy, the Environment and Natural Resources have the power to meet at 5 p.m. on Tuesday, April 2, 2019, even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

[English]

FISHERIES AND OCEANS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET DURING SITTING OF THE SENATE

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

That the Standing Senate Committee on Fisheries and Oceans have the power to meet on Tuesday, April 2, 2019, at 5 p.m., even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

[Translation]

OFFICIAL LANGUAGES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET DURING SITTING OF THE SENATE

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

That the Standing Senate Committee on Official Languages have the power to meet on Monday, April 1, 2019, even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

[English]

QUESTION PERIOD

BUSINESS OF THE SENATE

The Hon. the Speaker: Pursuant to the motions adopted in this chamber Thursday, February 28, 2019 and Monday, March 18, 2019, Question Period will take place at 3 o'clock p.m.

[Translation]

ANSWERS TO ORDER PAPER QUESTIONS TABLED

VETERANS AFFAIRS—OPERATIONAL STRESS INJURY CLINICS

Hon. Peter Harder (Government Representative in the Senate) tabled the reply to Question No. 105, dated September 18, 2018, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Boisvenu, respecting Veterans Affairs Canada operational stress injury clinics.

EMPLOYMENT, WORKFORCE DEVELOPMENT AND LABOUR— STUDENT PLACEMENTS VIA THE STUDENT WORK INTEGRATED LEARNING PROGRAM

Hon. Peter Harder (Government Representative in the Senate) tabled the reply to Question No. 112, dated December 12, 2018, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Downe, respecting student placements via the Student Work Integrated Learning Program.

NATIONAL REVENUE—OVERSEAS TAX EVASION

Hon. Peter Harder (Government Representative in the Senate) tabled the reply to Question No. 116, dated December 12, 2018, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Downe, respecting overseas tax evasion.

PUBLIC SAFETY AND EMERGENCY PREPAREDNESS—INMATES INCARCERATED FOR THE FIRST TIME IN A FEDERAL INSTITUTION

Hon. Peter Harder (Government Representative in the Senate) tabled the reply to Question No. 117, dated December 13, 2018, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Boisvenu, respecting inmates incarcerated for the first time in a federal institution.

BORDER SECURITY AND ORGANIZED CRIME REDUCTION— RCMP NATIONAL FORENSIC LABORATORY SERVICES

Hon. Peter Harder (Government Representative in the Senate) tabled the reply to Question No. 118, dated December 13, 2018, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Boisvenu, respecting the RCMP National Forensic Laboratory Services.

• (1450)

[English]

ORDERS OF THE DAY

BUSINESS OF THE SENATE

The Hon. the Speaker: Senator Coyle, before calling upon you to give your remarks, I apologize in advance that I will have to interrupt you at 3 p.m. to go to Question Period. Of course, you will be given the balance of your time following Question Period.

ACCESSIBLE CANADA BILL

SECOND READING—DEBATE

On the Order:

Resuming debate on the motion of the Honourable Senator Munson, seconded by the Honourable Senator Dyck, for the second reading of Bill C-81, An Act to ensure a barrier-free Canada.

Hon. Mary Coyle: Honourable senators, I am pleased to rise today to speak in support of Bill C-81, An Act to ensure a barrier-free Canada.

[Translation]

Bill C-81 with its 74 amendments was unanimously passed in the House of Commons on November 27, 2018.

[English]

Before I get into describing the key elements of this important bill, I want to first share a fable with all of you, a fable that I used back in the 1980s when I was training rural planners in Indonesia on the topic of gender inclusion. I couldn't help but think of this famous Aesop's fable again when I was studying and pondering the importance of this bill to ensure a barrier-free Canada.

As the fable goes, a fox invited a crane to supper and provided him with some soup, which was poured out into a broad, flat, stone dish. The fox had no problem eating up the soup from the flat vessel, but the soup fell out of the long bill of the crane at every mouthful. The crane's vexation at not being able to eat afforded the fox much amusement. The crane, in his turn, asked the fox to sup with him and set before her a carafe with a long, narrow mouth. In this case, the crane could easily insert his neck and enjoy its contents at his leisure. The fox was unable to even taste it.

The fable can, at one level, be seen as a simple illustration of the golden rule as found in almost every ethical tradition: Treat others as one would like to be treated. Taken at another level, however, I believe this fable actually gets at the very essence of what this legislation is designed to address. It gets at what happens when differing needs, abilities and realities are not taken into account. When only the fox's or the crane's realities are considered, what results is exclusion. When there are only flat or tall, narrow dishes, someone is left out.

For an inclusive feast, the feast we all want to see enjoyed by everyone in Canada, we will need vessels of varying shapes and proportions. We will need different kinds of tables and a variety of places to sit, ones identified by those coming to the proverbial table.

[Translation]

Every citizen and resident has a place at Canada's table, and we are working to improve that here in the Senate.

[English]

As Senator Munson stated in his eloquent speech introducing Bill C-81:

Senators, no one group should have to fight to enjoy the full rights of citizenship. We need to send the message that persons with disabilities are valued civic, social and economic contributors to Canadian society, because they are. With the proposed accessible Canada act, persons with disabilities will not be systematically denied opportunities for inclusion anymore.

Bill C-81 came about after years and years of efforts by individuals, families and organizations such as the 179 members of the Federal Accessibility Legislation Alliance, who fought against systems that excluded Canadians with disabilities of all types and whose slogan, "My Canada includes me," reminds us of what is at the essence of this bill. Of course, the bill also took a lot of attentive listening, studying and creative development by our capable colleagues in government.

Minister Qualtrough, in her speech introducing Bill C-81 in the house, reminded us by saying:

The history of how we have treated Canadians with disabilities is not a proud one. It is a history of institutionalization, of sterilization, of social isolation. We addressed our fears of what we did not understand and of difference by creating systems that, by design, took children away from their families, that took power away from our citizens, that perpetuated a medical model of disability, that saw persons with disabilities as objects of charity and passive recipients of welfare. We treated our citizens as if they were broken, when in fact it was our systems and policies that were broken.

[Translation]

When she was five years old, Minister Qualtrough should have had to leave her family to go to a school for the blind in another province. Fortunately, her parents, like many other parents of their generation, insisted that she be given an education in her own community.

[English]

At the Coady International Institute, where I worked for many years, we taught community and organizational leaders from across Canada and around the world. Fundamental to the institute's work is the asset-based, citizen-led development approach. In that course, the life example, influence and work of Judith Snow are often discussed. Judith Snow suffered from spinal muscular atrophy and thrived as a writer, actor, artist, educator and internationally renowned champion for inclusion.

Ms. Snow, who passed away in her home in Toronto in 2015 at the age of 65, defied all doctors' predictions by living 35 years longer than expected. I believe that it is only fitting to share some of Judith Snow's reflections as we engage in our debate on and study of this historically significant bill.

She said:

I have lived on the margins & fought hard to become a participating citizen.

I am a thinker & a dreamer.

I have a reputation as a visionary.

Let's look at what fosters community capable of including people in all the diversity of their gifts & dreams.

There is in the world today a vibrant new culture. It is young and rough, but its birth has been true and with proper nurturance its life and growth promise to be dramatic. It is the culture of inclusion.

The culture of inclusion begins in the affirmation that all human beings are gifted.

Our purpose is not to help people. Our purpose is to build a different kind of neighbourhood for us all.

John McKnight of the ABCD Institute at DePaul University; Jack Pearpoint, former president of Frontier College; and John O'Brien, inclusion researcher and advocate, all wrote of Ms. Snow:

Judith reflected deeply on her experience of how community grows strong, about power in society and about liberating the contributions of people who are typically pushed to the margins of society because they require accommodation and assistance in order to participate.

This act to ensure a barrier-free Canada is consistent with our commitments to constantly improve our human rights system and strong anti-discrimination laws. Disability is a protected ground under these laws and the Canadian Charter of Rights and Freedoms. Canada is a signatory to the United Nations Convention on the Rights of Persons with Disabilities and a signatory to Agenda 2030, related to which five sustainable development goals specifically address people with disabilities.

As you heard me say in my first speech in May, I strongly believe that inclusion is both an end and a means to achieving the sustainable development goals.

QUESTION PERIOD

Pursuant to the order adopted by the Senate on December 10, 2015, to receive a Minister of the Crown, the Honourable Pablo Rodriguez, Minister of Canadian Heritage and Multiculturalism, appeared before honourable senators during Question Period.

BUSINESS OF THE SENATE

The Hon. the Speaker: I regret I have to interrupt you, Senator Coyle, to proceed to Question Period. You'll be given the balance of your time following Question Period.

Honourable senators, we now proceed to Question Period. Today, we have with us the Honourable Pablo Rodriguez, Minister of Canadian Heritage and Multiculturalism.

On behalf of all senators, welcome, minister.

• (1500)

MINISTRY OF CANADIAN HERITAGE

ROLE OF MEDIA

Hon. Larry W. Smith (Leader of the Opposition): Good afternoon, Minister, welcome. My question concerns the section in your mandate letter from the Prime Minister which instructs you to work with the Finance Minister to develop business models to support local journalism. The fall economic update announced almost \$600 million for the news media industry and a panel of government-appointed journalists to determine eligibility.

Appearing before the Justice Committee of the other place regarding the SNC-Lavalin scandal, former Attorney-General Jody Wilson-Raybould quoted the Prime Minister's Chief of Staff Katie Telford as saying:

... if Jody is nervous, we would of course line up all kinds of people to write op-eds saying that what she is doing is proper.

Minister, how would you view this type of quote? Does it make you uncomfortable that the Prime Minister's Chief of Staff talked about placing op-eds in media outlets at the same time you're working with Minister Morneau on a media bailout?

Hon. Pablo Rodriguez, P.C., M.P., Minister of Canadian Heritage and Multiculturalism: Thank you for the question, senator. First, thank you for the kind invitation. I want you to know that it is an absolute honour to be here with you today.

[Translation]

I believe that we are making history today. This is the first time that Question Period in the Senate has been broadcast live.

[English]

To your question, senator, I think we can all agree that professional journalism is one of the pillars of our democracy. It plays a very important role and Canadians are entitled to receive independent, non-biased, neutral information. Media outlets are disappearing on a regular basis and disappearing actually very quickly.

We are putting in place a program that will be arm's length. It will follow various principles but the core principle at the base of all of this is the independence of the media, the independence of journalism and the freedom of the press.

Senator Smith: Thank you. I actually ran one of those papers, the *Montreal Gazette*, which ran into serious financial stress as the market changed.

Just to follow-up, it's critical that the press in Canada not just remain free from political influence but also be seen to be free from political influence. The government's bailout of the media, combined with the former Attorney General's quote from Ms. Telford on op-eds, makes this view extremely difficult.

How do you respond to Canadians who see the quote and then the bailout as evidence that the government is politically interfering in the independence of the media, particularly in an election year?

Mr. Rodriguez: Thank you again, senator, for the question.

[Translation]

Access to information is a fundamental public good. The information must be factual, credible, neutral and diverse. Journalists play that role when they sometimes ask us difficult questions. Even though we would prefer not to be asked hard questions, journalists ask them to hold us accountable for our actions.

To answer the honourable senator, I believe that the principles of journalistic independence and freedom of the press will underlie everything we do. That is why we will not do that directly. We will do it through a panel of experts who will develop the eligibility criteria and conditions. It will not be me or the government that does that. It will be a panel of experts who will respect the fundamental principle of freedom of the press.

[English]

Hon. Yonah Martin (Deputy Leader of the Opposition): Thank you. My question is a follow-up as well. Minister, my question concerns a sole-source contract, later cancelled, worth \$356,000, to pay *Toronto Star* reporters to attend public meetings of our Senate Banking Committee and the House of Commons Finance Committee.

Minister, when you were asked about this contract in the other place last December and how far your government would go to influence the media, you responded by saying:

A bankrupt press is not a free press. A bankrupt press is not an independent press. A bankrupt press is not a press at all.

Minister, with respect, your response did not answer the question. Do you know why this contract was awarded? Also, what do you think this contract says to Canadians when viewed in the context of your government's planned media bailout and the quote attributed to the Prime Minister's Chief of Staff regarding lining up op-eds?

Mr. Rodriguez: Thank you, senator, for the question. Honourable senators, I can only repeat what I said. Media journalists are disappearing on an almost weekly basis and they play a fundamental role in our country. Some regions are today without any newspapers. They are entitled to know what's going on at city hall or at the school commission or what is happening with their local representatives. What are their MPs doing? What are their provincial representatives doing?

Through this program, senator, we are putting in place conditions to support an industry that plays a key role, a fundamental role, in our democracy. That is being done in many other countries, by the way. Canada is not inventing the wheel. It is being done in many countries in Europe and across the world. We think we have to support professional journalism so they can ask the tough questions.

As I said in French, sometimes those are not the questions we want to be asked, but we have the responsibility to answer those questions. That's what we'll keep doing through journalism that is still alive.

[Translation]

MEDIA SUPPORT

Hon. Serge Joyal: Welcome, minister. We are pleased to welcome you to the Senate for the first time since you were appointed.

I would like to continue along the same lines as my colleagues. Last November, the Minister of Finance announced a 15 per cent tax credit program for newspapers to support labour costs. The announcement suggested that the Department of Canadian Heritage would create a panel of independent experts to set the eligibility criteria for the program.

I gather from your remarks, considering how urgent this situation is, with newspapers disappearing every day, that the eligibility criteria should be announced as soon as possible. What is the deadline for that, and who are the experts chosen to sit on the advisory committee that will set the criteria?

The way things are going, other communities will lose access to the media within a year, and other major newspapers like the *Montreal Gazette* could become financially insoluble. I think urgent action is needed.

[English]

As we say in English, it is "inescapable." When can we expect those criteria and, if possible, a date?

[Translation]

Hon. Pablo Rodriguez, P.C., M.P., Minister of Canadian Heritage and Multiculturalism: Thank you, Senator Joyal, for your excellent question. You know how much I respect all the work you have done throughout your career. You're right in saying that we need information as soon as possible and that this is urgent, because, as you pointed out in your preamble, newspapers are disappearing very quickly.

As I mentioned earlier, some communities no longer have access to information. They no longer know what is happening at city hall, at the school board or with their elected officials. I also mentioned that this process must be independent and must respect freedom of the press and journalistic independence. This is why we must take time to develop the criteria. We will have to consult, of course, and have experts tell us how to proceed.

Senator, I can indeed give you a date. Today you will have more information, when the budget is announced. During the Fall Economic Statement, the government said that it would provide details in the budget. I therefore expect today's budget to contain those details.

• (1510)

Senator Joyal: In practice, when will a newspaper be able to access the 15 per cent payroll tax credit if the criteria are in the budget speech that will be read at four o'clock this afternoon?

Mr. Rodriguez: Thank you for your question. Listen, I cannot speculate on what is in the document that will be read today, but my hope is that it would be effective on January 1, 2019, hence retroactively. We'll have to see what is in the budget.

Hon. Éric Forest: Thank you, minister, for being here and for coming to my region to provide tangible support to Technopole maritime du Québec.

I have more or less the same concern as my honourable colleague, Senator Joyal. If I understand correctly, the expert panel that was created studied, analyzed and recommended criteria that will be set out in this afternoon's budget and, according to the budget statement, would be applicable as soon as the budget is tabled.

Mr. Rodriguez: Thank you for your question. It was a pleasure to see you in Rimouski last week on the occasion of an important announcement. Senator, let me be clear: I don't know the details of the budget. What I can say is that during the fall economic update we said that these details would be disclosed in the budget. I expect it to be as detailed as possible. Again, I cannot speak for the Minister of Finance. My hope is that the tax credits will be applicable retroactively to January 1, 2019. We'll see what happens this afternoon. The economic update promised there would be more details in this afternoon's budget, and I expect that to be the case.

[English]

INDIGENOUS LANGUAGES

Hon. Mary Jane McCallum: This is a supplementary to the question I asked this morning in committee. The First Nations I represent are asking further questions.

Under Bill C-91, the government's only positive duty is to consult Indigenous organizations in order to meet the objective of providing adequate, sustainable and long-term funding for Indigenous languages. That may be the stated objective, but, with no specific Indigenous language rights and no corresponding positive obligations on the government to implement those rights, Bill C-91 amounts to nothing more than an aspirational policy

statement. It leaves intact the government's bureaucratic control over funding of all Indigenous language initiatives including the trap of block funding, which forces communities to compete with each other for available dollars and pits one against another.

On the key issue of new dollars for immersion schools the bill is silent, only speaking about immersion programs, not schools.

My question for you, minister, is this: If the government is fully committed to reconciliation and endorsing the United Nations Declaration on the Rights of Indigenous Peoples, why do you not simply use that declaration as the foundation and basis of this bill? The solution to revitalizing, protecting and promoting Indigenous languages are prescribed clearly within UNDRIP, specifically within Articles 13 and 14. Why does the government not take their first concrete step towards implementing UNDRIP by making Bill C-91 fully representative of the solutions that document prescribes?

Hon. Pablo Rodriguez, P.C., M.P., Minister of Canadian Heritage and Multiculturalism: Thank you very much, senator, and thank you for the questions you asked this morning, too. It has been a busy day today, senators. I was at the committee for 40 minutes this morning. Now I have the pleasure to be here with you.

Those are extremely important questions. Honourable senators, this is an extremely important bill that was co-developed within Indigenous nations across the country following vast consultations for two years. With the Inuit, the First Nations, the Metis and representatives from other different groups, we came together with the basis of this bill, which has 12 principles and which recognizes, for the first time, Indigenous languages as a fundamental right based on section 35 of the Constitution. That is important.

The bill also recognizes the importance of advancing UNDRIP, the United Nations Declaration on the Rights of Indigenous Peoples. That is also in the bill, senator. It also mentions stable and long-term funding. Bills don't normally do that, saying that you have to provide stable and long-term funding ties the hands of the government but that's also in the bill.

Bill C-91 also creates the office of the commissioner of Indigenous languages. That office will be there to do research at the beginning and to explain to us the state of the different Indigenous languages. What should we do better? Is the funding enough? Is the funding necessary to achieve what we want to do in terms of Indigenous languages?

Honourable senators, those are the fundamental things that are in the bill. Can we improve it? If we can do so, we will. The door is always open to keep the discussion going and to improve it, but we must start now because languages are being lost everywhere. There is not a safe language in our country, honourable senators. They're all threatened. They're disappearing. We have to start acting and this bill allows us to start doing so right now.

Hon. Dennis Glen Patterson: With the greatest of respect, minister, you spoke about the co-development process and you mentioned the Inuit.

As you know, I'm very concerned that having entered into the co-development process in good faith, Inuit said that the government had failed to give any response to their thoughtful input into what should be in the bill. At one point in August 2018, they were insulted to be offered three pages of the bill in each of three days and asked to sign a confidentiality agreement. They walked away from the co-development table saying that the government had acted in bad faith.

My question to you is about the Inuit language, Inuktitut, the healthiest Aboriginal language in Canada that is, nonetheless, eroding. What are you doing to ensure the thoughtful advice and concerns expressed to you and your officials by the Inuit are being reflected in the bill? They say the draft bill reflects none of their concerns.

Mr. Rodriguez: Thank you, senator, for the question and for your hard work on this file. I noticed that this morning at the committee. Those are tough questions but very important ones. I'm here to answer them to the best of my capacity.

First, everyone was around the table when we did the consultation, including the Inuit, and that process lasted for about two years. There were about 50 different consultations; 20 were led by the government. There were online submissions and all kinds of possibilities for people to give their opinion and advice. This is what constitutes the basis of the bill.

When I say that 12 principles are underlined in this bill, the bill is built on those 12 principles, including the creation of an office of the commissioner. There will be stable and long-term funding. Language rights are finally recognized as fundamental rights, and we are advancing the United Nations Declaration on the Rights of Indigenous Peoples. Those are all things that everyone agreed upon, not only the government, the Metis and First Nations but also the Inuit.

However, the Inuit want to go further. I understand and respect that very much, senator. That's why I have said from day one — and I said it again this morning — my door is open. It will always be open to keep discussing this, and we are discussing it. I was in Iqaluit two weeks ago and I had many meetings with President Kotierk, her team and different experts who are there. We had very good and very positive discussions about the bill, about next steps, where can we go and what we can do better.

• (1520)

We're trying to advance together because we want this to happen for all of us, including for Inuit who have been fighting so hard to keep their language and their culture.

Senator Patterson: I appreciate your reference to principles, minister, but you can't preserve and enhance an Indigenous language based on principles alone.

The Inuit were involved in the co-development process until they left the table. Following that unfortunate departure, the bill was drafted and presented and is now before the Senate, but you appointed a ministerial special representative to engage with the Inuit on this file, and I thank you for that. Your officials have talked about the possibility of developing a parallel bill which would reflect the unique and happy circumstances of Inuktitut being a healthy language, although still struggling.

Your officials also talked to me, when I got a critic's briefing, that there was the possibility of doing an agreement under the bill according to section 9.

The Inuit are going to lose any leverage to have their concerns reflected in this legislation if it passes without concessions being made to their unique concerns. My question is this: Are you willing to go back to the committee before it finally considers the bill with a report on the results of your ministerial special representative's work and the discussions which you've said are ongoing, including with the Government of Nunavut, on measures that could be incorporated in an agreement under sections 9 and 10 and/or the possibility of a separate bill? Would you let us know what progress you've made before we have to make the decision on third reading on the bill?

Mr. Rodriguez: Thank you, senator. We've been open and transparent from day one.

You're referring to the month of August. At that moment, we had concluded, with all the national groups, what would be the basis of the bill. This is what I had explained before: the principles and the recognition of rights and all of that.

After that, we started conversations on going a step further. This is where we are now. With all due respect, I'm not sure exactly what you mean about walking away from the table, because we are discussing bilaterally with them on a regular basis. As mentioned, I was in Iqaluit two weeks ago. I met with President Kotierk and different representatives from the Inuit organizations in New York when I was at the United Nations to speak on this specific topic.

Every time I, my parliamentary secretary and my staff have the opportunity to keep discussing with them, we do it, because what they want to achieve is fundamental. I understand exactly why they want to go there and I'm with them. We have to make sure it's possible and that we can deliver. I will never say yes to something I cannot deliver. Parts of what is discussed or requested depend on myself and other ministers from Justice, Indigenous Services and other people.

Before we are able to say yes to something, I have to make sure I can say yes to that. But do we want to go to the same place? Absolutely. How can we get there? That's what we're discussing now.

But right at the start, right now, when the bill passes, it also means we are putting in place funding mechanisms so the money flows to the different communities so we can start now by preparing teachers and writing books, dictionaries and doing concrete things so we can preserve and revitalize Indigenous languages, including Inuktitut.

[Translation]

LOBBYING EVENTS AT MUSEUMS

Hon. Pierre-Hugues Boisvenu: Minister, welcome to the Senate.

On March 13, *The Globe and Mail* reported that Bruce Hartley, who has been registered as a lobbyist for SNC-Lavalin since 2017, attended two cash-for-access fundraising events for Liberal donors held in December 2017 and June 2018, where the Prime Minister and members of his inner circle were present and were the featured guests.

You are the minister responsible for the two federal museums where these events were held. As the Minister of Canadian Heritage and the minister responsible for federal museums, do you believe that it is ethical for your party, the party in power, to organize partisan fundraising activities with lobbyists in federal museums? Did you attend the December 12 event at the National Gallery of Canada in Ottawa, and did you discuss the issue with SNC-Lavalin and Bruce Hartley?

Hon. Pablo Rodriguez, P.C., M.P., Minister of Canadian Heritage and Multiculturalism: Honourable senator, the answer to the last part of your question is no. Was I at the December 12 event? Possibly, but I don't remember. I can check whether or not I was there.

Now, it is not unusual for fundraising or other activities to be held in Government of Canada institutions. There are rules to be followed that apply to any party, institution or group organizing this kind of event. I have attended various events in museums that had nothing to do with politics. One thing is for sure: there are rules to be followed, and I believe that they were followed.

CANADIAN CONTENT

Hon. Julie Miville-Dechêne: Minister, a big conference bringing together telecom companies and Quebec creators was held at HEC Montréal in late January. The clear consensus was that the federal government has the tools it needs to immediately force digital and streaming platforms like Netflix, and others, to contribute financially to Canadian content. Why not act now?

There is an urgent need to promote Quebec and Canadian content on digital platforms because, according to Quebec's creators, our cultural sovereignty is at stake.

Hon. Pablo Rodriguez, P.C., M.P., Minister of Canadian Heritage and Multiculturalism: Senator, thank you for that question, which touches on a subject that is both current and vitally important.

First of all, I have some general comments to make about our approach to culture. We've invested more in culture than any other government, more than all the other G7 countries. We've invested in CBC/Radio-Canada, Telefilm Canada, the NFB and the Canada Council for the Arts. Why? Because our culture is fundamental. That is why we're putting our creators at the centre of what we're doing. It is also why we've created an expert panel to study the issue. Its first report, which is due in June, will give us some guidance on how to proceed. In the long term, when we draft our culture legislation, which won't take long once the report comes out, we will make sure that everyone participating in the system, and I mean everyone, will contribute. There will be no free passes.

If I can just digress briefly, one of the reasons why we can continue to make legislation and do important things for culture is that we succeeded in maintaining the cultural exemption in our negotiations with our friends, the United States and Mexico. That is an extremely important point.

I also want to mention that I am definitely not here to defend Netflix and other web giants. They have a lot more money than I do, and better lawyers, too. They have a role to play as well, but, consequently, once we get the recommendations, we're going to make sure everyone participating in the system contributes.

Senator Miville-Dechêne: I'm a little concerned about your timeline. The panel is supposed to submit an interim report within three months, but the final report setting out the recommendations isn't due until 2020. There's going to be an election between now and 2020. Can you tell us whether you plan to introduce legislation on this very important issue before the election?

Mr. Rodriguez: Once again, thank you for the question. We already have a pretty good idea of what the June report will say. The final report is due in January 2020, the first month of 2020. That being said, we won't be sitting back doing nothing between now and then. We have been monitoring the expert panel's work, and we will continue to do so. Ideas have been put forward, and things are being discussed internally.

• (1530)

Why? Because, senator, we completely agree that this is urgent. There are major changes going on. These are fundamental changes, and if you look at ad spending by our governments or the private sector, you can see that spending is moving from traditional media to digital platforms. We can see that culture is being consumed differently. My daughter, who just turned 17, spends her time on her phone, not working, but watching movies. Everything is changing. There are radical changes going on. These are fundamental changes, and we must act quickly. You're absolutely right. Even though the committee has not yet submitted its report, we are getting ready, but we are waiting for the final report before we introduce any legislation.

[English]

ARTS AND CULTURE LEGISLATION

Hon. Patricia Bovey: Welcome, Mr. Minister. I know you are well aware that creators in all arts disciplines and museological institutions are anxiously awaiting the review of two pieces of legislation in particular, both under way I think — the Copyright Act and the Cultural Property Export and Import Act.

Can you tell this chamber what stage the reviews are currently at, which issues are seen as critical and when our arts and culture community can expect to see the revised legislation? And may I ask what the position of the government is on the issue of artist resale rights, which many tell us puts them at a great disadvantage internationally?

Hon. Pablo Rodriguez, P.C., M.P., Minister of Canadian Heritage and Multiculturalism: Thank you very much for your question, senator. I agree with you: The way our creators, our artists are compensated is fundamental. Their creation of art is their way of living. They don't sell cars. They don't sell pens. They sell what they create. We have to make sure that through this process, which is actually being analyzed by two committees in the House of Commons — what we call the Industry Committee and the Heritage Committee — we come to a conclusion where we make sure that our creators, our artists are duly compensated for their work because they deserve it. They do extraordinary things that allow Canadians to watch extraordinary content on television, to listen to great music, to read fantastic books, produced by our own. They are produced here in Canada by Canadians.

For us, it's fundamental, madam senator, that our artists are duly compensated for that.

[Translation]

I think the second part of your question had to do with donations and tax receipts for donations to recognized museums. We were not happy with the decision that was made. That's why the decision was appealed, and that's why the government wants this to happen quickly. This is an important issue for our museums and collections.

[English]

Senator Bovey: Thank you, minister. The other part of the Cultural Property Export and Import Act is actually the licences, the permits, to export works out of the country. I wonder if that is being looked at as well.

Mr. Rodriguez: I have to get back to you more precisely on that question, if I may. Thank you.

[Translation]

MEDIA SUPPORT

Hon. Jean-Guy Dagenais: Minister, newspapers' advertising revenues have dropped by \$1.5 billion over the past decade. Revenues at 700 commercial radio stations are down by

\$30 million a year. To address the hardships the media is facing, the government is planning to support them through subsidies. Meanwhile, when the government purchases ads, some 55 per cent of its investments go to foreign web-based companies such as Google, Facebook and Twitter.

You're fixing a problem you yourselves are creating. If our Canadian media are not good enough for government advertising, why are you going to subsidize them?

Hon. Pablo Rodriguez, P.C., M.P., Minister of Canadian Heritage and Multiculturalism: Thank you for the question, honourable senator. I mentioned at the outset that help is on the way to support professional journalism. We use very specific criteria for providing help, to ensure that journalism continues to play the fundamental role it has always played in our society. There is the program announced in the fall economic update, and there is also an additional \$50 million that was announced in budget 2018 to help regional media. Several regions currently do not have access to independent, neutral, high-quality news on what is happening at their city hall or what their federal or provincial representatives are doing. All of that is fundamental.

We have to be there for them, and the honourable senator is right to mention the declining revenues of traditional media. I touched on that earlier in one of my answers. It is a structural problem, a money problem. Why? Because advertisers look at where people are consuming content, and they realize that content and news are increasingly being consumed on digital platforms.

The other problem is that often that content is produced by professional journalists who do not receive any remuneration when it is published on digital platforms. We need to look at all that and ensure that our news media can survive, since it is a pillar of our democracy.

CULTURE POLICY DEVELOPMENT

Hon. René Cormier: Good afternoon, minister. On June 26, 2018, your government officially announced Canada's creative export strategy. You are responsible for overseeing the implementation of that strategy with the support of the Minister of Small Business and Export Promotion. We know that advance consultations were held with 250 members and that round tables were held in the major urban centres of Vancouver, Toronto and Montreal. However, as you know, minister, professional artistic and cultural production exists and is thriving in areas outside those major centres, and those regions have extremely important export initiatives. I am talking, in particular, about the strategy for the international promotion of Acadian artists, artists who have been doing important work since 1999. However, this strategy does not receive any funding from Canadian Heritage.

My question for you is this: How did the government consult and adapt this strategy and its evaluation criteria to take into account organizations in the regions that export to markets that are outside major centres but are nonetheless extremely important to the development of arts and culture in Canada?

Hon. Pablo Rodriguez, P.C., M.P., Minister of Canadian Heritage and Multiculturalism: Thank you very much for the question. You have touched on a fundamental point. There is a vibrant cultural scene in the different regions across the country, such as Acadia, northern Ontario and others. That is one of the reasons why, on July 17, the day I was appointed, as soon as I was driven from Rideau Hall to my office, I walked into the office of the Minister of Canadian Heritage and said, “This is a wonderful office, it’s really nice, but I don’t want to be here because this is not where cultural policies that reflect the realities of Canadians and the regions are developed.” I remember saying, “I want to travel around the country. We’ll go to Toronto, Montreal and Vancouver, and I also want to go to the regions.” That is why I went to Rimouski not so long ago and, before that, to Rivière-du-Loup. I have travelled all over because there are gems in the regions, like broadcasting studios, theatre and music shows, and cultural treasures in general. The \$125-million program that was increased is for everyone, not just organizations located in major Canadian cities. It’s for the regions too. I hope that Acadians will apply, because they are doing really extraordinary things, and I hope that this government will be there to support them as well.

Senator Cormier: My comment, minister, is that Ms. Boyer, who is Director General of International Trade at Canadian Heritage, appeared before the Foreign Affairs Committee last October, if my memory serves, and talked about the targets and primary markets this strategy was going to focus on.

• (1540)

Those primary markets included Asia, Latin America, Europe and, lastly, the North Africa francophone market. I am quite worried about this. My question is this: why did it take four years for the development of the francophone market to become part of this export strategy, when we know, as you just said yourself, that major works and productions could be exported internationally, works that have been coming out of francophone communities before that period, of course?

Mr. Rodriguez: Again, thank you for the question, senator. The vitality of the French language and promoting the French fact are of tremendous importance to our government. One might even say it’s in our DNA, considering that we passed the Official Languages Act, our work to promote our official languages, and the importance we place on both official languages. Certain markets, such as the Chinese market, are important, of course. I spoke to the president of Cavalia recently because his company is moving into that market. Asia is an important market because it has the population and the financial capacity to attract our cultural industries. Latin American countries, our neighbours to the south, make up another big market. I myself am originally from further south, from Argentina. Our trade mission there was tremendously successful.

None of that detracts from how important France, Belgium and francophone African countries are to our government. As you know, senator, we have very close ties with all those countries, and we are producing absolutely extraordinary things right here at home in both official languages, certainly in French, and not just in Quebec but in Acadia and other provinces, as I have seen

for myself. We will be there to support our francophone artists, artisans and creators and help them export their creations to those markets.

[English]

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, the time for Question Period has expired. I know honourable senators want to join me in thanking Minister Rodriguez for being with us today.

Hon. Yonah Martin (Deputy Leader of the Opposition): On a point of clarification, I was under the understanding that the leader would be able to ask a supplementary, but you did give several senators a supplementary question. Senator Carignan was on our list and he was not able to speak. I was going to rise the second time, but I didn’t want to take away from the time that was allotted for Question Period since the minister had a limited time. I am curious as to whether a supplementary is being allowed for all questioners? I thought it was only for the leaders and that it would have allowed everyone else to ask their question. That was my concern.

The Hon. the Speaker: It was the agreement that we would have just the leaders ask supplementary questions, and the senators would just ask one question, and be put on the list for second questions if they wanted to ask a supplementary.

Unfortunately, today when we got into questions, I had already let a number of senators ask second questions, so I apologize for that. That was my fault; that was not part of the agreement. We will return to the agreement the next time we have a minister back.

For those who didn’t have an opportunity to ask a question, my apologies.

Resuming debate on second reading of Bill C-81 for the balance of your time, Senator Coyle.

ORDERS OF THE DAY

ACCESSIBLE CANADA BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Munson, seconded by the Honourable Senator Dyck, for the second reading of Bill C-81, An Act to ensure a barrier-free Canada.

Hon. Mary Coyle: Honourable senators, in her speech, Minister Qualtrough said:

As our understanding of disability has evolved, the medical model is giving way to a human rights-based social model. We no longer see the individual's disability or impairment as a barrier to inclusion; rather, it is the barriers created by society that prevent people with disabilities from enjoying their human rights on an equal basis with others.

Judith Snow would say with the culture change to one focused on inclusion and removal of barriers, not only will individuals be able to enjoy their human rights on an equal basis, but also our Canadian society will greatly benefit from the unleashing or liberating of the many gifts and contributions of these people.

Now let's have a look at what our current statistical landscape looks like in Canada.

Right now, 22 per cent of Canadians aged 15 and older have at least one disability. We expect this percentage to increase as those of us in the baby boomer generation grow older.

Fifty-nine per cent of Canadians with disabilities are employed, compared to 80 per cent of Canadians without disabilities; 28 per cent of Canadians with a severe disability live in poverty, twice the national percentage of 14 per cent.

Disability is the most common ground for discrimination complaints to the Canadian Human Rights Commission, accounting for close to 60 per cent between the years 2013 and 2017.

Colleagues, let's have a brief look at some of the elements of the legislation intended to address this sorry reality and deliver on Canada's promise to increase the inclusion and participation of Canadians with disabilities and promote equality of opportunities.

Bill C-81 has four objectives: One, to shift from reactive to proactive, taking the burden off individual Canadians with disabilities in order to address systemic accessibility issues; two, provide entities under federal jurisdiction with clearly defined standards to achieve and maintain, as well as new requirements to plan and report on results. This involves the creation of the Canadian Accessibility Standards Organization or CASDO; three, ensure involvement of Canadians with disabilities is at the core of the new approach; four, report annually on results to Canadians. Therefore, accountability is built-in.

The accessible Canada act was drafted with several key principles in mind. These principles are: Inherent dignity; equal opportunity; barrier-free government; autonomy; inclusive design; and meaningful involvement.

Bill C-81 outlines seven priority areas needing to be addressed. These include: built environments such as federal buildings and public spaces; in employment, through the opportunities offered and the policies and practices in place; in information and communication technologies, by means of the content offered and the technology utilized; through the procurement of goods

and services and the design and delivery of federal programs and services; in the area of transportation which includes air, rail, ferry or bus; and finally, in all means of communication.

Bill C-81 is designed to position Canada as a model for accessibility and will strengthen the existing rights and protections currently in place for people with disabilities.

Of course, more will need to be done to enable the cultural shift necessary to achieve true equality for those living with a disability.

Some important issues have been raised by advocates and critics of the bill. These are largely related to the bill not going far enough, having sufficient funding associated with its implementation, appropriate powers for certain players, coordination with the provinces and territories, needing to take into account intersectionality, sufficient attention to removing barriers for Indigenous peoples, and the need for navigational support.

The main concern I have heard, however, is the concern that we deal with this bill efficiently in order that it can be passed quickly, so that we do not miss this historic opportunity.

Before concluding, I would like to leave you with a little story by Judith Snow:

In North America the Canada geese fly south every fall and north in the spring covering thousands of miles each way. The birds flying a V-formation, with one bird in front followed by two diverging lines of flyers. The lead bird breaks the wind resistance for the two behind who in turn are shields for the bird behind each of them down to the end of the line. But in the course of each flight the leader drops out of position to go to the end of the line and to be replaced by one of the following birds over and over again. In this way no one bird is ever leader so long as to be exhausted or to deny opportunity to another bird. In turn each bird is the guide. This [is] a model of organizing a community so that the gifts of all benefit everyone.

• (1550)

Through this beautiful, natural metaphor, Judith Snow envisioned a society where everyone has a chance to take their rightful place and participate by contributing their gifts while benefiting from the gifts of others.

Colleagues, is this not what we hope to achieve for Canada? I believe that Bill C-81, An Act to ensure a barrier-free Canada, is a bold and practical mechanism to finally ensure that rights promised become rights lived, as my colleague Senator McPhedran said yesterday.

Colleagues, let's move this legislation swiftly to committee so it can be studied thoroughly and the important efforts of so many can be brought to completion and ultimately to fruition. Thank you. *Wela'liq.*

Hon. Patricia Bovey: Honourable senators, I too rise in full support of Bill C-81, the accessible Canada act.

Thank you, Senator Munson, for sponsoring this bill and for your truly moving speech that took the high road and shared your compelling personal story. We all have our own stories. My great nephew, like your son, is afflicted with Down's. His sister was introduced in this chamber last year.

[Translation]

I fully agree with the principles set out in the bill's preamble. I want to quote two passages from it:

... all individuals should have an opportunity equal with other individuals to make for themselves the lives that they are able and wish to have and to have their needs accommodated without discrimination and, in particular, discrimination on the basis of disability;

And:

... it is essential to ensure the economic, social and civic participation of all persons in Canada, regardless of their disabilities, and to allow them to fully exercise their rights and responsibilities in a barrier-free Canada . . .

[English]

Senators, we are lucky and privileged. I say this with the greatest respect and admiration for our colleague the Honourable Senator Petitsclerc and colleagues whose mobility and access are compromised in any way. For the most part, we all have access to the fundamentals of life — sight, hearing, mobility and speech — and we are all blessed with intellectual abilities. How many of us have really thought about living our lives in the shoes of others? How many of us TABPs — temporarily able-bodied persons — have considered the impact any disability has on our energies on a daily basis, on our opportunity to partake in events, or even, as my mother used to say, the mundane mechanics of daily life. Only awareness will change societal attitudes.

I met recently with Susan Lamberd, Executive Director of Arts AccessAbility Network Manitoba. She rightly said, "Like it or not, most people will become disabled in their lifetime."

While society as a whole is more understanding, to a degree, as to the difficulties and inabilities of others, I am always stopped in my tracks with what I see and hear. According to a Stats Canada survey, published last November, 22 per cent of Canadians, or 6.2 million people, had at least one disability. Disturbingly, as we have heard, that included 38 per cent of seniors, and over 2 million with a mental health related disability. We must rid society of all barriers, encompassing, as the bill states, the "physical, architectural, technological or attitudinal," both in policy and practice, "that hinders the full and equal participation in society of all persons with an impairment, including a physical, mental, intellectual, cognitive, learning, communication or sensory impairment or a functional limitation." In other words, any visible or invisible impairment.

My friend uses a wheelchair. When wheeling home from the local Safeway last winter, his wheelchair fell over in a rut in the snow on the road — the sidewalk had not been plowed. The road was sculpted with the characteristic ice and snow ruts Winnipeg has for months every year. He fell out of his chair and was in the

snow until someone came along, righted his chair and helped him back into it. Can you imagine? This is not a unique experience for him or others who use chairs.

Transit presents specific complications for those using chairs, like getting on and off the bus and whether there is room for the chair. The fact is, one cannot get on a bus unless they are able to get off at the other end. Puddles, snowbanks and curbs are barriers. My friends must plan the accessibility of the whole journey.

As for snow, how do those without sight manoeuvre snowbanks on sidewalks thrown up by plows?

My inspiring young friend who is like my honorary daughter, Gem, defied all odds. She earned a kinesiology degree at the University of Manitoba. Verbal communication is difficult for her. She has never walked and she manipulates her computer with her feet. Most teachers were anything but encouraging, not fathoming her ability to attend college or university. Well, she achieved an academic high school program. We celebrated! But I was perplexed when she told me what she was going to study — kinesiology. How? I had a myriad of questions but applauded her determination and supported her any way I could. You can imagine my pride when she graduated.

Gem now plans recreation programs for Winnipeg's St. Amant centre as a volunteer. There is no money to pay her, even with her credentials and their need. They are attempting to find funding, but something in this situation seems unfair to me.

Barriers reign regarding her care programs. Her support funding diminished when she turned 18. It was reduced again when she was no longer a student. Just because she is an adult, a trained adult, with a job — a necessary job, yet one without pay — why, I ask, does anyone think her need has diminished?

Therefore, her mother, in her 70s, must work to afford the needed care. She runs a fundraising event for the Cerebral Palsy Association of Manitoba. Founded 48 years ago, it has never received governmental support from any level of government. Last year, their stationary bike race raised \$205,211.21. This year, the thirtieth anniversary of this critically important fundraising race, surpassed last year's record in support of an organization determined to do all they can to remove barriers for equal accessibility.

By the way, it was Gem's father who fell out of the wheelchair in the snow. His affliction is different from his daughter's, but their determination is the same. A retired art professor and member of the Royal Canadian Academy of Arts, he continues to be a prolific print maker, exhibiting internationally, winning awards and leading workshops and mentoring other artists.

That, honourable senators, leads me to the Arts AccessAbility Network of Manitoba. Founded in 2008, they are a leader in the field of artists with disabilities, collaborating with many community organizations. Their objectives are:

To be the voice for artists and audiences with disabilities in Manitoba

To bring leadership on access and equity issues that impact the arts

To empower artists with disabilities by providing access to the resources they need to advance their artistic practice

This is exactly what Bill C-81 aims to do.

They are rightly concerned that those who need support networks and resources are often isolated at home, forced to opt out of programs because of their disability, a veritable Catch-22. They note:

Artists with disabilities are an especially vulnerable population as their needs are generally not well understood or, at times, even acknowledged by either the disability service organizations or the arts organizations, each claiming the responsibility belongs to the other. They are also reluctant to self-identify due to misconceptions and prejudices Most live below the Low Income Cut-Off.

The group includes people with MS, those who are blind, deaf or with other afflictions. Many have had their art selected for international exhibitions but because of their disabilities have not been able to attend these important career milestones. The costs were beyond their financial capabilities, as for many it takes two to go for one.

Is that equal access? No. How would you feel as one of those heralded Canadian artists, accorded with accolades, unable to attend because you could not afford to take someone with you, which you had to, or because the host centre did not have an accessible hotel?

As for accessible places in Winnipeg, or anywhere in Canada, how many commercial or alternative arts spaces are actually accessible? They may have an elevator or automatic doors, but any lip or step into an entrance is an impenetrable barrier — a barrier larger than any wall — an exclusionary barrier.

How many of our theatres, while accessible for audiences, do not have accessible stages or backstage areas for performers who use wheelchairs?

Distinguished Manitoba playwright Debbie Patterson is particularly articulate about the insights of being disabled:

I've been fully able-bodied and now I'm disabled. My goal is to build compassion through a clear exploration and articulation of what it means to be human. Being disabled has taught me enormous things I could never have learned without the lived experience of disability. I've been given insight into the aspects of the human condition I was never able to understand before. What a bitter irony it would be if my disability, which has given me these insights, was the

very thing that prevented me from sharing them. When we think about access, we need to remember it's a two-way bridge: yes, disabled people need access, but society needs access to the specific skills, insights and abilities of those who are defined as disabled. An ASL interpreter isn't just there for deaf people, they're translating for all of us. Universal access gets us all on the same team. We need to move forward together.

• (1600)

She further opined:

Whether we like to admit it or not, becoming disabled is a huge and universal fear. Fear divides us. Fear makes us mistrustful of each other. Fear allows us to draw lines between us and invalidate the needs of people on the other side of the line. . . . We all have bodies that disappoint, that fail to meet our ambitions, that break down. We all lack the ability to perceive, to see or hear all that we should. We are all imperfect and broken.

There are certainly positive stories of people who have risen above their disability. Professional actress Elizabeth Morris, introduced in this chamber last spring, is one. She wrote her MA thesis on design for accessibility, a goal of Bill C-81. She is deaf. She has performed on the stage of Stratford and was a member of the National Theatre of the Deaf in the United States. She has led numerous workshops with theatres internationally, consulted in deaf culture for live theatre and television, and this spring is performing in *The Tempest* at the Banff Centre. When she came to the chamber, I hired an American Sign Language interpreter so she could “see” our deliberations on ASL.

I contend we need to do more. We must address our committee accessibility. Given Ms. Morris' international career, a Canadian arts ambassador, I had hoped she could be a witness for the Foreign Affairs and International Trade Committee's cultural diplomacy study. But signing, I was told, could not work with our system of bilingual broadcasting. It was suggested she write a testimony. With all her daily barriers, I could not add one more thing to her already full work and performance agenda.

We must find ways to give voice to all with disabilities. I would love her to come to a Senate committee and give us guidance as to how we might open doors now that we are in our new home with upgraded technologies. My mantra for Bill C-81 is open doors for all. Too many shut in our faces.

That leads me to H'art, the Kingston arts organization which, since 1988 has been “helping adults with intellectual disabilities reach their highest potential through the arts,” in all arts disciplines — music, theatre, visual arts, dance and more. Their energy and positive results are infectious. I spoke before about this inspirational organization. Their performance of *Martadella* last year will be with me forever.

Many organizations are worthy of mention. The overriding message is the same: More is needed to advance accessible arts for artists and audiences — financially, attitudinally and physically. Surely we can fix those barriers and shift attitudes.

Honourable colleagues, we must level the playing field, ensuring accessibility for all, those with visible and/or invisible disabilities. The impetus for social change is societal, not individual. Disabled persons must be considered normal and be accepted and supported.

Debbie Patterson's compassion and determination is visceral:

As an artist with a disability, I am living your nightmare. I can explore your nightmares for you. We can be united in that fear, we can use that fear to build compassion and empathy, and we can break that fear down together.

As Senator Munson noted, the cost will be more than overcome by the economic participation of all and their contributions to the GDP. How many brilliant minds have been curtailed by society's inability to give access? What is the real cost of excluding people from contributing? The resulting well-being and sense of worth of our citizens will more than repay society.

Colleagues, please support Bill C-81. I do. So too do those living with disabilities, their families and indeed the majority of Canadians. It is time to do the right thing and require accessibility accommodations.

Hon. Judith G. Seidman: Honourable senators, I rise today to speak to Bill C-81, An Act to ensure a barrier-free Canada.

Over the last decade, the imperative to address the issue of accessibility has become increasingly urgent.

In 2011, the World Health Organization and the World Bank combined efforts to publish the first *World Report on Disability*. At its launch, the former Vice President of Human Development at the World Bank, Ms. Tamar Manuelyan Atinc, stated that this report "not only provides the first global estimate of disability prevalence since the 1970s, but also presents powerful evidence on the social and economic status of people with disabilities around the world."

According to this report, more than 1 billion people, or about 15 per cent of the world's population, live with some form of disability.

According to the *Canadian Survey on Disability*, conducted by Statistics Canada in 2012, "almost 14% of the Canadian population age 15 years or older have reported a serious difficulty or impairment due to a long-term condition or health problem."

While it is true that many persons with disabilities can find work opportunities within their communities, most face a range of barriers, including lack of accessibility, negative attitudes and inadequate policies and standards that limit their daily functions and prevent their full participation in society.

The *World Report on Disability* highlights the impact of these barriers, showing that across the world, people with disabilities have poorer health, lower education achievements, less economic participation and higher rates of poverty.

The groundbreaking work on disability by the World Health Organization and the World Bank was meant to facilitate the implementation of the United Nations Convention on the Rights of Persons with Disabilities.

More than a dozen years ago, members of the United Nations General Assembly recognized the need to address the discrimination that persons with disabilities faced around the world. As a solution, they adopted the Convention on the Rights of Persons with Disabilities on December 13, 2006.

The purpose of the convention was to "promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities."

This was significant for a few reasons.

First, the convention shifted the global perspective on disability from the usual "medical model" to the much more multidimensional "social model." And second, it reminded states of their obligation to protect and promote the cultural, economic and social rights of all persons with disabilities.

Canada was a proud supporter of this convention and was one of the first countries to sign on March 30, 2007.

In fact, representatives from the Canadian government, Department of Foreign Affairs and International Trade, Justice Canada, HRSDC and the Department of Canadian Heritage were all involved in the international development of the convention.

In the 2008 *Federal Disability Report*, the Government of Canada stated that this convention was "an important means for the international community to recognize and reaffirm the need to prohibit discrimination against people with disabilities in all aspects of life."

That is why I, alongside many other Canadians, was pleased when the Minister of Science and Minister of Sport and Persons with Disabilities introduced federal legislation, Bill C-81, An Act to ensure a barrier-free Canada, to address the challenges faced by Canada's disability community.

Canadians with disabilities have long voiced the need for this type of legislation.

As it stands today, the existing federal legislative framework regarding disability is mostly complaint based. As a result, persons with disabilities must wage personal, time-consuming and expensive legal battles against the barriers that they are faced with in daily living.

• (1610)

To address this issue, the federal government announced in Budget 2016 that:

To eliminate systemic barriers and deliver equality of opportunity to all Canadians living with disabilities, [they] will consult with provinces, territories, municipalities and stakeholders to introduce a Canadians with Disabilities Act.

The Government of Canada released a report on these consultations entitled *Accessible Canada – Creating new federal accessibility legislation: What we learned from Canadians*, on May 29, 2017.

Between June 2016 and February 2017, more than 6,000 Canadians and 90 organizations participated in the consultation process, both online and via in-person meetings. The response was clear: There was a strong desire for new accessibility legislation that improves the quality of life for Canadians with disabilities — legislation that would take the burden off the individual, and put it on society and the system itself where it belongs.

Honourable colleagues, I recognize and fully support the need for new accessibility legislation such as Bill C-81, An Act to ensure a barrier-free Canada. However, a first analysis from my reading about this legislation, along with letters from stakeholders, leaves me with many unanswered questions and concerns. While we are only in second reading, and we will eventually hear testimony from key witnesses at committee, I would like to address a few of the issues that stand out at first glance.

To begin with, clause 2 of Bill C-81 defines the term “disability” and “barrier.” In the bill, the term “disability” is defined as:

. . . any impairment, including a physical, mental, intellectual, cognitive, learning, communication or sensory impairment — or a functional limitation — whether permanent, temporary or episodic in nature. . . that, in interaction with a barrier, hinders a person’s full and equal participation in society.

The term “barrier” is defined as:

. . . anything — including anything physical, architectural, technological or attitudinal, anything that is based on information or communications or anything that is the result of a policy or a practice — that hinders the full and equal participation in society of persons with an impairment, including a physical, mental, intellectual, cognitive, learning, communication or sensory impairment or a functional limitation.

It is important to note that the Government of Canada chose to use the same definition for the term “disability” as that used by the United Nations Convention on the Rights of Persons with Disabilities. The convention, however, does not define the term “barrier.”

While it is important to shift the language used in the medical model, I do fear that these definitions may present challenges. Will using these broad definitions make it more difficult to identify those members and groups who are truly part of Canada’s disability community and make it difficult to meet their needs? If we confuse inclusivity with effectiveness, we may fail to help the very same people that this bill is meant to help.

Second, several provinces in Canada already have accessibility legislation. For example, Quebec was one of the first provinces to adopt legislation to protect the rights of persons with disabilities. The Act to Secure Handicapped Persons in the Exercise of Their Rights with a View to Achieving Social, School and Workplace Integration was adopted in 1978 and amended in 2004, following an in-depth review by the national assembly.

The Accessibility for Ontarians with Disabilities Act became law in Ontario in 2005, which empowers the Government of Ontario to develop, implement and enforce accessibility standards in order to achieve accessibility for Ontarians with disabilities.

In 2013, Manitoba passed its own provincial accessibility legislation, the Accessibility for Manitobans Act. The structure of this legislation is similar to that of Ontario.

Nova Scotia passed the Nova Scotia Accessibility Act in 2017. Other provinces, such as British Columbia, have indicated a willingness to enact their own accessibility initiatives in the near future.

Will there be jurisdictional issues between the existing provincial laws and the federal government’s Bill C-81?

It is important to note that Bill C-81 only applies to entities and persons that are under federal jurisdiction, including Parliament, the Government of Canada, the federally regulated private sector, and the Canadian Forces and Royal Canadian Mounted Police. This means that only a small fraction of Canadians with disabilities will benefit from Bill C-81, which may create a certain inequity across the country.

Also, Bill C-81 creates quite an additional bureaucracy around accessibility. A new bureaucratic institution will include an accessibility commissioner for enforcement, a chief accessibility officer and a new Canadian accessibility standards development organization with an 11-person board of directors, including a chair and a vice-chair.

Clause 4 of Bill C-81 designates a minister responsible for this act, and clauses 11 to 16 outline the minister’s powers, duties and functions. For example, the minister is responsible for “promoting, supporting and conducting research into the identification and removal of barriers, and the prevention of new barriers.”

The Canadian accessibility standards development organization, whose would-be powers are outlined under clauses 18 to 20 of the bill, has similar responsibilities to the minister. The Standards Organization is responsible for:

... the promotion, support and conduct of research into the identification and removal of barriers and the prevention of new barriers ...

Will this new bureaucracy present major administrative burdens, overlap and conflict, which may lead to serious complications and impediments?

The Council of Canadians with Disabilities addressed this concern in their open letter regarding the need to strengthen Bill C-81, stating that this legislation:

... wrongly splinters the power to make accessibility standards (regulations) and the power to enforce the Bill across numerous Federal agencies. This splintering will make the Bill's implementation and enforcement less effective, more confusing, more complicated, more costly, and will increase delay.

Another notable concern is that Bill C-81 fails to introduce any timelines or deadlines. There are no dates outlined in this legislation that specify when the Government of Canada is obligated to develop and enact accessibility standards and regulations, and no timelines that will ensure proper measures are being taken to implement the Accessible Canada Bill. Even more ominous, as a result, there is little means to actually measure and thus evaluate progress.

In the open letter regarding the need to strengthen Bill C-81, the Council of Canadians with Disabilities write:

Bill C-81 requires timelines. Timelines are essential to ensure that key accessibility measures are taken. Timelines are also required so that progress on accessibility can be measured.

A budget allocation of \$290 million over six years to support the implementation of accessibility standards requires clear timelines. Without them, how can we be assured that this money will benefit those it is meant to benefit?

Last, Bill C-81 empowers the federal government and various federal agencies to exempt obligated organizations from following accessibility standards. For example, clause 46 of Bill C-81 allows the Canadian Radio-television and Telecommunications Commission to exempt all its affiliated organizations from any or all accessibility plan requirements. Naturally, if the option of exemption is given, some will be inclined to take it.

In the final report on the legal analysis of Bill C-81, commissioned by the Council of Canadians with Disabilities and published on October 1, 2018, the ARCH Disability Law Centre writes that:

Any exemption would weaken the overall purpose of the ACA.

Earlier this month, I met with the Federal Accessibility Legislation Alliance to discuss their thoughts on the legislation. FALA, which is composed of 87 organizations and 92 individuals, has conducted workshops, interviews and consultations with Canada's disability community over the last two years. Together, they came up with 12 recommendations that they feel will help strengthen the legislation.

• (1620)

During my meeting with these representatives from FALA, I heard about their concerns regarding the lack of timelines and the lack of effective complaints management process.

The Hon. the Speaker pro tempore: Senator Seidman, your time is up.

Senator Seidman: May I have five more minutes?

The Hon. the Speaker pro tempore: Is it agreed, honourable senators?

Hon. Senators: Agreed.

Senator Seidman: Most notably, they reminded me that Canada's disability community is very broad and their needs are all unique. This makes it extremely difficult to identify only a few of these recommendations as the most pressing and valuable.

Honourable colleagues, Bill C-81 is a step in the right direction, but there are clauses of this bill that may serve to be improved.

We know that Bill C-81, as we have received it from the other place, is already an amended piece of legislation. Of the more than 200 amendments drafted and submitted to committee, 74 were accepted. While most of the amendments were technical, a select few were significant.

For example, an amendment made to clause 50 of Bill C-81 applies a three-year limit on all exemptions and ensures that all reasons given for the exemption are made public.

In addition, an amendment made to clause 5 of Bill C-81 adds the category of verbal communication as one of the main barriers that persons with disabilities face. This is particularly important because those who have a disability that affects their hearing, speaking, reading, writing and/or understanding often experience communication barriers.

Honourable senators, there is still room for improvement. I look forward to the next phase for Bill C-81, committee hearings where we can reaffirm our commitment to the United Nations Convention on the Rights of Persons with Disabilities and ensure that we have a meaningful piece of legislation, one that truly benefits Canadians living with disabilities. Thank you.

(On motion of Senator Martin, debate adjourned.)

[Translation]

THE ESTIMATES, 2018-19

MAIN ESTIMATES—THIRTY-SIXTH REPORT OF NATIONAL FINANCE COMMITTEE ADOPTED

The Senate proceeded to consideration of the thirty-sixth report (interim) of the Standing Senate Committee on National Finance, entitled *Second Interim Report on the 2018-19 Main Estimates*, tabled in the Senate on December 6, 2018.

Hon. Percy Mockler moved the adoption of the report.

He said: Madam Speaker, thank you for giving me the opportunity to speak to the Finance Committee's thirty-sixth report entitled *Second Interim Report on the 2018-19 Main Estimates*. This is my first speech in the new chamber, and I have to admit I'm a little nervous.

Honourable senators, never would I have believed that I would be here today as a senator representing New Brunswick. I say that because I'm from a single-parent family. I grew up in a community that depended on social assistance in the small town of Saint-Léonard, New Brunswick. My mother always told my sister and me that education was the key to ending dependence on social assistance. We heeded her advice.

Even so, as chair of the Standing Senate Committee on National Finance, I would have never believed that I would be rising before you today to talk about the 2018-19 Main Estimates for Canada, the best place in the world to live in.

[English]

Therefore, honourable senators, I rise today to speak to the second interim report on the Main Estimates for 2018-19, which were tabled in the Senate on April 17, 2018, and were referred immediately to the Standing Senate Committee on National Finance for review the next day.

As you are aware, senators, the Standing Senate Committee on National Finance has an important role to play on behalf of Parliament and Canadians in examining the federal government's spending plans as outlined in the main and supplementary estimates.

As chair, I have to admit that I could not do my job as chair if I did not have the support of two able deputy chairs, Senator Jaffer and Senator Pratte.

Our committee tabled its first interim report on the 2018-19 Main Estimates, which examined the estimates of 15 federal organizations or ministries on June 18, 2018. We decided to continue our examination of the 2018-19 Main Estimates and reviewed the estimates of an additional 10 federal organizations who requested a combined total of \$15.5 billion in voted appropriations. Where I come from, in Saint-Léonard, \$15.5 billion will buy a lot of peanuts.

This report highlights issues discussed during our examination of the Main Estimates and presents some of our observations on key concerns facing some organizations and some ministries. I have to admit that the complete list of all the observations can be found in the report presented in December, which I encourage each senator and all Canadians watching us to refer to and read.

[Translation]

This report highlights the issue discussed in the examination of the Main Estimates and presents the committee's observations on the key challenges that every agency and department are facing. The full list of observations is inserted in the report that we presented in December.

[English]

Honourable senators, as an example, the Jacques Cartier and Champlain Bridges Inc. confirmed that the new Champlain Bridge has been delayed. They need to ensure that the current bridge can continue to be used safely and that it has sufficient funds for this purpose.

[Translation]

As my colleague Senator Mercer said, Jacques Cartier and Champlain Bridges Incorporated confirms that completion of the work on the new bridge has been delayed. The corporation has to ensure that the current bridge can continue to be used safely and that it has the necessary funding to do the work. Canadians deserve to know the truth.

• (1630)

[English]

Honourable senators, the Windsor-Detroit Bridge Authority announced a \$5.7 billion contract for the Gordie Howe International Bridge. The organization will need to closely monitor the contracting authority to ensure that the bridge is built to specifications and on time, as well as ensure that its tolls recoup all costs to build and maintain the bridge for the next 30 years.

Honourable senators, the Privy Council Office's Impact and Innovation Unit helps departments develop new program delivery models. While our committee supports innovation, it is important that departments and the Privy Council Office demonstrate clear, concrete results from new approaches. Members of the Finance Committee believe a performance standardized mechanism needs to be put in place for tracking the money activities.

Atomic Energy of Canada Limited is a federal Crown corporation responsible for the long-term contractual arrangement with the Canadian National Energy Alliance for the management and operation of the Canadian Nuclear Laboratories. Our committee believes that Atomic Energy of Canada Limited needs to work with the Canadian Nuclear Laboratories to develop and report on performance measures for the value generated by its \$450 million annual expenditure on nuclear research so that Canadians will have an idea if they attain their objectives or not.

As for the Canadian Air Transport Security Authority, it is very clear and important that the government needs to ensure the organization has sufficient resources to maintain its service standards while protecting the safety of Canadian air passengers from coast to coast to coast.

Honourable senators, let's talk about the National Research Council of Canada. It supports research in areas of national priority, but it needs to demonstrate how its \$1 billion annual budget leads to concrete improvements for Canadians.

[Translation]

Honourable senators, the National Research Council of Canada supports research in areas of national priority, but it has to show how its annual \$1-billion budget leads to tangible improvements for Canadians in every region of Canada.

[English]

Senator Griffin, I want to share this with you as you are the present Chair of the Standing Senate Committee on Agriculture, Forestry and Natural Resources. We looked at Agriculture and Agri-Food Canada. It provides programs and services to support the agriculture and the agri-food sector. As Canada implements additional trade agreements — I know it's dear to your heart — this organization needs to ensure that its dairy support programs compensate all dairy farmers and producers for incurred losses and help them adjust to increased international competition. Our farmers deserve no less. Senators, it will be important to assess the scope and impact of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, and it is also important to look at the United States-Mexico-Canada trade agreements to ensure that Canadian farmers are protected.

[Translation]

Agriculture and Agri-Food Canada also delivers programs and services to support the agriculture and agri-food sector, which should help us provide information to our producers to better prepare them for the major challenges of international markets.

[English]

Honourable senators, it is imperative that the Canada Revenue Agency should report on the actual return of its efforts to crack down on tax evasion and to combat tax avoidance and that it be placed into what we call transparency and accountability.

Honourable senators, I want to thank the Honourable Percy Downe, who brought forward Bill S-243, to precisely help — and it was accepted by the Senate of Canada — the Canada Revenue Agency look at tax evasion and how to combat tax evasion.

In closing, I want to thank the members of the committee for their hard work. I also want to thank all senators' staff and the staff of the Senate of Canada for enabling us to do our job for all Canadians. Our committee will always strive to let Canadians

know about the budgets of Canada. We will always strive for transparency, accountability, predictability and reliability of the budgets of Canada now and in the years to come. Thank you.

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

Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

[Translation]

BILL RESPECTING FIRST NATIONS, INUIT AND MÉTIS CHILDREN, YOUTH AND FAMILIES

ABORIGINAL PEOPLES COMMITTEE AUTHORIZED
TO STUDY SUBJECT MATTER

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of March 18, 2019, moved:

That, in accordance with rule 10-11(1), the Standing Senate Committee on Aboriginal Peoples be authorized to examine the subject matter of Bill C-92, An Act respecting First Nations, Inuit and Métis children, youth and families, introduced in the House of Commons on February 28, 2019, in advance of the said bill coming before the Senate.

She said: Honourable senators, I think it's clear what this motion is about. It would allow the Aboriginal Peoples Committee to continue its work, since a number of other bills are already on the table. This bill is very important.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[English]

FOOD AND DRUGS ACT

BILL TO AMEND—MESSAGE FROM COMMONS—MOTION FOR
CONCURRENCE IN COMMONS AMENDMENTS—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Seidman, seconded by the Honourable Senator Boisvenu:

That the Senate agree to the amendments made by the House of Commons to Bill S-228, An Act to amend the Food and Drugs Act (prohibiting food and beverage marketing directed at children); and

That a message be sent to the House of Commons to acquaint that house accordingly.

Hon. Senators: Question.

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

Senator Martin: Your Honour, I move the adjournment of the debate.

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

Some Hon. Senators: Agreed.

An Hon. Senator: No.

The Hon. the Speaker pro tempore: Carried?

An Hon. Senator: On division.

(On motion of Senator Martin, debate adjourned, on division.)

• (1640)

[Translation]

PROMOTION OF ESSENTIAL SKILLS LEARNING WEEK BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Bellemare, seconded by the Honourable Senator Petitclerc, for the second reading of Bill S-254, An Act to establish Promotion of Essential Skills Learning Week.

Hon. Raymonde Gagné: Honourable senators, I want to thank Senator Bellemare for her persistence and determination. She is taking a patient and methodical approach to this long-term effort

to educate the Senate and Canada about literacy and essential skills, to encourage senators to participate in and add to the debate, and lastly, to introduce two complementary bills, namely Bill S-254, which we are debating now, and Bill S-256, which I will also talk about later today.

In the Senate, it is common to see small steps gradually, and sometimes even imperceptibly, lead to major public policy changes. Bill S-254, to establish a national promotion of essential skills learning week, is one such example.

I support this bill because a discussion about essential skills and their development is crucial. A national week of events and discussions across the country is even more important because, as several senators explained during Senator Bellemare's inquiry on this subject, there are currently 13 parallel provincial and territorial conversations going on instead of one national conversation. This week must be instituted at the national level to raise awareness among more Canadians about the importance of acquiring and improving skills throughout their lives. It would further encourage organizations to serve as ambassadors for training in various sectors by promoting these skills, and it would foster exchanges between different stakeholders to build support for the development of essential workforce skills. Studies show that focusing on people and their training is the best way to invest in the economy. I support Bill S-254 in particular, because it ties in with Bill S-256, the national framework for essential workforce skills bill.

I believe these two bills should be passed together for one simple reason. While Bill S-256 creates a formal structure to establish a national framework in this area, Bill S-254 will provide a more informal space for dialogue, discussion and promotion regarding the themes that will be addressed by the framework. Often these kinds of activities involve students, teachers, researchers, employers, unions, community organizations and so on.

It would be great if the first promotion of essential skills learning week in October 2019 could coincide with the beginning of the discussions and consultations proposed under Bill S-256. As the World Bank Group president has reminded us, human capital does not materialize on its own. It must be nurtured by the state. Thank you.

The Hon. the Speaker: Senator Gagné, will you take some questions?

Senator Gagné: Gladly.

Hon. Ghislain Maltais: I just want some information. I have not been following the file as closely as you have. In your consultations, you talked about employers and employees of educational institutions. Were they consulted, and how did they react when you presented this bill? How did SMEs and educational institutions come together to participate in this proposed promotion week?

Senator Gagné: I want to mention that we are talking about Senator Bellemare's bill here. In many communities, Literacy Week helped promote essential skills and the importance of helping people who are having a harder time finding a job on the labour market get the skills they need. I will get into that later

when I talk about the framework. Having been involved with the Council of Adult Literacy Education for Manitoba, I have to say that an increasing number of federally funded initiatives have been cut over the past 10 years. The provinces and the federal government, with the Council of Ministers of Education, implemented some good initiatives, but they have been cut. I think that it is important that we start talking about this issue again, because it is essential to the economy.

Senator Maltais: I have another question, if the senator doesn't mind. With regard to the innovation component, we know that companies are expanding more and more and that they are moving toward innovative models. That is where jobs and new technologies will be created in the future, and educational institutions and businesses are both focusing on that. They need to work together to provide training to create jobs for future employees.

Senator Gagné: I agree with what you're saying.

(On motion of Senator Mégie, debate adjourned.)

NATIONAL FRAMEWORK FOR ESSENTIAL WORKFORCE SKILLS BILL

SECOND 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 second reading of Bill S-256, An Act respecting the development of a national framework for essential workforce skills.

Hon. Raymonde Gagné: Honourable senators, Bill S-256, the bill to develop a national framework for essential workforce skills, is a critical step in Senator Bellemare's initiative to further debate on essential skills development in Canada. We need to move from a theoretical discussion to the development and implementation of a national framework, as provided for in the bill.

Senator Bellemare rightly said that we must resolve the issue of ensuring workforce skills are aligned with the needs of the labour market, while recognizing that the very content of essential skills evolves over time as technology changes.

The provinces and territories, together with universities, colleges and training institutions, are making considerable efforts to close the gap between what is being taught and what is expected in the labour market.

• (1650)

[English]

In Manitoba, for example, the Workforce Development Division adopts a holistic approach to respond to labour market needs by considering individual, employer and organizational barriers while also fostering and strengthening partnerships in the community.

It does so through different and complementary programs. Apprenticeship Manitoba, for example, is geared at helping new apprentices develop opportunities. Industry Services, for its part, works with key stakeholders in business, industry, labour and education to ensure Manitoba's workforce is equipped for success. Finally, the Training and Employment Services program offers services such as career counselling, job search assistance, information about pre-employment preparation, career options, skills training and upgrading opportunities.

[Translation]

I think this discussion needs to go beyond just employment, however. First of all, essential skills include three key skills: literacy, numeracy, and problem solving in technology-rich environments, as my colleague, Senator Maltais, so aptly said.

As a joint study done by Statistics Canada and Employment and Social Development Canada rightly points out, these essential skills are useful in nearly all areas of life. The report states, and I quote:

These skills are considered key to that ability [to participate in society]: they provide a foundation for the development of other, higher-order cognitive skills, and are prerequisites for gaining access to, and understanding of, specific domains of knowledge. In addition, they are necessary in a broad range of contexts, from education, to work, to everyday life.

Two points from those findings stood out for me. First, in order to ensure that our institutions, our schools, colleges, universities and libraries are preparing people properly for technological change, we cannot overlook the importance of civic and social engagement. Basically, a framework for essential labour skills cannot overlook the fact that the workforce in question must also be made up of citizens, volunteers, parents and caregivers.

Second, although we do need to ensure that our college and university graduates are well equipped for the labour market, we must recognize that these graduates have already acquired many skills over the course of their studies. We are therefore dealing with helping people adapt or develop their skills to keep up with technological change. The difficulty of adapting to the frenetic pace of technological change is not limited to the labour market and is not experienced solely by our underqualified or overqualified graduates.

Technology has changed how we work, but it has also turned our way of life upside down. It has affected how we communicate, how we obtain and provide services, and how we inform ourselves. In short, we do not socialize in the same way, and those who do not develop certain essential skills will not only be excluded from the labour market, but also experience social exclusion. A society that is constantly and quickly evolving runs the very real risk of leaving behind those who are not able to keep up. The consequences can be serious, both for civic engagement and public health — and even for social peace.

A comprehensive international survey on adult literacy and life skills was conducted by several OECD countries, including Canada, which played a major role through Statistics Canada. This survey showed that adults who obtain low scores on several core competencies are more likely to have poorer outcomes, not only in education and the labour market, but also in other aspects of their lives, such as health and civic engagement.

For example, the survey showed that poor proficiency in numeracy skills and text comprehension are closely related to health in Canada, Norway and New Zealand. In those same three countries, low literacy and numeracy skills were related to a lower rate of participation in associative activities, meaning participation in a political organization, sports or recreation organization, cultural, education or hobby group, service club, community association, school group, or group associated with a community of worship. In short, this is both a human and an economic issue. Therefore, in our efforts to train workers who can use cutting-edge technology, we must not overlook a whole segment of the population that is still trying to master the basics of essential skills.

Understandably, given my concerns, I am strongly advocating for a national framework, as proposed in this bill. Piecemeal analyses and investments, based on the passing interests of a group or industry, could end up excluding the most vulnerable Canadians.

As part of Senator Bellemare's inquiry on literacy and essential skills for the 21st century, she demonstrated that Canada is far from remarkable and that there are inequalities within Canada, from one province or territory to another. In my speech I talked about literacy and essential skills development from the perspective of official language minority communities. Aside from explaining the challenges faced by these unique communities, I wanted to show that there are as many literacy challenges as there are communities, and that these challenges are as varied as our country is diverse. There are also deep inequalities in terms of the services and resources available.

Bill S-256 takes these issues into account. The bill is drafted so as to encourage collaboration between federal, provincial and territorial governments as well as other stakeholders.

In clause 4(b), the bill calls on the minister of employment and social development to take into account the following in developing the framework:

[T]he importance of stakeholder participation in essential skills development, including that of employers and labour representatives.

I would note that, as written, the list is not exhaustive, and I believe that is as it should be. Of course, it is to be hoped that the minister would ensure the participation of other stakeholders, such as school and community stakeholders and groups working to integrate vulnerable populations, such as newcomers.

Clause 4(d) states that the minister must consider the following:

[T]he specific needs of the various regions and communities, including Indigenous communities, in relation to the development of essential workforce skills.

Also not exhaustive, this clause would mitigate some of the inequalities that years of research have identified. I would note that, in their report on first results from the programme for the international assessment of adult competencies in Canada, Statistics Canada, Employment and Social Development Canada and the Council of Ministers of Education, Canada identified immigrants and official language minority populations as two other special interest groups in addition to Indigenous peoples. At the very least, these two other groups should be involved in any initiative the minister undertakes in accordance with Bill S-256.

Honourable colleagues, in both this speech and the speech I gave during the inquiry into essential skills, I expressed my two main concerns: First, that the national program focuses only on the direct economic impact of essential skills and disregards social and personal impacts. Second, that the program also focuses more on the less costly development of the skills of a segment of the population that is already well off and well equipped, neglecting those who are struggling to achieve minimum levels of literacy and essential skills.

• (1700)

However, Bill S-256 doesn't go into the substance of the issue. It creates a framework for having this discussion and provides the minister with the tools to have a broad and sustained discussion that results in a real impact. I fully support this bill, and I commend our colleague, the honourable Senator Bellemare for introducing it.

Thank you.

The Hon. the Speaker pro tempore: Senator Gagné, would you agree to take a question?

Senator Gagné: Certainly.

Hon. Ghislain Maltais: I don't want to get you in trouble. These two bills are complementary. Is there a financial framework that goes with this bill? Will the government agree to take part in this financial framework with private companies or various teaching establishments? Has an evaluation been done? As part of this initiative, as you explained so well, there will be activities across Canada. Is there a financial framework to go along with this bill when the week is created?

Senator Gagné: I did not have a chance to read the budget that was tabled today, but I thought that it included an initiative for workforce development. We will have to see what is in the budget and what exactly is being announced. I thought there was an initiative in the budget. I read about it in *La Presse*.

In my opinion, initiatives require the collaboration of industry, and universities, colleges and community groups must invest in promoting and developing essential skills frameworks. This is

done regularly in education for all sorts of subjects, including language skills. Businesses and unions have good insights about essential skills.

I would like to talk to you about a project launched in the 1950s, which I find to be particularly interesting. Let's say that I was fairly young at the time. This program still exists. It is the Red Seal program. This initiative was launched in the 1950s. Participants attending a national conference proposed that the provinces and territories examine the whole issue of having apprenticeships to enter the trades and the importance of ensuring workers had the mobility and solid skills to practice —

The Hon. the Speaker pro tempore: Senator Maltais?

Senator Maltais: Will the senator take another question?

The Hon. the Speaker pro tempore: Senator Maltais, her time has expired.

Senator Gagné: I will ask for five more minutes.

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

Hon. Senators: Yes.

Senator Maltais: Senator Gagné, thank you for your good explanation. As I understand it, these bills are precursors to the budget tabled this afternoon, which we have yet to see. Was a budget framework established? Are we talking about \$100,000 or \$5 million? Will we be able to see the financial framework for the proposed week in the bill?

Senator Gagné: Again, this investment will come from various parties, not just the federal government. I think the national week will give community groups, universities, colleges and private companies the opportunity to emphasize how important essential skills development is to creating a better future for Canadians.

Hon. Renée Dupuis: Would the senator take a question?

Senator Gagné: With pleasure.

Senator Dupuis: I'd like to understand your specific concern about having the national program consider social impact. Is the national framework for essential workforce skills based only on people who are already employed? Should a component be added to include the unemployed in the specific measures, which would help them learn essential skills?

Senator Gagné: My concern is based on the fact that, in the past, we have seen governments invest in employment and workforce development programs for one small segment of the population. There are also people who need a bit of help getting a job. There is a whole other segment of the population that gets neglected. I think it is very important to take that segment of the population into account and encourage those people to actively participate in social life. I think this can help them participate in social life. It will encourage them to find a job.

(On motion of Senator Mégie, debate adjourned.)

[English]

CRIMINAL RECORDS ACT

BILL TO AMEND—SECOND READING—DEBATE ADJOURNED

Hon. Kim Pate moved second reading of Bill S-258, An Act to amend the Criminal Records Act and to make consequential amendments to other Acts.

She said: Honourable senators, I rise to speak to Bill S-258, An Act to amend the Criminal Records Act and to make consequential amendments to other Acts. This bill will increase public safety by removing unnecessary obstacles to successful community integration for those who have been held accountable for their actions, have fulfilled all aspects of their sentences and are trying to move on with their lives.

The criminal record system as we know it is beyond counterproductive. Long wait periods, onerous review processes and the threat of a long-suspended record springing back to life do not increase public safety.

Between 2010 and 2012, Canada entrenched a so-called tough-on-crime approach to pardons. Fees increased from \$50 to \$631 and wait periods increased from three and five years to five and 10 years, respectively. Pardons became record suspensions and the more invasive and complex review process for a record suspension currently takes between 162 and 490 days, where a comparable wait time for a pardon would be 20 to 121 days.

• (1710)

These changes have not made us safer. In fact, the rate of those who meet stringent "good conduct" requirements after obtaining a pardon or record suspension has remained steady at more than 95 per cent. These changes have, however, resulted in a decrease in the number of people applying annually by over 40 per cent.

Those previously convicted of criminal offences are most likely to remain crime free if they have a place to live, means to support themselves and something meaningful to do with their time. By effectively extending the reach and impact of criminal records, the state actively interferes with the abilities of people to move on and not only integrate but also contribute to the community.

Sealing records is sometimes characterized as a way of helping people find jobs, housing, education and volunteer opportunities, but to put it this way is to get it backward. When a record is sealed, the state is supposed to stop actively punishing individuals and cease its interference with rehabilitation, remediation and related community integration efforts.

Currently, five jurisdictions in Canada — the Yukon, British Columbia, Quebec, Prince Edward Island, and Newfoundland — offer some form of protection against discrimination on the grounds of a criminal record that has not been pardoned or suspended. Other provinces and territories and the Canadian Human Rights Act only protect against discrimination on the basis of a criminal record when a pardon or record suspension has been granted.

The current process is not accessible to many and therefore effectively results in indefinite punishment of people who have already been held accountable for their actions. It can bar them from housing, employment, education and even volunteering. It is a punishment that extends to their families, particularly their children, and their communities. Indeed, the former Federal Ombudsman for Victims of Crime described the 2010 and 2012 amendments restricting access to record suspensions as “a stupid thing to do,” precisely because of the adverse impact on public safety.

Bill S-258 proposes three key changes to the Criminal Records Act. First, except where records are required for vulnerable sector checks, it would allow records to expire rather than merely be suspended. Those who have been held accountable for their actions and are trying to move on with their lives should not have records held forever over them in the Damocles-sword style of limbo created by the 2012 suspension regime.

Second, the bill would do away with the current costly and bureaucratic application process. Returning to wait periods closer to previous time frames, after two years for summary conviction offences or five years for indictable offences, without new convictions or pending charges, convictions would expire. Records would be removed from the RCMP's database without need for an application by the individual or a review by the Parole Board of Canada.

Third, with the reduction in costs associated with streamlining and removing unnecessary bureaucracy from the expiry process, application fees could be eliminated.

The bill builds on a flurry of recent government and legislative work. Public consultations, parliamentary committee work, and Parole Board and ministerial pronouncements have recognized the discriminatory impact of the current system, particularly for those who are poor.

In January of 2016, Public Safety Minister Ralph Goodale announced his intention to consider meaningful reforms to the Criminal Records Act and, in particular, the \$631 application fee, which he identified as “punitive.”

In the three years since that commitment, two public consultations, one by Public Safety and the other by the Parole Board of Canada, have demonstrated an overwhelming consensus that the current onerous application process and fees are

unacceptable. Bill C-66 has sought to attenuate current failures in the record suspension system and ensure its effectiveness for those with convictions arising from discrimination against members of the LGBTQ2S community. The Public Safety and National Security Committee in the other place issued a report recognizing “that a criminal record has a negative impact on a person's ability to find employment, housing, education, travel, adoption and custody of children,” yet again urging the government to review the record suspension process.

Most recently, two pieces of legislation currently in the other place have proposed measures for either expungement or expedited cost-free record suspension for those with convictions resulting from simple possession of cannabis. These are good first steps, but in the face of such thorough consultation and near unanimous agreement that the current system is untenable, it is time for more meaningful legislative change. The bill before you will allow for immediate expiry of records related to possession of cannabis in addition to other decriminalized offences. Problems of access to record suspensions are not, however, limited to those with cannabis convictions, nor should our legislative response be so limited.

The attention given to the record suspension process in recent years is indicative of the magnitude of the problem it represents. In particular, as restrictions on record suspensions have increased, so has the use of police record checks. The decision to label, single out and discriminate against those with a past criminal conviction is usually framed as a false dichotomy, a trade-off between the community's interest in public safety and the individual's interest in reintegration into society.

These objectives are not at odds. In fact, we know they go hand-in-hand. Under the guise of this false dichotomy, however, what began as a matter of police record-keeping in the early 20th century has increasingly been used for “civil screening” checks conducted by police at the request of individuals and required by employers, volunteer organizations, educational institutions and even landlords.

The increased use of criminal records checks also places a disproportionate burden on those who are already unjustly stigmatized. For instance, one study from the United States found that the likelihood of a callback for a job interview drops by 50 per cent for White applicants who have had to reveal a criminal record to a prospective employer, but for Black applicants, it drops by about 65 per cent, an impact that is 40 per cent stronger.

In Canada, the Prime Minister recently acknowledged the following with respect to cannabis convictions:

We know that, because there is a disproportionate representation of young people, from minorities and racialized communities, who are saddled with criminal convictions for simple possession [records are] ... a significant further challenge to success in the job market . . .

Unfortunately, this over-representation is not limited to cannabis possession convictions. Though only 2 per cent of Canada's population, Black individuals account for 9 per cent of federal prisoners. Twenty-eight per cent of those in federal prisons and 40 per cent of women in federal penitentiaries are Indigenous. Without a doubt, racialized communities are disproportionately burdened by the punitive nature of the current record system.

Honourable senators, this body of government and legislative work makes clear that it is no longer enough to simply recognize that we have a problem. We know that criminal records interfere substantially with efforts to find employment, education and housing after serving a sentence. We know that they create barriers to successful reintegration and can undermine rather than enhance public safety. We know that the process for suspending criminal records is punishingly costly and complex. It is time for legislative change.

As a first key measure, Bill S-258 provides for the deletion of all records not required for vulnerable sector checks. Before we had record suspensions, we had pardons. The word "pardon" understandably conveyed the impression that unless the state held someone's conviction against them for the rest of their life, it was forgiving them for their actions. In some cases, forgiveness for past wrongdoing may be sought or provided by victims or the community, but it may not always be an appropriate characterization of the post-conviction process.

The expiry of criminal records reflects the principle that when we, as a society, decide to hold someone accountable for their wrongdoing, we can only inflict so much hardship before we ourselves are perpetrating an injustice. It also reflects the empirical data demonstrating that after a period of crime-free years, those with a previous conviction are effectively no more likely than the rest of the population to be convicted of another offence. A record expiry scheme is not a scheme for forgiveness. It simply reflects the principle that punishment should at some point come to an end.

• (1720)

A second component of Bill S-258 is the removal of the \$631 application fee. Most applicants are seeking a record expiry in order to secure employment. In addition to this fee, applicants currently pay hundreds of dollars in associated costs, including for fingerprinting and other related search fees.

Too many of those who are criminalized are amongst the poorest and most marginalized in our society. Especially following a prison sentence, many are forced to rely on social assistance because criminal records come between them and stable, lawful employment, education and even housing and volunteer opportunities. A \$631 application fee like this is beyond the means of most people on social assistance, minimum wage or other limited income.

Parole Board of Canada data clearly demonstrates what a barrier this fee represents. When fees increased from \$50 to \$150 and then to \$631 between 2010 and 2012, applications decreased by as much as 40 per cent.

In 2012, the government portrayed its fee hike as a simple cost recovery measure. Representatives of the Parole Board of Canada recently testified that the record suspension system is the only program within Public Safety Canada for which full cost recovery is pursued. Furthermore, Public Safety officials recognize that every dollar invested in expiry of criminal records translates into \$2 of revenue for the government if individuals are able to secure employment and pay income taxes.

In reality, the application fees are an additional punishment and Canadians see them as such. When the last government was forced to consult with Canadians before it hiked the user fee, less than 1 per cent thought an increase was acceptable.

Consulted again in 2016 by the Parole Board of Canada, four out of five Canadians described the user fee as a significant barrier to those seeking record suspensions, and more than three out of five described the fee, as well as the long, stressful application, process as further punishment. Ninety-six per cent of Canadians rightly expressed concern that the exorbitant fee contributes to a vicious cycle in which people do not have employment and are unable to afford the fee, and then they can't find employment because clearing their criminal record is too expensive.

By making the process more cumbersome and invasive, the 2010 and 2012 amendments to the Criminal Records Act more than tripled the administrative cost of each record suspension but did nothing to improve the already high rates of successful community integration for those granted pardons. They merely barred more individuals from the application process. This bill replaces that costly process with a streamlined system that is more efficient and more effective. In doing so, it eliminates the bureaucracy and the fee not by subsidizing the expense but by eliminating it.

The bill's third key measure removes the requirement for an application and allows records to expire at the end of a fixed period of time without subsequent convictions or pending charges. Currently, Canada imposes indefinite criminal records for all convictions. Courts have recognized that criminal records constitute punishment, and in the absence of an accessible procedure for expiry, they too often result in punishment that is needless, senseless and indefinite.

It is often wrongly assumed that lifelong criminal records are a necessity. Only a few decades ago, however, there was cross-partisan consensus in Canada that punishment must at some point come to an end without the payment of a hefty fee.

In 1970, the Honourable Robert McCleave, Conservative critic to the Solicitor General, offered the unanimous support of his party for the free and comparatively humane pardon scheme originally created by the Criminal Records Act. He said:

It is of importance that people should not be punished in a monetary way because of an offence for which they have served their time or otherwise paid their debt to society. They should not have a bad name hanging over them for the rest of their lives.

In 2017, public consultations showed that Canadians have not retreated from this consensus that values humanity, fairness and common sense. More than four out of five Canadians support some form of automatic record expiry — that is, expiry of a record without need for an application. Three in four Canadians thought the current five-year waiting period for summary conviction offences is too long. Almost as many thought the same of the 10-year waiting period for indictable offences, responding that the period should be between one and five years.

Last December, the House of Commons Public Safety Committee studied record suspensions and concluded that the government needs to “review record suspension fees; . . . the complexity of the record suspension process and consider other measures that could be put in place to support applicants through the record suspension process and make it more accessible; . . . [and] examine a mechanism to make record suspensions automatic.”

This interest in exploring expiry of records based on passage of time alone is fully supported by empirical data. The factors most likely to promote successful community integration simply do not require an application and review by the Parole Board of Canada. Indeed, they are undermined by restrictions on record expiry.

Desistance research makes clear that after a number of crime-free years, those with a past conviction are no more likely to be convicted again than those who have never been criminalized. Over the past 15 years, more than 95 per cent of those who have received pardons or record suspensions have remained crime free. This is not only a strong endorsement of the value of a clean slate in promoting safe and successful community integration and positive contribution to one's community, it also reflects research that the high success rate of pardon and record suspensions recipients is not the result of stringent review criteria, exorbitant fees or longer wait periods. Rather, it is exactly what we should expect from those several years following conviction and sentence expiry. When a person no longer poses a greater risk than anyone else and when they have already completed the sentence that a court imposed to hold them accountable, there is simply no justification for continuing to burden them with a record nor for requiring an application to lift that burden.

Criminologists agree that sealing records actually reduces the risk of future conviction, notably by increasing access to employment opportunities. Empirical evidence strongly suggests that finding employment significantly reduces the likelihood of future criminalization. In one American study, out of a random sample of 401 people released from prison, those who were able to find employment were almost half as likely to ever be

re-arrested. A five-year follow-up with more than 6,000 people found that no matter what offence had led a person's criminalization and incarceration in the first place, employment was the most significant factor determining successful community integration. The same study also confirmed that the likelihood of recidivism decreases significantly as years pass by. These findings should come as no surprise given the importance of employment when it comes to finding a place in society by providing meaning, validation of one's contributions and a means of supporting oneself and one's family.

This bill restores eligibility while also preserving the mechanism of vulnerable sector checks, which can detect expired records when someone applies to work with children or other vulnerable people. It should be noted, however, that given the paucity of reporting when it comes to violence against women and children, experts do not support the use of record checks as an effective means of protecting children from harm.

In most legal systems that are comparable to Canada's, the stigma of a record can disappear if a person remains crime free for a number of years. Canada already provides mechanisms for record expiry without an application in cases of absolute and conditional discharges and for youth records, but lags far behind when it comes to adult records.

Among the common law jurisdictions most often compared to Canada, only the United States fails to provide some form of sealing of records without an application. The U.K., Australia and New Zealand all allow this. Record expiry after a number of years is also the norm in Europe and has proven to be a safe and effective system.

The United States, a country that jails people on the most massive scale in all the world, does not make good company for Canada when it comes to criminal justice policy. Canada's recent experience with Bill C-66 concerning the expungement of records arising from historical discrimination against LGBTQ2S communities has further clarified that application-based processes are too often insufficient when dealing with records. As of October 2018, despite Bill C-66's cost-free application process designed to be infinitely more accessible than the standard record suspension process, only seven individuals had applied and only two out of an estimated 9,000 records had been expunged. On what possible basis should we not just eliminate those records? Why must we add to the historical indignities and injustices by requiring even historically wrongfully convicted folks to apply for the removal of their records? This bill would also address and offer remedy to men and women whose records should have been eliminated with the passage of Bill C-66.

• (1730)

It will also offer a more fulsome response than the one currently proposed in Bill C-93 for those with records related to simple possession of cannabis. It will allow for expiry rather than suspension of records related to decriminalized offences, without the need for an application. Furthermore, it will do so in a way that does not burden the parole board with the cost and complexity of managing four — four, honourable colleagues — streams of application and review processes: original pardon applications from the pre-record suspension days; record

suspension applications; record expungement applications under Bill C-66; and now, with Bill C-93, cannabis record suspension applications.

The added hardship that we impose indefinitely on those who have finished their sentences is a necessary consequence of a criminal conviction; it is a policy choice, and one to which fewer and fewer jurisdictions are cleaving. Canada is choosing to impose the burden of a criminal record on those who have gone many years without being criminalized and are no more likely to be convicted of a crime than anybody else.

This decision is not only a waste of time and money, it is also fundamentally unjust. The majority of federally incarcerated people are parents. Children disproportionately bear the costs when their parents' criminal records prevent them from being able to provide both economic and other supports. To name just one example, a woman I know named Alia was sentenced to five years in prison when she was just 19. Her imprisonment on drug-related charges was a result of her attempts to negotiate poverty and support her young son.

She is now 30, and her younger son, born after she was released from prison, begs her to volunteer at his school. In December, it was to build gingerbread houses. She can't even volunteer to support his school teams. She can't volunteer to assist him with his special needs. Even though she regularly speaks at schools about her past in an effort to prevent kids from getting involved in crime, she is precluded from volunteering in her son's classroom because of her criminal record. She lives with her son in an apartment that runs out of water in the summer. The ads for other accommodations require her to pass a criminal record check.

It does not make economic sense for the state to punish people by interfering indefinitely with their participation in the economy, especially since there is evidence that people with records can be especially good workers when given a chance. In many cases, they choose to run their own businesses, knowing that a criminal record can be a hurdle to applying for jobs, and end up creating much-needed additional jobs in their communities.

That was the case for a Calgary man who has turned his life around since pleading guilty to a weapons charge almost 10 years ago. He has since set up a successful café in a trendy part of Calgary but fears he may have to close because all of his competitors are getting liquor licences, which he can't do because of his criminal record.

Those who are affected by criminal records legislation include mothers working to support their children and small business owners struggling against the odds to get ahead. They continue to be punished and are required to pay the price of a criminal justice policy that wants so badly to appear "tough on crime" that it disregards empirical evidence about what will actually benefit communities.

It is not only counterproductive to stigmatize people for life; it is also at odds with key Canadian values. The Supreme Court of Canada has said so in no uncertain terms:

The right of individuals with criminal convictions to employment and to re-enter the labour market are important values in our society. . . . Individuals who have paid their debt to society are entitled to resume their place in society and to live in it without running the risk of being devalued and unfairly stigmatized.

All of us at some point have done something that we know was wrong, that we regret, but none of us here are forever defined by the negative things we've done. Those of us without criminal records live without the burden and stigma of having that moment raised in job interviews, education or housing applications; that introduces us to our neighbours, our would-be employers, our colleagues or friends.

It is fundamentally unjust to continue punishing and stigmatizing without reason those who have long since been held accountable and served their sentences. Public safety is enhanced when individuals are allowed to find stable employment, housing, and volunteer or otherwise contribute to their communities as valued members.

Honourable colleagues, let us work together to bring about long overdue, evidence-based changes to the criminal records system in Canada. I look forward to your support of this bill. Thank you.

(On motion of Senator Cormier, debate adjourned.)

UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Sinclair, seconded by the Honourable Senator Pratte, for the second reading of Bill C-262, An Act to ensure that the laws of Canada are in harmony with the United Nations Declaration on the Rights of Indigenous Peoples.

Hon. Kim Pate: Honourable colleagues, as we meet here on the traditional unceded, unsundered territory of the Algonquin Anishinabeg, I rise today to join the growing chorus of honourable senators declaring support for Bill C-262, an Act to ensure the laws of Canada are in harmony with the United Nations Declaration on the Rights of Indigenous Peoples.

This bill is of pivotal importance. I am grateful to the myriad voices of those who have contacted us as well as those who have spoken to this bill. I wholeheartedly support that this bill be now referred to committee for study, but I encourage more of you to add your voices to this debate, perhaps following the committee study, when the bill returns to us at third reading.

Honourable senators, the UN declaration has been 10 times reaffirmed by consensus at the United Nations General Assembly. Furthermore, this bill is endorsed by a diverse and growing number of supporters here in Canada. There is a great deal of support for the bill among Indigenous groups and civil society, as well as among members of the general public.

Debate in this chamber on Bill C-262 has made clear certain areas of concern to some. The matter of free, prior and informed consent, in particular, is of consequence to some honourable colleagues. I believe this is all the more reason to send the bill to committee without delay, so that we can hear from legal experts regarding these concerns.

Honourable senators, we know that the Canadian government has expressed its support for the UN declaration, yet there is still no legislative framework for its implementation and timely review. Bill C-262 provides both.

Implementing the UN declaration is of vital importance as a recognition of the inherent right of Indigenous peoples to their cultures, identities, spiritual beliefs, languages, health, education and their communities. It is also an important step toward reconciliation with Indigenous peoples for a country that has too often sought to deny these rights.

The UN declaration has particular significance for Indigenous women. In addition to Article 2, which reaffirms the right of Indigenous peoples to be free from any kind of discrimination, Article 44 specifically guarantees equal rights to Indigenous women and men, and Article 22.2 provides that states, in conjunction with Indigenous peoples, will ensure that “indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.”

During our consideration of Bill S-3 and Senator Dyck’s motion last month, we discussed how racist and colonial policies have pursued assimilation of Indigenous peoples, particularly by marginalizing and denigrating Indigenous women and children. Throughout Canada’s history, these policies have included residential schools, ongoing child welfare practices that remove Indigenous children from their families, forced sterilizations, and sex-based discrimination against women and their descendants under the Indian Act.

We heard that women who lost “Indian Act status” after “marrying out” also lost their place in their families and communities, a fundamental part of their identities, which contributed to the denigration of future generations. Recently, both the UN Committee on the Elimination of Discrimination Against Women and the Inter-American Commission on Human Rights have identified sex discrimination in the Indian Act as one of the root causes of high levels of violence against Indigenous women in Canada, including the crisis of missing and murdered Indigenous women and girls.

This same marginalization has too often resulted in criminalization of women attempting to negotiate poverty or past experiences of violence or abuse.

• (1740)

Together, honourable colleagues, we moved amendments to Bill S-3 that sought to end this sex-based discrimination in the Indian Act once and for all, amendments that we are still waiting for the government to bring into force.

On January 14, the UN Human Rights Committee ruled that Canada’s failure to bring these provisions into force violates its international human rights obligations and discriminates against Indigenous women and their descendants. In response to this decision, honourable colleagues, last month, we unanimously supported Senator Dyck’s motion to again call on the government to bring all of Bill S-3 into force.

As Senator Harder noted in his speech on this bill, the Senate’s work to remove sex-based discrimination from the Indian Act through Bill S-3 is closely linked to the goals of the UN declaration. Article 44 of the UN declaration specifically ensures equality between Indigenous men and women. Full implementation of Bill S-3 is necessary to realize adherence to the UN declaration.

Bill C-262 represents not only a way to follow through on our goal of bringing Bill S-3 fully into force, it will also allow us to build on a host of broader work that this chamber has undertaken in support of equality and justice for Indigenous peoples. Honourable colleagues, let us once again work together to ensure that Bill C-262 makes the promise of implementing the UN declaration a reality.

Thank you.

Hon. Marilou McPhedran: Honourable senators, today, I also rise in support of Bill C-262, which confirms the implementation of the United Nations Declaration on the Rights of Indigenous Peoples into Canadian law, with thanks to its sponsor, Senator Sinclair.

[Translation]

The implementation of the declaration sends an important message both nationally and internationally. Internationally, that message is important because it shows the entire world that Canada is serious about meeting its obligations regarding the rights of Indigenous peoples. In fact, on multiple occasions at the UN, the Prime Minister and Minister Bennett promised the entire world that Canada was fully committed to implementing the declaration. What’s more, the UN General Assembly has reaffirmed its support for this declaration 10 times.

[English]

Nationally, the implementation of the Declaration is an integral step towards reconciliation. Calls to Action 43 and 44 from the Truth and Reconciliation Commission outline that the full adoption and implementation of UNDRIP is necessary for a framework of reconciliation.

The implementation of UNDRIP will strengthen Indigenous rights within this framework of reconciliation and will ensure that Indigenous rights are affirmed and not only recognized. Too often, words of rights recognition do not ensure that those rights can actually be lived.

This bill not only demonstrates Parliament's commitment to reconciliation; it also provides Canadians, and in particular, Indigenous Canadians, with a new mechanism to hold governments accountable. As we saw in the UN Human Rights Committee's recent findings against Canada on sex discrimination in the Indian Act, international human rights mechanisms have been successfully used to hold the Canadian government accountable for promises made but not yet kept.

Human rights are integral to the modern rule of law. Canada has a long history of being a global leader in human rights. However, Canada has a longer history of violence, racism and sexism towards the Indigenous peoples of this country entrenched in what I call the colonial rule of law. Implementation of the Declaration presents an opportunity for us to finally reconcile these two realities.

Of course, reconciling these two realities will not be without challenge. However, as stated by the Native Women's Association of Canada:

That these processes will at times be painful, adversarial and expensive is no excuse to shy away from the demands of justice and human rights.

We must be prepared to adopt a new, inclusive, and equality-based approach to Parliament's relationship with Indigenous peoples. This means that we must put an end to the paternalism that shapes our relationship with Indigenous peoples and we must work with Indigenous peoples as partners.

In working with Indigenous peoples as partners, we must recognize that Canadian laws — including treaties, tripartite agreements and section 35 of the Constitution Act, 1982 — have been developed within the context of colonialism. Though, in the 2014 *Tsilhqot'in Nation versus British Columbia* decision, the court stated that:

The Charter forms Part I of the Constitution Act, 1982, and the guarantee of Aboriginal rights forms Part II. Parts I and II are sister provisions, both operating to limit governmental powers, whether federal or provincial. Part II Aboriginal rights, like Part I Charter rights, are held against government — they operate to prohibit certain types of regulation which governments would otherwise impose.

Since 1982, the Charter has ushered in a new understanding of what it means for Canadians to live their rights. Yet this has not been the reality for Indigenous Canadians, whose Charter rights have not always been in harmony with their constitutional rights as Aboriginal peoples. We have seen this particularly as mentioned in detail by Senator Pate for Indigenous women in this country.

With the implementation of the Declaration, Indigenous peoples will finally enjoy both their Charter rights as Canadians, and their constitutional Aboriginal rights as Indigenous peoples.

I would like to address the concern regarding a veto by way of free, prior and informed consent. In a resolution on the rights of Indigenous peoples adopted by the UN General Assembly in December 2018, a short while ago, the importance of free, prior and informed consent, as outlined in the United Nations

declaration, is recognized. However, to date, no UN treaty body has discussed a veto in the context of free, prior and informed consent.

Honourable senators, implementing the Declaration on the Rights of Indigenous Peoples is about justice long denied. It is the just action for the thousands of Indigenous children in foster care. It is the just action for the Indigenous youth who are struggling with their mental health. It is the just action for the seven youths we lost from Thunder Bay, as referenced in the report by Senator Sinclair on the current situation there. It is the just action to do for the thousands of missing and murdered Indigenous women and girls in this country.

Above all, this bill is about human rights and justice. As member of Parliament Romeo Saganash, the principal drafter and sponsor of this bill, stated in the House of Commons:

I want to remind my fellow members that with Bill C-262, we are not creating new law or new rights. Those rights are fundamental and they exist. They are inherent. They exist because we exist as indigenous people.

As a lawyer, a parliamentarian and an Indigenous ally, I acknowledge that we have a lot of work to do in order to make things right and to make good on justice for Indigenous Canadians. However, we must never lose sight of the fact that the implementation of the Declaration is not calling us to go above and beyond. It simply calls for us to finally do the right thing, the just action, by according Indigenous peoples of Canada with the respect, honour and dignity they deserve, which settlers, including my ancestors, have chosen to deny them for decades and decades and decades.

Thank you, *meegwetch*.

Hon. Mary Jane McCallum: Honourable senators, I rise today to speak to second reading of Bill C-262, a piece of legislation which would work to ensure that Canada's laws are in harmony with the United Nations Declaration on the Rights of Indigenous Peoples. While this bill is necessary in our current climate and reality, the question we must reflect upon is that with the UN proclaiming the Universal Declaration of Human Rights in 1948, what has happened to the condition of an entire subset of Canada's — and the world's — population that we face the necessity of requiring a second such declaration?

• (1750)

Colleagues, according to the Canadian Human Rights Commission, human rights are protected by federal, provincial and territorial laws. Countries have human rights to ensure individual and governmental accountability if human rights are not respected. Canada's human rights laws stem from the aforementioned 1948 Universal Declaration of Human Rights, which provides a list of 30 articles outlining every Canadian's universal human rights. You do not have to earn your human rights; you are born with them. They are the same for every person — no one can give them to you — but human rights can be taken away, and they were in Canada. How do I reconcile my history, in which I and other Indigenous peoples have been cheated, dehumanized and constrained by law? How can I obtain the basic human rights taken from me in my own country?

Honourable senators, the 1982 Canadian Charter of Rights and Freedoms is part of Canada's Constitution and protects every Canadian's right to be treated equally under the law. Yet it took two years and the raising of concerns before an international audience, including the United Nations and the British Parliament, before the Canadian government finally agreed to include Aboriginal rights in the Constitution. This constitutional allowance means that the government cannot override Aboriginal rights, which have a human rights component.

Section 35 under the Constitution Act recognizes Aboriginal rights but did not create them. Aboriginal rights existed before section 35; yet, the lack of a definition of these rights ensures that the only recourse for asserting them would be a dependency on litigation. Litigation is not the path to reconciliation.

Meanwhile, there has been so much effort and resources put toward trying to assimilate First Nations. The 1857 Gradual Civilization Act tried to do away with the tribal system. The 1869 Gradual Enfranchisement Act gave control over status Indians, marking the beginning of gender-based restrictions to status. These two acts were combined under one — the 1867 Indian Act. The 1969 white paper was another attempt at assimilation and genocide. Again, it took two years, with an international audience, before it was agreed to include Aboriginal rights in the Constitution.

Honourable senators, human rights abuses did not end when the Universal Declaration of Human Rights was adopted in 1948, although progress has been made internationally. Greater freedoms have been gained; violations have been prevented; independence and autonomy have been attained. Many people have been able to secure fair access to education, economic opportunities, adequate resources and health care. They have obtained justice for wrongs and national and international protection for their rights through the strong architecture of the international human rights legal system. Yet, in Canada, Indigenous peoples are still struggling to get out of oppression, secure economic opportunities in their own territories, and obtain self-determination.

Canada is a unique country. It is the only country in the world that has an Indian Act. The Indian Act was established in 1876 as a way to control most aspects of Aboriginal life: Indian status; land; resources; wills; education; band administration; a reserve system, which are virtual open-air prisons; and a pass system started in 1885 lasting 60 years, which was a form of segregation known by government officials to be contrary to treaties. The Indian Act banned them from expressing their identities through culture and governance. It also banned the use of spiritual ceremonies. Under this act, the government made Indians wards of the state, meaning Indians of all ages were treated as children. The 11 numbered treaties were negotiated between 1871 and 1921. In effect, the Indian Act was drafted to counteract the majority of treaties before they were even negotiated. How can a liberal democracy legislate away the human rights and the right of consent from an entire targeted population group?

Colleagues, when the Human Rights Act was passed in 1977, section 67 prohibited First Nations people from filing an official complaint that the Indian Act was a human rights violation. This was later described as a "serious disregard for human rights."

The Indian Act itself was exempted from Canada's own human rights law, which inherently implicates the Canadian government to be complacent in a serious human rights violation.

In May 2008, the House of Commons unanimously passed Bill C-21 to repeal this section of the Canadian Human Rights Act.

Honourable senators, people often speak about the rule of law in Canada, but for Indigenous peoples there has never been fair application. There has been no separation of powers between law and politics as most of our problems as Indigenous people continue to be politically driven. According to the UN, rule of law is consistent with human rights norms and standards. Did Canada simply set aside the rule of law when it came to Indigenous peoples?

In his book *The Mobilization of Shame*, Father Robert Drinan, a Jesuit, writes at page 4 that Article 55:

... asserts that the United Nations desires to create "conditions of civility and well being which are essential for peaceful and friendly relations among nations." ... it is based, the charter reads, on the "principle of equal rights and self-determination of peoples."

He goes on to say:

It is in essence a pledge by the rich nations to create an economic system which would bring "conditions of civility and well being" to all countries.

In Canada, First Nations have long been seeking economic conditions of stability but made very little progress despite section 35. First Nations have been frustrated in gaining economic rights due to jurisdictional issues and legislation which I believe would be viewed as consistent with the principles of capitalism and not stewardship. In Canada, the lasting impression is that although world law guaranteed political legal rights such as life, security and liberty, economic rights, on the other hand, such as entitlement to a living wage and health benefits, were on a different tier.

In her book *Oppression: A social determinant of health*, Elizabeth McGibbon states, on page 33:

The concept of vulnerability worked well when it first came into common usage because it allowed us to name the people who are most oppressed and thereby attempt to influence public policy in the direction of justice. However, the term is not ultimately effective in ameliorating the physical, spiritual and psychological suffering caused by injustice because it reinforces the idea of a nebulous force that is somehow causing ill health. Rather, it is time to change our thinking to explicitly identify the threats that are causing ill health: colonization, re-colonization, post-colonialism neoliberal economic policy and corporatization of health care delivery, to name a few.

• (1800)

In 1845, Friedrich Engels described the phenomena of social murder which still rings true in this country today. He says:

When one individual inflicts bodily injury upon another such that death results, we call the deed manslaughter; when the assailant knew in advance that the injury would be fatal, we call his deed murder. But when society places hundreds of proletarians in such a position that they inevitably meet a too early and an unnatural death, one which is quite as much a death by violence as that by the sword or bullet; when it deprives thousands of the necessities of life, places them under conditions in which they cannot live – forces them, through the strong arm of the law, to remain in such conditions until that death ensues —

The Hon. the Speaker: I'm sorry, senator, but I have to interrupt you.

It being six o'clock, honourable senators, pursuant to rule 3-3(1), I am required to leave the chair unless it is agreed that we do not see the clock. It is agreed, senators, that we not see the clock?

Some Hon. Senators: Yes.

Some Hon. Senators: No.

The Hon. the Speaker: I hear a "no." Therefore, honourable senators, the sitting is suspended until 8 p.m.

(The sitting of the Senate was suspended.)

• (2000)

(The sitting of the Senate was resumed.)

The Hon. the Speaker: Bill C-262 for the balance of your time, Senator McCallum.

Senator McCallum: Thank you, Your Honour.

... knows that these thousands of victims must perish, and yet permits these conditions to remain, its deed is murder just as surely as the deed of the single individual; disguised, malicious murder, murder against which none can defend himself, which does not seem what it is, because no man sees the murderer, because the death of the victim seems a natural one, since the offence is more one of omission than of commission. But murder it remains.

Honourable senators, structural violence is defined by Johan Galtung as "... any constraint on human potential caused by economic and political structures."

Structural violence is evident in unequal accesses to resources, political power, education, health care and legal standing. Structural violence also occurs when the devastation of resource extraction is not acknowledged or addressed, allowing toxic materials to continue to cause a decreased quality of life and/or early deaths in First Nations because of their proximity to these toxic materials, and the devastation to land, water, air and animals.

In the preamble of the Declaration of Human Rights it states:

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

The paradox is how can Indigenous peoples be protected by a rule of law which is what oppressed them in the first place?

Honourable senators, I ask for your support in the passage of Bill C-262, not only because it is the moral and right thing to do, but because we, the Indigenous peoples, have the right to live lives that other Canadians and new citizens have the luxury of taking for granted. Consent and self-determination are common threads that bind the majority of human rights. Yet these have long been the basic rights denied to Indigenous peoples. Bill C-262 will be a first step toward ensuring that we equally protect the basic human rights of all Canadians. It is time for Canada to see past the difficulty of these circumstances and continue on our road to reconciliation. Thank you.

[Editor's Note: Senator McCallum spoke in Cree.]

[Translation]

Hon. Renée Dupuis: Honourable senators, I rise today to speak to Bill C-262 passed by the other place on May 30, 2018, entitled An Act to ensure that the laws of Canada are in harmony with the United Nations Declaration on the Rights of Indigenous Peoples.

I would like to point out that this bill was initiated by MP Romeo Saganash. It is also worth noting that his initiative represents just one of many actions that Indigenous peoples have taken to have their rights recognized over the course of our nation's history, both within Canada and on the international stage.

I would remind the chamber of just two examples from our recent past that illustrate the context of the bill, and as a reminder that the issue of Indigenous peoples' rights has been addressed as part of evolving discussions that have led to international recognition of peoples' rights.

The first example is Jules Sioui, a Huron-Wendat from Wendake, an Indian reserve near Quebec City, who created the committee for the protection of Indian rights in the 20th century. The main purpose of this committee was to have their right to self-government recognized. This committee can be considered the ancestor of Canada's current Assembly of First Nations. Jules Sioui also invited Canada's First Nations chiefs to gather in Ottawa on October 19, 1943, where they met with federal officials to discuss their rights. In 1945, he founded the North American Indian Nation Government in collaboration with 33 delegates from all regions of Canada. Among them was William Commanda, an Algonquin chief from the Kitigān Zibi Anishinabeg First Nation, the first elected Supreme Chief.

The second example is the Inuit and Atikamekw First Nations of Quebec. In November 1980, the fourth session of the Russell Tribunal on the rights of the Indians of the Americas was held in Rotterdam, in the Netherlands. At that session, the tribunal heard 14 cases, including two filed by Canada's First Nations. The first was put forward by the Grand Council Treaty No. 9 of Ontario, and the second was submitted by me on behalf of Quebec's Attikamek-Montagnais Council.

The tribunal first heard testimony from two elders, namely former Innu chief Mathieu André from Matimekush-Schefferville First Nation in northeastern Quebec, and former Atikamekw chief Jacquot Chachai from Opitciwan First Nation in northwestern Quebec. It then heard testimony from the Attikamek-Montagnais Council, which represented three Atikamekw First Nations and six Innu-Montagnais First Nations.

The tribunal concluded that a 1977 federal law that unilaterally extinguished First Nations rights in the James Bay territory of Quebec without compensation was a violation of these First Nations' territorial rights and did not comply with Canada's international obligations.

The Russell Tribunal clearly set out the violations of the territorial rights of the Indians of the Americas under international law, which, at the time, had not settled the issue of the status of indigenous peoples in instruments of international law. That is what the United Nations Declaration on the Rights of Indigenous Peoples sought to clarify.

This declaration is the result of intense international negotiations that began with the work started in 1982 by a UN working group created by the Sub-Commission on Prevention of Discrimination and Protection of Minorities and chaired by legal expert Erica Daes. The mandate of this working group was to identify ways to recognize the rights of Indigenous peoples around the world. It was in this context that Indigenous peoples were formally invited to participate in the international discussions about their rights. The Innu-Montagnais and Atikamekw chiefs had the opportunity to present their positions on the recognition of their rights to the chair during one of her visits to Canada in 1985.

During all these years, Canada was very engaged in the discussions, tough debates and intense negotiations that led to the adoption of the declaration in 2007.

• (2010)

For example, many vigorous debates took place after that initial discussion about the rights of Indigenous peoples and before the text of the United Nations Declaration on the Rights of Indigenous Peoples was finalized. The states, including Canada, were acutely aware of the radically different legal implications of the two concepts. The Government of Canada voted with the United States, Australia and New Zealand against adopting the declaration on September 13, 2007, at the UN General Assembly.

Three years later, on November 12, 2010, the federal government decided to release a statement of support on the declaration, which explicitly stated that the declaration is "non-legally binding". The federal government finally withdrew that qualification in 2016. On May 10, 2016, the Minister of

Indigenous and Northern Affairs announced to the United Nations Permanent Forum on Indigenous Issues that the federal government was a full supporter, without qualification, of the declaration. She affirmed "Canada's commitment to adopt and implement the Declaration in accordance with the Canadian Constitution."

In 2017, the federal government announced the 10 principles that would henceforth govern its commitment to "achieving reconciliation with Indigenous peoples through a renewed, nation-to-nation, government-to-government. . . relationship based on recognition of rights, respect, co-operation, and partnership as the foundation for transformative change."

It is important to remember that the evolution of these international negotiations stems directly from the centuries-old struggles of Indigenous peoples to have their rights respected both within and outside Canada.

These international negotiations took place at the same time that constitutional negotiations were being held in Canada in the 1980s to patriate the Canadian Constitution, which led to the adoption of the Constitution Act, 1982. Among other things, this new legislation contained formal provisions recognizing the status of Indigenous peoples, including Indian, Inuit and Métis peoples, under section 35. Their official participation in discussions pertaining to them was also enshrined in the Constitution at the time.

Senators, the fear over a veto on natural resource and land development in Canada must not overshadow first, the violation of the rights of Indigenous peoples on their traditional lands, and second, the prohibition imposed on First Nations under the Indian Act, between 1927 and 1951, to take legal action against Canada to enforce their rights or seek compensation when those rights were violated, which constituted an offence under the Act. Third, we must not hide the fact that many outstanding claims remain unsettled. Fourth, we must consider Canada's constitutional obligations to Indigenous peoples. Fifth, we must consider the international obligations that Canada has supported and, finally, the government's commitment to implement the UN declaration.

We must therefore consider Bill C-262 in light of its historical context. This bill clarifies what was left unresolved during the constitutional talks of the 1980s and 1990s, which were supposed to define the scope of the special collective rights recognized and affirmed in the Constitution in 1982. Failure to achieve political consensus on this issue had the immediate effect of making the courts the arbiters of the scope and content of those rights. That has not been fixed yet.

As a result, there is a conflict between the international legal standards Canada helped define and its inability to define its own legal standards more clearly after 1982. Even though the text of the declaration does not have the force of law in Canada, it is important to understand that the courts use it to help interpret Canadian law.

Bill C-262 goes even further, in that it sets out new rules. First of all, all government laws and actions going forward should be in harmony with the content of the declaration. Second, the legislator's intent will be clarified in terms of the interpretative

framework that Canadian courts must refer to when interpreting the rights of Indigenous peoples. In other words, the due care and responsibility of defining the scope of Indigenous peoples' rights will no longer be left entirely up to judges in Canadian courts.

Honourable colleagues, I invite members of the committee tasked with analyzing this bill to pay particular attention to three elements. Clause 3 of the bill does not mention the fact that Canada contributed to developing this declaration and supported it. It might be appropriate to consider adding this point. Second, it is important to make a distinction between the obligations created by clause 3 and clause 4, in terms of purpose and ways to achieve it. Lastly, changes are needed to designate the minister responsible for submitting the annual report to Parliament provided for in clause 6, especially given that the department has been split into two separate departments.

Honourable senators, it is up to us, as legislators, to resolve this apparent contradiction between Canada's domestic law and the law that it helped pass internationally.

In closing, I would like to quote Rebecca Belmore, an Anishinaabe artist from the Lac Seul First Nation. This quote can be found in the catalogue of one of her recent exhibits. She said:

"For decades I have been working as the artist amongst my people calling to the past witnessing the present standing forward facing the monumental."

Dear colleagues, for me, that describes the work that we, as members of the Senate, are being called upon to do with this bill. Thank you.

Hon. Senators: Hear, hear!

[English]

Hon. Patricia Bovey: Honourable senators, I too rise today on Bill C-262, an Act to ensure that the laws of Canada are in harmony with the United Nations Declaration on the Rights of Indigenous Peoples. I want to acknowledge all senators who have spoken to this bill and convey my gratitude to Member of Parliament Romeo Saganash for his dedication to the rights of Canada's Indigenous peoples through this proposed legislation. I applaud my Indigenous colleagues in this chamber for their compelling speeches, and as a non-Indigenous person, feel just as strongly as they about the need to pass this legislation. We have a responsibility to right wrongs, ensure equal rights are extended to all and to open doors to equal opportunities.

This is the seventh iteration of this legislation, the first having been introduced in the other place in 2008. Bill C-262 was first introduced on April 21, 2016, and has been before the Senate since May 31, 2018.

This bill is unique in that the document which it is based on, UNDRIP, is the result of two decades of work by Indigenous peoples from across the planet. It is the first international instrument where the rights holders themselves participated equally with states in the drafting.

We are making progress. Five hundred years since first contact we are considering Indigenous peoples as being equals. In so doing we must remember that Canada is a member of the UN and over the decades has assumed many leadership roles in the UN. It is now time that we too do the right thing and adhere to the principles enshrined in UNDRIP and affirmed by Bill C-262.

• (2020)

The bill, as I said, would affirm UNDRIP as a universal international human rights instrument with application in Canadian law and would call on the Government of Canada, in consultation and cooperation with Indigenous peoples in Canada, to take all measures necessary to ensure that Canada's laws are consistent with the United Nations Declaration on Rights of Indigenous Peoples.

Further, it calls on the Government of Canada, as we've heard, in consultation and cooperation with Indigenous peoples to develop and implement a national action plan to achieve the UNDRIP's objectives.

The bill also contains a yearly reporting period to both houses of Parliament on implementation. From my perspective, I think the annual reporting regarding implementation is critically important.

Why is this bill necessary? It is necessary because the Government of Canada is a signatory to UNDRIP. It is necessary because the Government of Canada accepted and promised action on the 94 Calls to Action recommended by the Truth and Reconciliation Commission.

Call to Action 43 reads:

We call upon federal, provincial, territorial, and municipal governments to fully adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples as the framework for reconciliation.

Call to action 44 reads:

We call upon the Government of Canada to develop a national action plan, strategies, and other concrete measures to achieve the goals of the United Nations Declaration on the Rights of Indigenous Peoples.

I applaud this private member's bill but cannot help wonder how a government espousing the 94 Calls to Action did not introduce its own legislation to adopt and implement UNDRIP as the framework for reconciliation. To my mind, that leadership would dispel doubts that may exist regarding the government's position moving forward on reconciliation with Indigenous peoples.

Bill C-262 represents a repudiation of Canada's colonial history and an attempt at reconciliation with all those affected. I was moved to read the words of the bill's sponsor referring to his experience of 10 years' incarceration in a residential school. Mr. Saganash stated:

Bill C-262 would also allow us to begin to redress the past wrongs, the past injustices that were inflicted on Indigenous people. This is the main objective of Bill C-262, to recognize that on one hand they are human rights but on the other hand that we begin to redress the past injustices that were inflicted on the first peoples of this country.

While the justices are many, those resulting from government policy are particularly abhorrent. The residential school system and the Sixties Scoop were policies particularly harmful to Indigenous people. As Senator Sinclair quoted from the Truth and Reconciliation Commission:

For over a century, the central goals of Canada's Aboriginal policy were to eliminate Aboriginal governments; ignore Aboriginal rights; terminate the Treaties; and, through a process of assimilation, cause Aboriginal peoples to cease to exist as distinct legal, social, cultural, religious, and racial entities in Canada.

In my province, Manitoba, we have been reminded a number of times of the ongoing and horrific effects of these policies. One was the release of the September 2018 report of the Legislative Review Committee titled *Opportunities to Improve Outcomes for Children and Youth*, which examined the state of the child welfare system in Manitoba, although:

. . . the committee did not focus on children and families of any region, ethnicity or cultural background in isolation.

The results discovered were telling and the picture is anything but pretty.

Just last week, a further report on the murder of 15-year-old Tina Fontaine entitled, *A Place Where it Feels Like Home: The Story of Tina Fontaine*, highlighted once again the crisis of the egregious gaps in the system. The brutal loss of life of children, girls and women, the living conditions, the inattention and events and situations which fall into the wide gaps in society's fabric are absolutely unacceptable. Bill C-262 will at least, in part, provide the foundation to turn the tables to equal and fair human rights.

The 2018 report states:

The majority of the stories and information we gathered referenced Indigenous children, youth and families. This reflects the alarming fact that in Manitoba almost 90 per cent of children in care are Indigenous. The causes are deeply rooted in a legacy of colonial practices and policies, such as the legacy of the residential school system and the 60's Scoop. These practices separated children from parents, family, community, culture and language and have been clearly linked to high rates of substance abuse, violence and poverty within Indigenous communities, perpetuating the cycle of children being removed from their familial homes.

Can you imagine? If the tables were turned and it was non-Indigenous people who were desperate for equal rights and human justice, exactly what Bill C-262 is calling for for Indigenous peoples, how would those of us non-Indigenous citizens be feeling? We must consider humanity from all perspectives and realities.

The report echoes both UNDRIP and the Truth and Reconciliation Commission:

The delivery of child and family services in Manitoba should be guided by the Calls to Action of the Truth and Reconciliation Commission, the principles set out in the United Nations Declaration on the Rights of Indigenous Peoples and the norms expressed in the United Nations Convention on the Rights of the Child.

Much of the discussion surrounding this bill resolves around the concept of free, prior and informed consent.

Senators, as you know I have had the privilege to work with Indigenous artists extensively over the decades of my career and always found they are ahead of the curve in expressing society's ills and realities, and do so viscerally regarding the experiences of Indigenous peoples historically and today.

Gitksan artist and scholar, Doreen Jensen, insightfully wrote:

Canada is an image that hasn't emerged yet. Because this country hasn't recognized its First Nations, its whole foundation is shaking. If Canada is to emerge as a nation with a cultural identity and purpose, we have to accept First Nations art.

Scholar and former UBC Anthropology Museum director, Ruth Phillips, wrote on Indigenous artist Jackson Beardy, a founder of the Indigenous Group of Seven in 1972, that:

For over four decades Aboriginal visual artists have been contributing in vital ways to the larger process of empowerment. As Aboriginal people repeatedly assert, their art cannot be separated from politics, for self-representation - and the representation of history that is a part of the process - is profoundly empowering. Art has been at the heart of politics just as politics have been, and remain, at the heart of Aboriginal art, whether the specific subject is historical or contemporary, ironic or lyrical, sacred or mundane.

Cree artist Jane Ash Poitras was on exactly the same wavelength as quoted in Anne Newlands' book, *Canadian Paintings, Prints and Drawings*:

Only through spiritual renewal can we find out who we really are, be empowered to achieve our potential, and acquire the wisdom to eliminate the influences that bring tragedy and destroy us.

That spiritual renewal comes from human expression. Colleagues, I challenge all of us to look deeply at the work of Canada's Indigenous artists from east to west to north and every

part of the country. They tell the realities and do so giving guidelines as to how to become a society which honours UNDRIP.

I have spoken in this chamber before about Joane Cardinal-Schubert's *The Lesson*, of 1989. An installation, the students' chairs are in rows, there are apples on most of the seats and a dunce cap is on one chair at the back of the room. There are two walls of blackboards filled with writing, one titled, *The Lesson*, the other, *The Memory Wall*. The text on *The Lesson* wall begins:

In the beginning there were native people across the land. When new people came, they shared with them their knowledge and goods and the new people took whatever they wanted. They shared their values, their religion, their languages and their laws. Then they took, took, took and the native people were taken from.

She carries on with text about fenced areas. The Memory wall is filled with lists of injustices. She did not create a celebratory wall. We all know about those injustices, as I've said: the residential schools, the Sixties Scoop, multi-generations living in one house without insulation or running water or the forced move of whole communities. The list goes on.

We must end that list and reverse the situations on that list. Bill C-262 is poised to assist with those societal amends.

Jane Ash Poitras' mixed media work *Potato Peeling 101 to Ethnobotany 101* also depicts a classroom, with blackboards on two walls, the alphabets and numbers running across the top. One is filled with photographs and texts. A Hudson's Bay blanket is along the bottom, with a Union Jack in the middle of the blanket stripes, the very blankets and flags artist Bob Boyer also poignantly used to tell Canada's history. Now deceased, he was a long-time leader of SCANA, the Society of Canadian Artists of Native Ancestry.

The power of these works is far greater than words can convey. If even several of these were on the Hill, I honestly believe Bill C-262 would have been passed by now.

Or there's Rebecca Belmore's performance piece, *Intertidal The Named and The Unnamed*, calling murdered and missing women. I took part in a parking lot in Winnipeg's Exchange District one fall night several years ago before the inquiry was established. All of us gathered that night had a rose and a piece of paper on which to write the name of a missing woman we knew. We tied the paper to the rose and put the rose in the mesh that was hanging from the wall of the building next to the lot. The light was from the car headlights; the music from an old portable CD player. The effect of the performance of that night resonates with me daily as I read the news headlines.

• (2030)

I won't go on, but you get my point. We, as a chamber and as a Parliament, must turn reconciliation into "reconciliation." Passing Bill C-262 is a truly important step one. Please join me in enabling Canada to join UNDRIP. We as a nation should be leaders in action and word in human rights — not merely strong in word but weak in action. Renewing spirits is hard, complex, and at times seemingly impossible, but it will be impossible if we don't start, and we have the road markers. As Louis Riel said in 1885: "My people will sleep for one hundred years, but when they awake, it will be the artists who give them back their spirit."

We all should "read" the work of the artists executed in those powerful international languages of visual art, music and dance, which unite in many compelling and empowering works that are understood worldwide, and reach into the soul of the artist, the community and the nation.

I support Bill C-262 and hope it goes to committee soon, and I hope you do too. Thank you.

(On motion of Senator Tannas, debate adjourned.)

[Translation]

NATIONAL LOCAL FOOD DAY BILL

SECOND READING—DEBATE ADJOURNED

Hon. René Cormier moved second reading of Bill C-281, An Act to establish a National Local Food Day.

He said: Honourable senators, it is with great enthusiasm and a healthy appetite that I rise to speak today as the sponsor of Bill C-281, An Act to establish a National Local Food Day. I am particularly fond of this bill because it enables us to showcase the uniqueness of our regions, the richness of our local cultures, our entrepreneurship and the diversity of our food products.

I would like to first thank and acknowledge the work of the member for Kootenay—Columbia, Wayne Stetski, who introduced this bill in the House of Commons almost three years ago now. It was passed unanimously in the other place on November 8, 2018.

As its title indicates, the purpose of this bill is to establish a national local food day. This day of celebration would be held in October of each year on the Friday before Thanksgiving.

[English]

Some may think, as I did at first: Not another national day. Indeed, each year, many bills to implement a national day are presented in this chamber. Of course, all these initiatives originate from worthy causes cherished by part of the Canadian population.

The uniqueness of Bill C-281 lies in the universal nature of a local food celebration for all Canadians. First, national local food day will allow us to celebrate our local products. Moreover, it will be an opportunity to reflect and act on many aspects of our communities: environment, health, economy and local cultures, among others.

[Translation]

One benefit of food is bringing people together. Yes, food provides essential nutrition to our bodies, but it also gives us the best excuse to share a meal and spend time with the people we love.

In fact, Canada's new food guide recommends that Canadians share their meals with others. This is a great way to connect with those around us.

The idea of bringing people together probably helped this bill pass unanimously in the other place. Just have a look at the speeches given by members from all parties to see how passionate they were about this bill. Every member of Parliament praised the quality of the products from their regions and the various initiatives celebrating local food.

I'm obviously just as passionate about this topic and want to share my enthusiasm with you.

[English]

We must first lay the foundation for this bill and clarify what we mean by a celebration of local food. Food is a very broad term, as you know.

Take, for example the definition found in the Food and Drugs Act, which states that food "includes any article manufactured, sold or represented for use as food or drink for human beings, chewing gum, and any ingredient that may be mixed with food for any purpose whatever."

Based on this definition, there is almost no limit to what could be considered food to be celebrated during the national local food day. Food refers to basic products, such as garden produce, game or fish. It would also include products processed by our artisans, such as craft beer, wine, cider or maple syrup. Consider also the meals prepared by our restaurateurs who are committed to promoting the use of Canadian products. The only limit is the imagination of Canadians.

[Translation]

Apart from the notion of food, it is important to have a similar understanding of what local means. Note that I use the words "similar understanding" deliberately because reaching a consensus on what is "local" would be practically impossible at this point.

[Senator Cormier]

Indeed, in the food industry, there is a wide range of definitions of the term "local." Some groups will talk about locavorism. Locavores are people who restricting what they eat to food produced within a 100 to 250 kilometre range of where they live.

Others will refer to food mileage, where the goal is to reduce as much as possible the distance that food travels, from production to processing to consumption. Lastly, another movement talks about responsible food consumption, which is about individual consumers reflecting on and considering the impact of their food choices on their health, the environment and the living conditions of the people who produce their food.

[English]

The Canadian Food Inspection Agency implemented an interim policy concerning the use of the term "local" when labelling products. This could serve as a reference point for a definition of local food for the purposes of Bill C-281.

This interim policy recognizes local food as "food produced in the province or territory in which it is sold, or food sold across provincial borders within 50 kilometres of the originating province or territory."

With due respect for the many definitions and trends, in creating a national local food day, our concept of local food must consider the culture, traditions, and geographic location of all Canadians and communities rather than the use of a binding framework for consumers.

[Translation]

How local food is celebrated may differ in every region and community in Canada. We will leave it up to each community to decide how to celebrate its food and products according to its culture, traditions, and geographic location in Canada. After all, this national day belongs to them.

This more tailored interpretation will make it possible to celebrate an unlimited variety and wealth of products on this national day.

What immediately springs to mind is New Brunswick snow crab, Nova Scotia lobster, PEI potatoes, cod from Newfoundland and Labrador — I can hear you salivating — strawberries from Quebec, wine from Niagara in Ontario, soy grown in Manitoba, Saskatoon berries from Saskatchewan, Alberta beef, and cherries from British Columbia, not to mention morels from the Northwest Territories, Arctic char from Nunavut, or bison and wapiti from Yukon. It goes without saying that there is no shortage of options for Canadians who want to embrace this concept and support local food as part of a national day, but also every day all year round.

• (2040)

Speaking of the year-round availability of food, in an ideal world, every day would be a local food day. However, if we have to choose just one, the bill proposes the Friday before Thanksgiving, which I agree with. It is an appropriate time for a number of reasons.

For many of us, it is customary to gather with our families for a meal on Thanksgiving Day. Traditionally, it is also the time of year when we thank farmers for the bountiful harvest. I have to admit that the notion of gratitude has lost a bit of its lustre over time. That is why it would be nice to have a national day to celebrate local food.

It would encourage Canadians to buy local when preparing this family meal and help farmers wrap up the harvest season on a positive note.

It would also be an opportunity to extend the tourist season, making it possible to showcase local products. From June to September, some Canadians have an almost innate drive to buy certain foods at vegetable stands and to check where their food is coming from. However, when fall arrives, dear colleagues, consumers often start buying products from other places again, sometimes forgetting all of the work done by their fellow Canadians. It is therefore essential to remind them of how important these industries are to our country.

[English]

Some will argue that October would be too late in the harvest season to justify a national local food day. Although sensitive to this concern, it would be wrong to say that the farmers' markets are empty by Thanksgiving. On the contrary, they are still full of fresh products.

We only have to think of the many root vegetables, all squashes, apples, grapes, pears, celery, cabbages, tomatoes and potatoes, not to mention the ongoing fishing and hunting season. Obviously, this list is not exhaustive.

We must also remember that our farmers, harvesters, fishermen and other artisans are at the heart of these celebrations. During the summer, most of them are too busy in the fields harvesting, producing or working at their restaurants, so it might be difficult for them to take the time to sit down, celebrate local food and to be celebrated by all Canadians.

[Translation]

If we want to give thanks for our cornucopia of local foods, let's make sure that the people with the most intimate understanding of the beauty of that bounty can celebrate with us. That's what makes the Friday before Thanksgiving the perfect day for National Local Food Day.

[English]

Many initiatives sponsored by individuals, communities or governments have been launched across the country to celebrate local food or specific local products. For example, Food Day Canada is a wonderful pan-Canadian initiative that celebrates and promotes local ingredients and their use thanks to the many

participating restaurateurs and outreach events across the country. This annual event, created by Ms. Anita Stewart, who was invested as a Member of the Order of Canada for her passionate work promoting Canadian cuisine and local food, is the proof that Canadians all over the country are ready for an annual pan-Canadian celebration of our abundant local food.

In New Brunswick, we have BuyLocalNB, which is a project of the Conservation Council of New Brunswick that supports and promotes the agriculture, aquaculture and fisheries sectors by maintaining a registry of local foods that is available to the public.

The objective and the impact of Bill C-281 will not downplay these initiatives or compete with them. On the contrary, a national day will most definitely draw even more attention to all these initiatives. No matter when they usually take place, these initiatives will be able to leverage the Friday before Thanksgiving to highlight their accomplishments, successes and future challenges.

There is no question that every initiative, event or project that promotes local food and raises awareness among Canadians about its use is part and parcel of the movement that I support.

[Translation]

That is why I am calling on all of you, honourable senators, and the elected representatives in the other place, to champion the initiatives and events happening in our own regions and across the country.

A 2018 CROP survey asked people if they agreed with the following statement:

I believe it is essential to support local products and brands, even if it means paying a little extra.

Seventy-nine percent of Canadians strongly or somewhat agreed with that statement.

That means this is not just a feeling; it's a fact: Canadians want to buy local, and they especially want to buy local food, which many consider a forerunner in the buy-local movement.

Consumers have as many reasons for buying local as there are local products to buy. Some see it as a way to do their part to protect the environment and fight climate change. Others see it as an opportunity to contribute to their local economy or support social innovation initiatives.

I would like to read you part of the preamble of Bill C-281. It states, and I quote:

Whereas strengthening the connection between consumers and producers of Canadian food contributes to our nation's social, environmental and economic well-being;

[English]

As you all know, Canada's food sector has an abundance of resources and expertise which makes significant contributions to our country's economy. Just to give you a general idea, according to Agriculture and Agri-Food Canada, the agriculture and agri-food sector generated \$119 billion of gross domestic product and accounted for 6.7 per cent of Canada's total GDP in 2016. Furthermore, it also employed approximately 2.3 million people, representing 12.5 per cent of Canadian employment in 2016.

More specifically, Canadian consumers purchased \$110 billion worth of food products in 2017, according to the *Report of Canada's Economic Strategy Tables: Agri-food*. This report also established a target for domestic food sales of \$140 billion by 2025.

[Translation]

The Table recognizes both the wealth of this Canadian sector and how important it is for Canada to differentiate itself, and I quote:

While the Agri-Food Table fully recognizes the need to compete on price, we also need to differentiate ourselves.

That is exactly what Bill C-281 seeks to accomplish by focusing on promoting our wealth and our assets.

New Brunswick's "For the Love of New Brunswick" initiative calls for a five per cent increase in the consumption of local products. Although this project focuses on all products and not just local food, it estimates that, for the province, a five per cent shift in citizens' buying habits would lead to an increase of more than \$2 billion in direct sales and the creation of almost 9,000 jobs over five years.

Dear colleagues, the fact of the matter is that this dynamic sector is an important part of Canada's economy. An annual national celebration would focus attention on all these Canadian success stories and the know-how of all stakeholders in this sector.

Closing the farm-to-table distance is one of the main environmental benefits of an initiative like this one. When food travels shorter distances, there is less of a negative impact on the environment from greenhouse gas emissions, for example. I should point out that emissions also vary depending on the type of transportation used, and air transportation is the most polluting option.

During the summer, many consumers opt to shop at local markets, which shortens distances and cuts out intermediaries between the consumer and the farmer or processor. In such cases,

the customer often travels shorter distances and chooses other modes of transportation over the car, which also reduces individual greenhouse gas emissions.

• (2050)

[English]

Local food does more than just put food on our own tables. Our fellow Canadians who work in the agriculture and agri-food sector know something about that. These individuals care about the well-being of their communities. That is why many of them are trying to make their food accessible through community initiatives. For example, there are food banks, which accept donations from local producers of their surplus goods, and community gardens. In other words, local food is at the heart of social inclusion initiatives across the country.

Different programs such as Farm to School, which is led by Farm to Cafeteria Canada, also promote local food. This movement brings healthy, local food into schools by sourcing food from farmers, distributors, schoolyard gardens or the harvesting of wild or traditional foods. These foods are used to prepare school meals. This initiative demonstrates how local food can be the focal point that brings producers, farmers and the community closer together. These programs also provide learning opportunities and nutritional meals for everyone, no matter the socio-economic situation of the family. Bill C-281 will help highlight these community programs.

[Translation]

Colleagues, before I conclude my remarks, I would like tell you about a wonderful project in New Brunswick that brings together each of these local food components, making this project a wonderful example of what can be accomplished through local food. This is the Ferme Terre Partagée co-op, a project combining tradition, know-how, innovation and a passing of the torch to the next generation.

This co-op, which was officially created in January 2018 in its current form, is the result of the work of generations of farmers whose origins go back to the Chiasson family, who founded the farm in 1886 on land that was worked for hundreds of years by the Mi'kmaq in Rogersville.

It was following Rébeka Frazer-Chiasson's return to the family farm with her father, Jean-Eudes, that Ferme Terre Partagée as we know it today slowly took shape, starting with the picking of organic strawberries. They then added vegetables, which brought two more passionate farmers to their team.

This cooperative is based on the principle of food sovereignty. Accordingly, the farm has diversified its crops to meet the various demands, but always in accordance with smaller scale sustainable growing.

Many projects that stem from this farm are based on the proximity between the farmers and the customers. Thus, the vast majority of sales are direct sales, for example through organic vegetable baskets.

As they point out, this proximity allows consumers to ask questions and obtain credible information directly from the farmers.

This allows for an exchange of knowledge, and sometimes consumers gain a better understanding of what is involved in farming. Consumers and producers build a relationship of mutual trust.

This cooperative is also involved in its community, not only by selling its crops, but also by giving talks, welcoming farmers, getting involved in associations and working together with schools on community garden projects.

Canadians are curious about and interested in local food. As this bill shows, all we have to do is pass on to consumers the passion that drives our artisans, and that is what Bill C-281 seeks to achieve.

[English]

Dear colleagues, let me end on a personal note. As you know, I come from Caraquet on the Acadian Peninsula in New Brunswick. Our region is well known for our fishing industry, which is recognized all around the world for its extraordinary quality. Fishing is not only the economic engine of our region; it represents a way of life for our community. However, growing up, I was not aware of its wealth and importance for my community. And sad to say, I had to leave my region to realize the important role it played.

[Translation]

I'm telling you this, because it speaks to the very essence of this bill, which is to ensure that Canadians recognize the immense wealth of local food, the immense wealth of their region and the people who are at the heart of all this, from an early age, without having to leave their region.

As a Canadian, I am proud of our farmers, fishermen, brewers and artisans who work hard to provide us with products of outstanding quality. Bill C-281 is our way of recognizing their contribution to our society and celebrating the fruits of their passion. I therefore ask you to vote in favour of the bill.

Thank you and *bon appétit*.

[English]

Hon. Percy E. Downe: Will the senator take a question?

[Translation]

The Hon. the Speaker: Senator Cormier, will you take a question?

Senator Cormier: Of course.

[English]

Senator Downe: Thank you for that speech, Senator Cormier, and thank you for following the rules. As we all know, the purpose of a speech at second reading is to talk about the principle and the merits of the subject matter and not to get into

other details. I thought you did that very well. Senators will want to keep an eye on that rule when we have other second reading speeches on other topics.

The reason I want to ask a question is I received an email from Chef Michael Smith from Prince Edward Island, who many people will know has books published, TV shows and so on. He and his spouse run The Inn at Bay Fortune. If anybody is in Prince Edward Island during the summer, I urge you to attend their restaurant, along with the many other wonderful restaurants in Prince Edward Island.

I want to quote from what he wrote, and you touched on it in your speech: "For more than 15 years, we have celebrated Food Day Canada coast to coast in August. We built a community around the event. The entire country is in harvest, so every chef, restaurant, farmer, fisherman, food writer and diner joins in. Even the CN Tower is lit for the occasion. We're not opposed to the bill, just the late-season date it proposes. The country is half covered in frost in October. Aligning the dates will allow all existing momentum for Food Day Canada to continue flourishing. This simple amendment becomes a classic win-win. None of us particularly care who gets political credit for the day. We just want to keep doing what we're doing all along."

So why would we vote in favour of changing the date from August to October?

[Translation]

Senator Cormier: Thank you for your question, senator. As I mentioned in my speech, the purpose of national local food day is not to oppose the various initiatives that currently exist. What you are talking about is an extraordinary initiative that Ms. Stewart persuaded restaurateurs across the country to get involved in.

The spirit of this bill goes beyond the issue of restaurateurs and the issue of agricultural products. It goes much further than that. As part of the research conducted in preparation for my speech, I had the opportunity to speak with restaurateurs from different regions of Eastern Canada. It is obvious that there is no ideal date for a day like this. For some restaurateurs, August is already a time when they have no shortage of customers and products.

I have heard that many people are happy with the October date, especially since it extends the tourism and consumption season. There are tons of products that are available in the fall, and often, in some regions, there is a decline starting in September. The idea of instituting a national local food day in October allows the regions to extend the tourism season and to highlight the foods that are available.

That is essentially what I heard. I have also spoken with restaurateurs who are involved in the National Food Day project with Ms. Stewart and who will continue to be involved in this initiative, but who also say that a national local food day allows them to extend the tourism season and do good business. That is the main reason for the October date.

• (2100)

[English]

Senator Downe: Notwithstanding your passionate defence of your bill, I would have to be opposed to it. I'm in favour of August, not October.

The Hon. the Speaker: Senator Plett, would you like to speak on this or on something else?

Hon. Donald Neil Plett: I would like to speak at length on this bill at some future time, so I would like to take the adjournment.

(On motion of Senator Plett, debate adjourned.)

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Senator Faisal Javed; Dr. Firdous Awan, Member of the National Assembly of Pakistan; Saqib Nisar, former Chief Justice of Pakistan and a delegation. They are the guests of the Honourable Senator Ataullahjan.

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

Hon. Senators: Hear, hear!

THE SENATE

MOTION TO AMEND THE *RULES OF THE SENATE* TO ENSURE LEGISLATIVE REPORTS OF SENATE COMMITTEES FOLLOW A TRANSPARENT, COMPREHENSIBLE AND NON-PARTISAN METHODOLOGY—MOTION IN AMENDMENT—MOTION TO REFER MOTION AND MOTION IN AMENDMENT TO COMMITTEE—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Bellemare, seconded by the Honourable Senator Harder, P.C.:

That, in order to ensure that legislative reports of Senate committees follow a transparent, comprehensible and non-partisan methodology, the *Rules of the Senate* be amended by replacing rule 12-23(1) by the following:

“Obligation to report bill

12-23. (1) The committee to which a bill has been referred shall report the bill to the Senate. The report shall set out any amendments that the committee is recommending. In addition, the report shall have appended to it the committee's observations on:

(a) whether the bill generally conforms with the Constitution of Canada, including:

(i) the *Canadian Charter of Rights and Freedoms*, and

(ii) the division of legislative powers between Parliament and the provincial and territorial legislatures;

(b) whether the bill conforms with treaties and international agreements that Canada has signed or ratified;

(c) whether the bill unduly impinges on any minority or economically disadvantaged groups;

(d) whether the bill has any impact on one or more provinces or territories;

(e) whether the appropriate consultations have been conducted;

(f) whether the bill contains any obvious drafting errors;

(g) all amendments moved but not adopted in the committee, including the text of these amendments; and

(h) any other matter that, in the committee's opinion, should be brought to the attention of the Senate.”

And on the motion in amendment of the Honourable Senator Nancy Ruth, seconded by the Honourable Senator Tkachuk:

That the motion be not now adopted, but that it be amended by:

1. adding the following new subsection after proposed subsection (c):

“(d) whether the bill has received substantive gender-based analysis;” and

2. by changing the designation for current proposed subsections (d) to (h) to (e) to (i).

And on the motion of the Honourable Senator Omidvar, seconded by the Honourable Senator Mercer:

That the motion and the amendment now under debate be referred to the Special Senate Committee on Senate Modernization for consideration and report.

Hon. Yonah Martin (Deputy Leader of the Opposition): If I may just adjourn in my name to reset.

(On motion of Senator Martin, debate adjourned.)

MOTION TO ENCOURAGE THE GOVERNMENT TO TAKE ACCOUNT
OF THE UNITED NATIONS' SUSTAINABLE DEVELOPMENT GOALS
AS IT DRAFTS LEGISLATION AND DEVELOPS POLICY RELATING
TO SUSTAINABLE DEVELOPMENT—MOTION IN AMENDMENT—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Dawson, seconded by the Honourable Senator Munson:

That the Senate take note of *Agenda 2030* and the related sustainable development goals adopted by the United Nations on September 25, 2015, and encourage the Government of Canada to take account of them as it drafts legislation and develops policy relating to sustainable development.

And on the motion in amendment of the Honourable Senator Bellemare, seconded by the Honourable Senator Petitclerc:

That the motion be not now adopted, but that it be amended by:

1. adding the words “Parliament and” after the word “encourage”; and
2. replacing, in the English version, the words “it drafts legislation and develops” by the words “they draft legislation and develop”.

Hon. Yonah Martin (Deputy Leader of the Opposition): I move the adjournment in my name.

(On motion of Senator Martin, debate adjourned.)

MOTION TO CALL ON THE CANADIAN CONFERENCE OF
CATHOLIC BISHOPS—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator McCallum, seconded by the Honourable Senator Coyle:

That the Senate call on the Canadian Conference of Catholic Bishops to:

- (a) invite Pope Francis to Canada to apologize on behalf of the Catholic Church to Indigenous people for the church's role in the residential school system, as outlined in Call to Action 58 of the Truth and Reconciliation Commission report;
- (b) to respect its moral obligation and the spirit of the 2006 Indian Residential Schools Settlement Agreement and resume the best efforts to raise the full amount of the agreed upon funds; and

- (c) to make a consistent and sustained effort to turn over the relevant documents when called upon by survivors of residential schools, their families, and scholars working to understand the full scope of the horrors of the residential school system in the interest of truth and reconciliation.

Hon. Murray Sinclair: Honourable senators, I'm rising to speak to Motion No. 325 which calls upon the Conference of Catholic Bishops to do three things: first of all, to invite Pope Francis to Canada to apologize on behalf of the Catholic Church to Indigenous peoples for the church's role in the residential school system; two, to ask the Conference of Catholic Bishops and the Catholic Church to respect their moral obligation and the spirit of the 2006 Indian Residential Schools Settlement Agreement and resume best efforts to raise the full amount of the agreed-upon funds to which it committed in the agreement; and, three, to make a consistent and sustained effort to turn over the relevant documents when called upon by survivors of residential schools, their families, and scholars working to understand the full scope of the horrors of the residential school system in the interests of truth and reconciliation.

As a backgrounder, let me start with a quote attributed to Archbishop Desmond Tutu who was the Chair of South Africa's Truth and Reconciliation Commission. He said in one of his public speeches when addressing a gathering of church congregations:

When you came to this land, we had the land and you had the Bible. You held out your hand and asked us to close our eyes as you prayed. When we opened our eyes, you had the land and we had the Bible.

The residential school system is one of the darkest, most troubling chapters in our collective history. It takes incredible strength to share what happened in those institutions because the students were told never to talk about it and that no one would believe them if they did. For many, it took generations to break this “no talking” rule, and now it is our responsibility to honour their courage with meaningful action.

I want to begin by acknowledging and thanking Senator McCallum for her leadership and courage in sharing with this chamber her personal experience at the Guy Hill Indian Residential School. It is of great historical significance that this motion is brought forward in the very place that passed laws that gave life to the residential school system by a senator who was directly impacted by decisions made here.

An Hon. Senator: Hear, hear.

Senator Sinclair: Nearly two thirds of the residential schools operating all across Western Canada were run by the Catholic Church. It administered 54 of the 139 schools covered in the Indian Residential Schools Settlement Agreement, plus numerous other day schools. The Catholic Church, however, is the only party to the settlement agreement that has not formally apologized for its role in what occurred within that system. The Anglican Church of Canada, the United Church in Canada, the Presbyterian Church in Canada, have all issued formal apologies

for their participation in the schools and for their efforts at forced assimilation and indoctrination of the children who were taken there.

Let me begin by asking you to consider the question of why apologies are important. In this day and age, those of us who are experiencing situations of strife, common situations in our families, when we recognize that we have been harmed, hurt or offended by another, we always look for an apology in order to be able to get on with the relationship that we had. Apologies are important to ongoing relationships.

In 2005, the United Nations General Assembly adopted a set of basic principles on reparations, stating that apologies should be made publicly and that they should constitute “an acknowledgment of the facts and an acceptance of responsibility.” They are one of the first mechanisms to address human rights abuses and are intended to help transform inter-group relationships by marking an endpoint to a history of wrongdoing and to provide a means to move beyond that history.

The apology issued by Prime Minister Stephen Harper in 2008 in the House of Commons to those who were gathered, plus representatives of the survivor community, was one of the most important and significant gestures made to the survivors in Canada at that time. It led to a considerable effort on their part to contribute to reconciliation as witnessed by those events that occurred during the work of the TRC.

Apologies themselves cannot remove or undo the pain or loss suffered by survivors and victims’ families, but they can be a meaningful way of recognizing the dignity of victims. They are an important step for a society working towards reconciliation.

In 2015, the International Center for Transitional Justice released a report on apologies and reparations for countries and groups taking steps to address human rights violations. According to that report, apologies can become statements of truth that reverse years of silence or official denial, vindicating the experiences and suffering of victims. They can also mobilize the rest of society to support reparations for victims and help the public understand the need for transitional justice measures, such as a truth commission or putting perpetrators on trial.

Apologies are one of what I call the four big ‘A’s that are part of the reconciliation process. The first is awareness. The second is acknowledgment. The third is apology. The fourth is atonement. Despite the fact that apologies can signal the intent to move towards repairing relationships, it is vital also to recognize that, on their own, they cannot achieve reconciliation, justice or civic trust.

• (2110)

Societal empathy for victims of abuse in residential schools is important. However, this alone will not prevent similar acts of violence from recurring in new institutional forms.

Words of apology will ring hollow if actions fail to produce the necessary social, cultural, political and economic change that benefits Indigenous peoples and all Canadians.

Papal apologies have been issued elsewhere around the world, and the question arises as to whether the circumstances in which they have been given are relevant.

Three papal apologies have been issued for similar accounts of clerical sexual abuse involving children and colonialism as experienced by Indigenous people in Canada.

One was provided, for example, in 2001 for Church-backed “Stolen Generations” boarding schools for Aboriginal children in Australia, and, in that same year, the church issued an apology in China for the behaviour of Catholic missionaries in colonial times.

A third apology, which is of significance and is referenced in the work of the Truth and Reconciliation Commission’s final report, was issued to Ireland in 2010 to women and children who went to Catholic-run schools.

During a public mass of pardons in 2000, a broad blanket apology was expressed by the Church for the sins of Catholics throughout the ages for violating the rights and ethnic groups of peoples and for showing contempt for their cultures and religious traditions.

Why are those other apologies not good enough, you might ask. While former Pope Benedict XVI made an expression of sorrow for residential schools in 2009, survivors said that did not go far enough when they came to testify before the Truth and Reconciliation Commission of Canada.

They told the commission that they needed to hear government and church officials admit that the cultural, spiritual, emotional, physical and sexual abuse that they suffered in the schools was wrong and should never have happened.

I was told by many survivors during the work that I was participating in that they came to see themselves as the problem, and they believed that embracing their culture and language would condemn them to hell. The work of the TRC and the calls to action were meant to serve as a means to deconstruct that lie because we know for a fact that within the walls of those schools, children were faced with determined efforts to devalue and, ultimately, eradicate their languages, cultures and spirituality.

One of the tragic effects of these measures was that children frequently emerged from the schools with a sense of being caught between two cultures, neither fully at home nor fully accepted in either, and profoundly alienated as a result.

Experts have told us that words of apology alone are insufficient, that concrete actions on both symbolic and material fronts are required. Reparations for human rights abuses and historical injustices must include an apology, financial redress and public education as were committed to in the residential schools settlement agreement.

With this motion, the Pope, as the head of the Catholic Church, has an opportunity to chart a new course in its history, one based upon truth, responsibility and reconciliation to Indigenous peoples in Canada.

I have visited many church congregations across this country and addressed them about the work of the TRC, and many of the people at the community level participating in their congregational efforts have acknowledged the importance of hearing an apology on behalf of their faith.

I encourage the council of Catholic bishops and the Pope to come to Canada and speak directly to survivors to let them know that they were not in the wrong. Thank you.

Hon. Terry M. Mercer (Acting Leader of the Senate Liberals): Senator Sinclair, as a practising Catholic of 72 years, I want to apologize. That's all I can do myself. But I also want to say publicly how ashamed I am of my church. I've been an active Catholic. A long time ago I was a choir boy. My faith has been important in my life. At one time, I would be at mass every day for a long time. I don't do that anymore, but I still practice my faith at least once a week.

I am ashamed of my church. I am ashamed of the people who run my church. I am ashamed of the Catholics who have allowed the church to do this. I am ashamed of all of us because the sins that were perpetrated upon Aboriginal people in this country, particularly the Aboriginal youth, did not happen in isolation. People knew. People had to know. People were in that community. It's a shame that they did this.

I should say that I am also ashamed of the management of the Catholic Church in this city; I'm ashamed of the management of the Catholic Church in my own province; I'm ashamed of the management of the Catholic Church in this city because they're not doing meeting their obligation of reconciliation.

It is a very difficult thing. My mother was a Catholic. My father was an Anglican. The church was very important in our family. My mother was active in the church. My brothers were altar boys when they were younger. God wouldn't recognize them now.

It is a shame for those of us who are Catholics that every day when we listen to the debates on this subject or hear the news on this subject that we share the guilt, because it's our faith. Every Sunday when I walk through the doors of whatever Catholic Church I go to, I always ask myself: Why do I keep doing this? Why do I keep going to a church that I'm not proud of? Why do I keep doing that?

I don't go to the church because of the church but because of my relationship with my God, but it is embarrassing. Someday, if I ever get to meet God face to face, I'm going to ask him how he can allow those people to do that to those young children and how he could allow his church, my church, to do such a terrible job in reconciliation with them in this country.

(On motion of Senator Pate, debate adjourned.)

LEGAL AND CONSTITUTIONAL AFFAIRS

MOTION TO AUTHORIZE COMMITTEE TO EXAMINE CERTAIN EVENTS RELATING TO THE FORMER MINISTER OF JUSTICE AND ATTORNEY GENERAL OF CANADA AND TO CALL WITNESSES—

MOTION IN AMENDMENT—POINT OF ORDER—
SPEAKER'S RULING RESERVED

On the Order:

Resuming debate on the motion of the Honourable Senator Smith, seconded by the Honourable Senator Martin:

That the Standing Senate Committee on Legal and Constitutional Affairs be authorized to examine and report on the serious and disturbing allegations that persons in the Office of the Prime Minister attempted to exert pressure on the former Minister of Justice and Attorney General of Canada, the Honourable Jody Wilson-Raybould, P.C., M.P., and to interfere with her independence, thereby potentially undermining the integrity of the administration of justice;

That, as part of this study, and without limiting the committee's right to invite other witnesses as it may decide, the committee invite:

The Right Honourable Justin Trudeau, P.C., M.P.,
Prime Minister of Canada;

The Honourable Jody Wilson-Raybould, P.C., M.P.;

The Honourable David Lametti, P.C., M.P., Minister of
Justice and Attorney General of Canada;

Michael Wernick, Clerk of the Privy Council;

Kathleen Roussel, Director of Public Prosecutions;

Katie Telford, Chief of Staff to the Prime Minister;

Gerald Butts, former Principal Secretary to the Prime
Minister;

Mathieu Bouchard, Senior Advisor to the Prime
Minister;

Elder Marques, Senior Advisor to the Prime Minister;
and

Jessica Prince, former Chief of Staff to the Minister of
Veterans Affairs;

That the committee submit its final report no later than
June 1, 2019; and

That the committee retain all powers necessary to
publicize its findings until 180 days after tabling the
final report.

And on the motion in amendment of the Honourable
Senator Harder, P.C., seconded by the Honourable Senator
Mitchell:

That the motion be not now adopted, but that it be amended by replacing all words following the first instance of the word “That” in the motion with the following:

“the Senate acknowledge that the Conflict of Interest and Ethics Commissioner, an independent, impartial, apolitical and non-partisan Officer of the House of Commons, has launched an examination under Section 45(1) of the *Conflict of Interest Act* into the conduct of public office holders alleged to have occurred in relation with legal proceedings involving SNC-Lavalin;

That the Senate observe that the Conflict of Interest and Ethics Commissioner has all the statutory powers necessary to summon the witnesses that his office will deem relevant and necessary to the said examination and to compel them to give evidence and produce documents; and

That the Government Representative table a copy of the report of the Conflict of Interest and Ethics Commissioner setting out the facts in question as well as the Commissioner’s analysis and conclusions pursuant to Section 45 of the *Conflict of Interest Act* once it is public.”.

Hon. Donald Neil Plett: Your Honour, I would like to raise a point of order relating to Senator Harder’s amendment to the motion that Senator Smith made.

Your Honour, the amendment is beyond the scope of the motion proposed by Senator Smith. This amendment completely guts Senator Smith’s motion by removing all words subsequent to the first word of the original motion. Therefore, it sets forth a new proposition which was not contemplated by Senator Smith’s motion.

Senator Smith’s motion clearly seeks to authorize the legal committee to examine and report on allegations that the Prime Minister’s Office exerted pressure on the former Attorney General. The motion then goes on to list potential witnesses to be invited to the committee. The Legal Committee is a standing committee of the Senate and therefore reports to the Senate.

• (2120)

Senator Harder’s amendment takes the matter out of the Senate completely by acknowledging that the Conflict of Interest and Ethics Commissioner, an independent body of the House of Commons, has launched an investigation on the same matter.

Beauchesne’s, fifth edition citation 437(1) and (2) read as follows:

(1) An amendment setting forth a proposition dealing with a matter which is foreign to the proposition involved in the main motion is not relevant and cannot be moved.

(2) An amendment may not raise a new question which can only be considered as a distinct motion after proper notice.

O’Brien and Bosc, second edition, chapter 12, page 533, states:

An amendment must be relevant to the motion it seeks to amend. It must not stray from the main motion but aim to refine its meaning and intent.

An amendment is out of order procedurally, if:

- it is relevant to the main motion (i.e., it deals with a matter foreign to the main motion, exceeds its scope, or introduces a new proposition which should properly be the subject of a substantive motion with notice);

- it is completely contrary to the main motion and would produce the same result as the defeat of the main motion;

This amendment brings forth an alternative scheme to that contained in the original motion. The amendment is inconsistent with the main motion since the amendment takes the matter out of the hands of the Senate completely. It directly negates the main motion.

For all those reasons, Your Honour, I ask that you find the amendment that Senator Harder has presented out of order.

[Translation]

Hon. Claude Carignan: Honourable senators, obviously, I support the point of order raised by Senator Plett. I think it is important to reread the original proposal, which involves giving the Standing Senate Committee on Legal and Constitutional Affairs a mandate to examine the actions that undermined the independence and integrity of the administration of justice. That is the proposed mandate. That is the purpose of the motion, to ask a Senate committee to look into the matter.

The amendment proposed by Senator Harder would delete all of the text after the word “That,” and I will come back to what the rule book says about such motions later.

The motion proposed by Senator Harder calls for the Senate to acknowledge that the Ethics Commissioner has statutory powers and will fulfill his mandate. That has absolutely nothing to do with a request from the Senate to give a committee a mandate to examine an issue. He is proposing that we replace that mandate with a simple declaration that says, “You know, the Ethics Commissioner is currently looking into the matter.” Period. That is essentially a rejection of the Senate’s motion to look into the matter.

I was not in the chamber when the amendment was brought forward, but I invite you to reread Senator Harder’s argument. I will summarize to save time, but he began by basically saying that the Standing Senate Committee on Legal and Constitutional Affairs is pretty busy and that it has bills to study, and he listed them. He wasn’t sure it would have time to study the matter and said it should concentrate on bills. He said that this matter is currently being examined by the House of Commons and the Ethics Commissioner. He went even further and asked whether it would really be worth it to conduct a third investigation. He asked if we really need to embark on a third investigation.

It was clear from the beginning that he opposed the motion when he said that the Legal Affairs Committee does not have time to study this matter, that the House of Commons is already examining it, and that the Ethics Commissioner already has a mandate to examine it under the law. He did not think the Senate should give the Standing Senate Committee on Legal and Constitutional Affairs a mandate to examine this.

After all that, he brought forward his amendment. He therefore opposes the motion and, obviously, he is trying to use his amendment to defeat the motion. That is what he wants to do.

As Senator Plett pointed out, the rule book explains when an amendment must be found out of order. On page 541 of Bosc, 2017 edition, it states:

An amendment should be so framed that, if agreed to, it will leave the main motion intelligible and internally consistent.

It goes on to say:

[It] introduces a new proposition which should properly be the subject of a separate substantive motion with notice.

The proposed motion is essentially a new one. It's a declaratory motion calling on us to recognize that the Ethics Commissioner is conducting his study. It's a new proposal, a declaratory motion, not of a motion giving a committee a mandate to conduct an investigation.

This amendment is therefore out of order, and note 31 cites some rulings from the debates.

However, it gets worse, or better, depending on which side you're on:

It is completely contrary to the main motion and would produce the same result as the defeat of the main motion.

I would like to draw your attention to the part that says, "would produce the same result as the defeat of the main motion". If the amendment were adopted, it would produce the same result as the defeat of the main motion because it would be the same as not giving the Legal and Constitutional Affairs Committee the mandate to investigate. That is exactly the desired outcome. Here again, Bosc cites a number of decisions that explain how to proceed.

Note 33 reads as follows:

Expanded negative amendments strike out all the words after "That".

Take a look at the amendment, which proposes replacing all words after "That". The text of the amendment, which is exactly like the wording identified as unacceptable, would result in the total defeat of the main motion.

Mr. Speaker, it is clear to me that Senator Harder is against the main motion. He spoke out against it and moved a motion that would amend the motion in such a way as to produce the defeat of the main motion, replacing Senate committees' mandate to investigate with a simple recognition of the power of an officer

of Parliament, a power that, under the act, would be totally useless because the act does not give it any additional legal effect.

It is for these reasons, Mr. Speaker, that you must find Senator Harder's amendment out of order.

• (2130)

[English]

Hon. David Tkachuk: Just to add to that, *Robert's Rules of Order* also says that:

An amendment changes the wording of a motion, but it makes a good idea better, or a bad idea more palatable. It's used to perfect a motion before a vote, and therefore an amendment must be relevant or germane to the motion. If it makes the motion a rejection of the original motion, it is not proper, nor is it in order.

Senator Harder's amendment does just that.

The Hon. the Speaker: Are there any other senators that wish to comment on the point of order raised by Senator Plett?

[Translation]

Hon. Renée Dupuis: I'm going to need your help, Mr. Speaker. When a point of order leads to a discussion on a situation that is complex and not necessarily as obvious as one might suggest, does the Speaker take the matter under advisement?

The Hon. the Speaker: Yes, that is correct.

Senator Dupuis: May I continue since your answer confirms to me that I understood correctly?

The Hon. the Speaker: Yes.

Senator Dupuis: It is my view that the motion that was moved a few moments ago deserves consideration. I invite you to consider this situation as complex enough to justify your taking it under advisement. Thank you.

[English]

Hon. Denise Batters: I wanted to make a few comments in response to Senator Dupuis' statement that this is a complex matter. When I look at this and when I look at this particular motion, this does not appear to be a complex matter at all. It's a clear case that the Senate Government Leader with his amendment motion is almost 100 per cent gutting the main motion.

When we look at this particular motion, this would be all that is left of Senator Smith's original motion: Resuming debate on the motion of Honourable Senator Smith seconded by the Honourable Senator Martin that ...

Everything else, almost an entire page of text is deleted. It leaves nothing.

I also wanted to bring to senators' attention, because I know many of us may have had meetings all day long and may not know this. Today the Liberal MPs on the House of Commons Justice Committee did, in fact, close their inquiry on the SNC-Lavalin scandal on budget day while the media was in lock up. So there will be no additional witnesses who were potentially alleged to have interfered with the administration of justice will be called, no additional testimony from Jody Wilson-Raybould, no answers for Canadians, and Canadians deserve answers. It is for these reasons that I support Senator Plett's point of order on this matter. Thank you.

The Hon. the Speaker: I thank senators for their input. I thank Senator Plett for raising the point of order. I will take the matter under advisement.

THE SENATE

MOTION TO URGE THE GOVERNMENT TO RAISE AWARENESS OF THE MAGNITUDE OF MODERN DAY SLAVERY AND HUMAN TRAFFICKING AND TO DESIGNATE FEBRUARY 22 OF EACH YEAR AS NATIONAL HUMAN TRAFFICKING AWARENESS DAY—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Christmas, seconded by the Honourable Senator Griffin:

That the Senate call on the government to raise awareness of the magnitude of modern day slavery in Canada and abroad and to take steps to combat human trafficking, and

That the Senate also urge the government to designate the 22nd day of February each year as National Human Trafficking Awareness Day, to coincide with the anniversary of the unanimous declaration of the House of Commons on February 22, 2007, to condemn all forms of human trafficking and slavery.

Hon. Gwen Boniface: Honourable senators, I know it's late in the evening and I would like to speak very briefly to this motion and particularly thank Senator Christmas for raising this matter. This issue strikes very close to home for me, not only because of my previous career, but particularly because of events that occurred in my region in the last month. I want to speak to this item because we all need to understand this issue is in our own backyard. We learned that on February 11 this year, when 43 victims of labour human trafficking were freed in the Barrie area.

Deputy commissioner from the O.P.P. Rick Barnum was quoted as saying in the paper saying:

The commodity being sold and bought is people. Human trafficking involves recruitment, transportation and harbouring of persons for the purpose of exploitation, typically in the sex trade, or in this case forced labour. Exploitation is the key element of this offence.

These victims were from extremely vulnerable populations, including migrant workers, and new immigrants. After paying the various fees, these workers were left working in my region with \$50 a month. One victim reportedly told investigators:

Last night I went to bed a slave. This morning I woke up a free man.

Honourable senators, Canada can do better. This is a beginning. I encourage all of you to support this motion.

Hon. Kim Pate: Honourable senators, I also rise in support of the motion made by Senator Christmas, calling on the government to raise awareness of the magnitude of modern day slavery, take steps to combat human trafficking and designate February 22 National Human Trafficking Awareness Day.

I also want to thank Senator Christmas and all members of the All-Party Parliamentary Group to End Modern Slavery and Human Trafficking for their work, not just on one day, but year-round to stand against human trafficking and sexual exploitation.

Raising awareness about human trafficking requires us to recognize those who are overrepresented among victims and survivors as well as the reasons for this overrepresentation.

As Senator McPhedran and Senator Miville-Dechéne noted yesterday, human trafficking in Canada disproportionately affects Indigenous women and girls. Human trafficking is too often considered a low-risk/high-value business, because traffickers target and prey on those who are most marginalized by sexism, racism, poverty, isolation and past abuses.

Dr. Pam Palmater, Chair of Indigenous Governance at Ryerson University, notes the link between the high rates of apprehensions of Indigenous children by the state and sexual exploitation of Indigenous youth. Concluding that Indigenous children in care are the most vulnerable to abusive foster parents, sexual predators, manipulative traffickers and a society that has long ignored the sexualized violence committed against Indigenous women and girls.

Sources, including the testimony of the Inquiry into Missing and Murdered Indigenous Women and Girls and the House of Commons Justice Committee's report on human trafficking have demonstrated that trafficking is part of a wider crisis of marginalization and victimization of Indigenous women and girls, a crisis that is firmly rooted in our legacy of racism and colonialism. For this reason in particular, as we join together to call upon the government to take steps to combat human trafficking in Canada, it is imperative that we not be limited to criminal justice responses.

The criminal justice system generally has failed to hold accountable those in the upper echelons of trafficking operations. The Canadian Centre to End Human Trafficking reports that with many trafficking operations, structured as anonymous, numbered companies, law enforcement activities against illicit businesses have too often focused on entering premises and arresting those present but rarely, if ever, the owners. Such operations generally result in the apprehension of the victims of exploitation or low-level managers, some of whom were previously exploited

women themselves. Measures such as those advocated by Senator Wetston in his inquiry 47 regarding greater transparency with respect to beneficial ownership are key in order to be able to identify those profiting from trafficking.

More fundamentally, however, trafficking and exploitation, like every other form of violence against women and children, is an issue of inequality. Truly ending human trafficking requires dismantling and remedying the systemic inequalities and discrimination that essentially facilitate such victimization, especially for those who are racialized, who are poor, who have disabilities, who have addictions, who have experienced abuse, who grew up in the care of the state or, as Senator Boniface just identified, come from other countries and who are trying to settle in Canada.

• (2140)

In 1993, the National Action Committee on the Status of Women, the then-largest national feminist organization with over 700 affiliated groups, formulated the 99 Federal Steps to End Violence Against Women. Those steps were built on the principle that:

Federal government initiatives must reflect the current facts that it is the vulnerability of women and children, particularly aboriginal women, women of colour, women trapped in poverty and women with disabilities that are the definitive factor in preventing this type of crime. Therefore, monies should be allocated directly to ameliorating those conditions.

Strategies that take seriously the need to end violence against women and children have prioritized equitable access to institutions, resources and the legal tools all of us should have available to protect our rights. By implementing measures such as guaranteed livable incomes, free education and better universal access to health care, mental health care, dental health care and pharmacare, we could counter the poverty and marginalization that make women and girls particular targets for sexual exploitation. As the Truth and Reconciliation Commission Calls to Action underscore, we must address the particular and pernicious legacy of colonial violence against Indigenous women and girls.

Honourable colleagues, it is time to stand together against inequality and uphold the human rights of women and girls and others who are trafficked and use the tools before us to prevent human trafficking and sexual exploitation before it continues to happen to more.

Thank you, *meegwetch*.

(On motion of Senator Martin, debate adjourned.)

[Translation]

ROLE IN THE PROTECTION OF REGIONAL AND MINORITY REPRESENTATION—INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Seidman, calling the attention of the Senate to its role in the protection of regional and minority representation.

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate): I know it is late, but this is day 14 for this inquiry and I have already adjourned debate on it several times. It is a topic that is very important to me. It was Senator Seidman who introduced this inquiry on May 18, 2016, and other senators have spoken to it.

I would just like to quickly make a few points. I wanted to write a speech, something more eloquent and documented, but I do want to speak to this file because it is something that is very interesting for all the new senators. I would like to reiterate that Senator Seidman really got to the heart of matter in her inquiry, which called the attention of the Senate “to its role in the protection of regional and minority representation”.

In her inquiry, she highlighted a key aspect of the Senate’s mission, which is to defend the interests of the regions and of minorities, and gave a history of that. I invite you to read her inquiry, because it is very interesting. She goes all the way back to the first constitutional debate because, as you know, when the Fathers of Confederation discussed the Constitution, the Senate was a major consideration. She reminded us of that. She also reminded us—and this is why I wanted to speak—that her inquiry followed on the heels of the many inquiries presented by a senator who was serving as the Speaker of the Senate at the time, Pierre-Claude Nolin, who passed away on April 23, 2015, almost four years ago, before this issue could be resolved. He presented a series of inquiries in the Senate to help this chamber after the expense scandal and to encourage us to reflect on reforming the Senate without constitutional reform.

The Senate’s role in the protection of minorities and regions is a fundamental question. Both Senator Fraser and Senator Ataullahjan spoke about the fact that each of us belong to a different region or to a minority, which means that we are in the best position to fulfill this mission. Senator Fraser spoke a lot about this. She asked everyone to note that there are now many minorities in this chamber and that we are in an even better position to represent minorities than we were in the past. Since there are more women here, we are in an even better position to represent the interests of Canadian women.

Today, we may have questions about those two missions, since at the time, as Senator Seidman demonstrated, the Fathers of Confederation identified the issues of protecting regions and protecting minorities, minorities being associated with francophone minorities and the anglophone minority in Quebec more so than today. The debate is different today. We may be able to fulfill our mandate of defending minority rights and defending regional rights or interests differently. This leads me to

question Senator Fraser's thesis, which was also embraced by Senator Ataullahjan, that we, as senators representing a particular region or minority group, are enough to represent those regions or minorities. For the regions, maybe a slightly more institutional structure is needed to better represent them.

I want to tell the new senators that this was debated in the Senate through the prolongation of this inquiry and the work of the Senate Modernization Committee. In the beginning, the issue of the regions was raised and discussed following Senator Ringuette's proposal that we organize ourselves based on regional divisions. That idea was presented again by Senator Harder, as well as by Senator Segal before the Senate Modernization Committee. The reason I'm bringing this up is because the idea of having a standing committee on regional affairs was also raised in those debates. I thought the idea, which was suggested by Professor Emeritus Paul Thomas at a meeting of the Senate Modernization Committee, was an interesting one because there is some discord today in interprovincial relations, as we see in our debates, and it might be a good idea to have a regional affairs committee that takes care of regional interests.

Is a region adequately represented simply because we hail from that region, or do we need a slightly more official structure? That might be something to consider in the future.

I wanted to put that question on the Order Paper, particularly since the partisan Senate we used to have had regional caucuses made up of senators and MPs. Those may still exist, but in an increasingly independent Senate, there are no groups of that nature. It would be worthwhile to consider those issues in our future debates.

That is all I wanted to say. Thank you.

[English]

Hon. Terry M. Mercer (Acting Leader of the Senate Liberals): I'm not going to speak long, Your Honour, because I do want to give a fuller speech later.

I am going to adjourn the debate in a moment but I wanted to remind my colleagues, particularly those people who are new here and have been appointed to this place by Justin Trudeau, that the method he has used of selecting you to the Senate is public and he has made it known. I have spoken to a number of you and you've talked about your application. There is a big flaw. There is a flaw in the selection of the 10 senators from Nova Scotia.

• (2150)

I want to talk about Nova Scotia, because that's who I represent. There are now 10 senators from Nova Scotia — all good people, other than myself. The 10 people from Nova Scotia are all good people. There's one thing missing. I think it's the first time in the history of Confederation that there has not been an Acadian from Nova Scotia among the 10 members of this chamber. That is an inequity that the current Prime Minister, if he is going to continue to follow this method, needs to consider. I am sure there are other inequities across the country, but I'm only going to speak about Nova Scotia.

[Senator Bellemare]

Indeed, I would suspect that if there were a court challenge on this — for example, in Nova Scotia, they reduced the number of seats in the provincial legislature from 52 to 51. In so doing, they eliminated a seat that was in a traditional francophone area, and they also blended a seat representing an area that Senator Bernard lives in, a predominantly African-Nova Scotian community. Traditionally there has always been a seat there. Actually, there have always been three ridings with a heavy francophone population, but usually only one or two got elected. It didn't matter if they were Liberals, Conservatives or New Democrats. It was a New Democrat government, by the way, that reduced the numbers and did not put in the rules the redrawing of boundaries to protect the francophone and African-Nova Scotian minorities.

By the way, interestingly enough, the person who runs there doesn't have to be an African-Nova Scotian. As a matter of fact, in my memory, only one African-Nova Scotian has actually represented that riding. But that's neither here nor there. The seat is there.

These are the inequities of the selection process. There are traditions. There is history. There are people who feel unrepresented in this chamber because of the inequities in the system. Guess what, folks? Politics would fix that. That's what tradition has done in the past; it has ensured that minorities in all communities across this country have been represented in this chamber.

(On motion of Senator Mercer, debate adjourned.)

AGRICULTURE AND FORESTRY

MOTION TO AUTHORIZE COMMITTEE TO MEET DURING SITTING OF THE SENATE—DEBATE ADJOURNED

Hon. Diane F. Griffin, pursuant to notice of March 18, 2019, moved:

That the Standing Senate Committee on Agriculture and Forestry have the power to meet on Tuesday, April 2, 2019, at 6:00 p.m., even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

The Hon. the Speaker: It is moved by the Honourable Senator Griffin, seconded by the Honourable Senator Pate, that the Standing Senate Committee on Agriculture and Forestry — may I dispense?

Hon. Senators: Dispense.

The Hon. the Speaker: Is there anything on debate? Senator Eaton?

Hon. Nicole Eaton: I am wondering why, Senator Griffin, you want to sit when the chamber is sitting. Are you doing government business?

Senator Griffin: I guess it depends on what you call "government business." We are doing committee work business. Agriculture in this country is one of the largest parts of our economy. We are working on an extremely valuable report on

value added to the agriculture and agri-food sector. This evening we could have had a committee meeting from 6:00 until 8:00, but we could not because we didn't have permission to sit while the Senate was in session. What we had from 6:00 until 8:00 this evening was a pause, not an adjournment of the sitting. As a consequence, had we had permission to sit, we could have sat this evening and gotten our work done.

We are very close to finishing this report. We need to get it finished before the end of the session. As you know, it takes a fair amount of time to produce a report, have it translated, get it finished and table it in the Senate.

The way I look at this is time is valuable; I'll grant that. We all love being in the chamber; I'll grant you that. However, there is other work to be done. One of the most important parts of a senator's work is their committee work, and we're not really fulfilling our mandate.

To top it all off — and I'm tired of complaining about this; I have complained to everybody about this — the Tuesday evening committees get a raw deal in the situation because it seems that, especially at this time of year, as the session gets longer, it's the Tuesday evening meetings that are cancelled. The Wednesday meetings can be held because the Senate adjourns at four o'clock or at the end of Government Business. We are in a vulnerable situation, and I'm asking for your consideration. Thank you.

Hon. Donald Neil Plett: I would like to make a few comments if I could, Your Honour.

Senator Griffin mentioned, first of all, that it was government business of sorts. I am not sure what "of sorts" means.

She also said that they didn't have permission to sit. I know she didn't say this, but it almost sounded like she implied that somebody had turned down permission to sit. If Senator Griffin had asked for permission to sit yesterday or the day before, she would have possibly received that permission and they could have sat today. They couldn't sit today because she had not asked for permission ahead of time.

Your Honour, we in the Conservative caucus believe that, at this time of the year especially, we are very supportive of committees sitting when they are dealing with government bills. Senator Griffin said they had a pause. Well, they only had a pause of sorts. They had half a pause, because there were certainly talks going on with analysts and a number of senators that are on the Agriculture Committee. They certainly got, I suppose, some work done.

However, in light of the fact that they are not dealing specifically with a government bill, Your Honour, we would like to think about this a little bit, so I will move the adjournment of the debate.

The Hon. the Speaker: It is moved by the Honourable Senator Plett, seconded by the Honourable Senator Wells, that further debate be adjourned until the next sitting of the Senate. Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: Yes.

Some Hon. Senators: No.

The Hon. the Speaker: All those in favour of the motion will please say "yea."

Some Hon. Senators: Yea.

The Hon. the Speaker: All those opposed to the motion will please say "nay."

Some Hon. Senators: Nay.

The Hon. the Speaker: In my opinion, the "yeas" have it.

And two honourable senators having risen:

The Hon. the Speaker: Do we have agreement on a bell?

The vote will take place at 10:58. Call in the senators.

• (2250)

Senator Plett: Your Honour, I think we have an agreement, unanimously, that we will forgo the vote and the adjournment motion will stand as I proposed.

The Hon. the Speaker: Is it agreed, honourable senators?

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

(On motion of Senator Plett, debate adjourned, on division.)

• (2300)

COMMITTEE AUTHORIZED TO DEPOSIT REPORT ON STUDY OF
ISSUES RELATING TO AGRICULTURE AND FORESTRY WITH
CLERK DURING ADJOURNMENT OF THE SENATE

Hon. Diane F. Griffin, pursuant to notice of March 18, 2019, moved:

That the Standing Senate Committee on Agriculture and Forestry be permitted, notwithstanding usual practices, to deposit with the Clerk of the Senate, between March 22 and March 29, 2019, an interim report on issues relating to agriculture and forestry generally, if the Senate is not then sitting, and that the report be deemed to have been tabled in the Chamber.

She said: Honourable senators, this is another motion which I am moving in my name.

Hon. Donald Neil Plett: Honourable senators, I would like to stand and say that I fully support Senator Griffin in this motion.

Hon. Senators: Hear, hear.

[*English*]

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

Hon. Senators: Agreed.

(Motion agreed to.)

[*Translation*]

LEGAL AND CONSTITUTIONAL AFFAIRS

COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

Hon. Renée Dupuis, pursuant to notice of March 18, 2019, moved:

That the Standing Senate Committee on Legal and Constitutional Affairs be authorized to meet on Wednesday, March 20, 2019, at 4:15 p.m., even though the Senate may then be sitting, and that the application of rule 12-18(1) be suspended in relation thereto.

She said: Honourable senators, Senator Joyal asked me to move the adoption of this motion to authorize the Standing Senate Committee on Legal and Constitutional Affairs to meet on Wednesday, March 20, during a sitting of the Senate, in his name.

Senator Dupuis: I don't want to make a big deal out of this, but this shows that Senator Joyal is either consistent or inconsistent. Since Senator Boisvenu has seniority here in the Senate, I will leave it to him to move the motion.

Hon. Pierre-Hugues Boisvenu: This is indicative of the degree of solidarity within the Standing Senate Committee on Legal and Constitutional Affairs. I will let you move the motion.

Senator Dupuis: Thank you. I move the motion.

The Hon. the Speaker: It is moved by the Honourable Senator Dupuis and seconded by the Honourable Senator Simons that the Standing Senate Committee — I will dispense. Are senators ready for the question?

Hon. Senators: Yes.

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

Hon. Senators: Agreed.

(Motion agreed to.)

CHARITABLE SECTOR

SPECIAL COMMITTEE AUTHORIZED TO MEET DURING ADJOURNMENT OF THE SENATE

Hon. Terry M. Mercer (Acting Leader of the Senate Liberals), pursuant to notice of March 18, 2019, moved:

That, pursuant to rule 12-18(2)(b)(i), the Special Senate Committee on the Charitable Sector be authorized to meet on Monday, April 1, 2019, even though the Senate may then be adjourned for a period exceeding one week.

He said: Honourable senators, I move the motion standing in my name.

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

Hon. Senators: Agreed.

(Motion agreed to.)

NATIONAL SECURITY AND DEFENCE

MOTION TO AUTHORIZE COMMITTEE TO MEET DURING SITTING OF THE SENATE—DEBATE ADJOURNED

Hon. Gwen Boniface, pursuant to notice of March 18, 2019, moved:

That the Standing Senate Committee on National Security and Defence have the power to meet for the purposes of its study of Bill C-59, An Act respecting national security matters, even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

She said: Honourable senators, I move the motion standing in my name.

The Hon. the Speaker: It is moved by Honourable Senator Boniface, seconded by Honourable Senator Deacon Nova Scotia — shall I dispense?

Hon. Senators: Dispense.

The Hon. the Speaker: Questions?

Hon. Donald Neil Plett: Thank you, Your Honour. Again, the way I read this is as a blanket motion that we have not been typically been supportive of. We like to have dates on motions and we support them very regularly, but this basically is an open-ended motion and I'm wondering whether Senator Boniface would like to amend this motion to give us a date. I think we have been fairly cooperative but we are setting a precedent if we simply approve the motion the way it is.

I would ask Senator Boniface to consider amending the motion to give us a date on it and I'm sure we will be very cooperative in the future on other dates.

Senator Boniface: As you know, Senator Plett, we're studying Bill C-71 and Bill C-59 is waiting. We will complete Bill C-71 on April 8. My intention was to be able to meet sometime within that week. We're meeting actually tomorrow for steering, but since I would ask for the agreement to sit on April 9 and 11 in order to get that bill under way before we break at Easter.

Senator Plett: Again, I have somewhat of a problem with that. Defence has meeting times and those meeting times are typically on Monday. We've been very flexible with the hours that Senator Boniface has been presenting on Bill C-71, up to and including using Veterans Affairs time slots on Wednesdays. I'm sorry, at this point we on this side cannot support an open-ended motion that does not give us dates.

An Hon. Senator: She's given two dates.

Senator Plett: Yes. I'm sorry, unless Senator Boniface wants to be very specific about a motion for one day, then I will again, unfortunately, adjourn the debate.

The Hon. the Speaker: We can approach this one of two ways, Senator Plett. Actually, you can have an opportunity to discuss the adjournment if that's okay with Senator Boniface, or would you like to speak with Senator Plett?

I said two options. The other, of course, would be to stand the matter until it comes up tomorrow, but that's entirely up to you.

Senator Boniface: Well, perhaps trying to meet everybody in the middle, I would provide a date of April 9. I indicated April 9 and 11, which I thought was fairly specific because I wanted to get part of it under way given the importance of the bill. If it's more palatable in terms of April 9 then I'll go with April 9. I'm just trying to be able to get it started prior to the Easter break.

Senator Plett: Well, again, I apologize to the chamber that we're going to be a bit of a stick-in-the-mud here tonight, but I would suggest that I will ask Senator Boniface to possibly meet with the committee or steering and our member of steering can report back to us in a fairly quick manner, even tomorrow, so that tomorrow when we come back this can be dealt with and I don't think we lose any time. So, Your Honour, I will adjourn the debate at this point.

Hon. Grant Mitchell: I'm quite sympathetic to the initiative that Senator Plett has undertaken this evening, certainly in the case of the agriculture request. With all due respect —

The Hon. the Speaker: I'm sorry, Senator Mitchell, you're going to have to be brief. I've given you leeway here, because an adjournment motion is not debatable, so if you want to make a quick comment —

Senator Mitchell: I'll make it very quick. I think there can be more flexibility in this case because this is government legislation. Senator Boniface is not trying to get around and do anything that isn't government legislation. I think it's legitimate to honour her request now, get it done and not take more time than we need to take.

The Hon. the Speaker: I'm sorry, Senator Plett, your motion is on the floor. It really is not debatable. I allowed Senator Mitchell to make a point.

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

Hon. Senators: Agreed.

An Hon. Senator: On division.

(On motion of Senator Plett, debate adjourned, on division.)

ARCTIC

SPECIAL COMMITTEE AUTHORIZED TO MEET DURING ADJOURNMENT OF THE SENATE

Hon. Dennis Glen Patterson, pursuant to notice of March 18, 2019, moved:

That, pursuant to rule 12-18(2)(b)(i), the Special Senate Committee on the Arctic be authorized to meet on Monday, April 1, 2019, even though the Senate may then be adjourned for more than one week.

He said: Honourable senators, I move the motion standing in my name.

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

Hon. Senators: Agreed.

(Motion agreed to.)

• (2310)

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT ON THE STUDY OF THE IMPACT AND UTILIZATION OF CANADIAN CULTURE AND ARTS IN CANADIAN FOREIGN POLICY AND DIPLOMACY, AS MODIFIED

Hon. A. Raynell Andreychuk, pursuant to notice of March 18, 2019, moved:

That, notwithstanding the order of the Senate adopted on Wednesday, December 5, 2018, the date for the final report of the Standing Senate Committee on Foreign Affairs and International Trade in relation to its study on the impact and

utilization of Canadian culture and arts in Canadian foreign policy and diplomacy, and other related matters, be extended from April 30, 2019 to December 31, 2019.

She said: Honourable senators, I move the motion standing in my name.

MOTION IN MODIFICATION

Hon. A. Raynell Andreychuk: Honourable senators, pursuant to rule 5-10(1), I ask leave of the Senate to modify the motion, so that it reads as follows:

That, notwithstanding the order of the Senate adopted on Wednesday, December 5, 2018, the date for the final report of the Standing Senate Committee on Foreign Affairs and

International Trade in relation to its study on the impact and utilization of Canadian culture and arts in Canadian foreign policy and diplomacy, and other related matters, be extended from April 30, 2019 to May 31, 2019.

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

Hon. Senators: Agreed.

(Motion agreed to, as modified.)

(At 11:11 p.m., the Senate was continued until tomorrow at 2 p.m.)

CONTENTS

Tuesday, March 19, 2019

PAGE

PAGE

SENATORS' STATEMENTS

Business of the Senate 7582

The Late J. Trevor Eyton, O.C.

Hon. Larry W. Smith 7582
Hon. Peter Harder 7582
Hon. Yuen Pau Woo 7583
Hon. Terry M. Mercer. 7583

Vaccines

Hon. Rosemary Moodie. 7584

Ethiopian Airlines Flight 302 and Christchurch Tragedies

Hon. Larry W. Smith 7585
Hon. Yuen Pau Woo 7585
Hon. Jim Munson 7586

The Late Angela Rehorn

Hon. Gwen Boniface 7586

Christchurch Tragedy

Hon. Marilou McPhedran. 7586

Visitors in the Gallery

The Hon. the Speaker 7587

The Late Pius Adebola Adesanmi

Hon. Wanda Elaine Thomas Bernard 7587

Ethiopian Airlines Flight 302 Tragedy

Hon. Mary Coyle 7588

Visitors in the Gallery

The Hon. the Speaker 7588

ROUTINE PROCEEDINGS

Senate Ethics Officer

Inquiry Report Tabled
Hon. A. Raynell Andreychuk. 7588

Corrections and Conditional Release Act (Bill C-83)

Bill to Amend—First Reading 7588

Energy, the Environment and Natural Resources

Notice of Motion to Authorize Committee to Meet During
Sitting of the Senate
Hon. Rosa Galvez 7588

Fisheries and Oceans

Notice of Motion to Authorize Committee to Meet During
Sitting of the Senate
Hon. Fabian Manning 7589

Official Languages

Notice of Motion to Authorize Committee to Meet During
Sitting of the Senate
Hon. René Cormier 7589

QUESTION PERIOD

Business of the Senate 7589

Answers to Order Paper Questions Tabled

Veterans Affairs—Operational Stress Injury Clinics
Hon. Peter Harder 7589
Employment, Workforce Development and Labour—Student
Placements via the Student Work Integrated Learning
Program
Hon. Peter Harder 7589
National Revenue—Overseas Tax Evasion
Hon. Peter Harder 7589
Public Safety and Emergency Preparedness—Inmates
Incarcerated for the First Time in a Federal Institution
Hon. Peter Harder 7589
Border Security and Organized Crime Reduction—RCMP
National Forensic Laboratory Services
Hon. Peter Harder 7589

ORDERS OF THE DAY

Business of the Senate 7589

Accessible Canada Bill (Bill C-81)

Second Reading—Debate
Hon. Mary Coyle 7590

QUESTION PERIOD

Business of the Senate 7591

Ministry of Canadian Heritage

Role of Media
Hon. Larry W. Smith 7591
Hon. Pablo Rodriguez, P.C., M.P., Minister of Canadian
Heritage and Multiculturalism 7591
Hon. Yonah Martin 7592
Media Support
Hon. Serge Joyal. 7592
Hon. Pablo Rodriguez, P.C., M.P., Minister of Canadian
Heritage and Multiculturalism 7592
Hon. Éric Forest 7593
Indigenous Languages
Hon. Mary Jane McCallum. 7593
Hon. Pablo Rodriguez, P.C., M.P., Minister of Canadian
Heritage and Multiculturalism 7593
Hon. Dennis Glen Patterson 7594

CONTENTS

Tuesday, March 19, 2019

PAGE	PAGE
Lobbying Events at Museums	Hon. Ghislain Maltais 7608
Hon. Pierre-Hugues Boisvenu 7595	Hon. Renée Dupuis 7609
Hon. Pablo Rodriguez, P.C., M.P., Minister of Canadian Heritage and Multiculturalism 7595	
Canadian Content	
Hon. Julie Miville-Dechéne 7595	
Hon. Pablo Rodriguez, P.C., M.P., Minister of Canadian Heritage and Multiculturalism 7595	
Arts and Culture Legislation	
Hon. Patricia Bovey 7596	
Hon. Pablo Rodriguez, P.C., M.P., Minister of Canadian Heritage and Multiculturalism 7596	
Media Support	
Hon. Jean-Guy Dagenais 7596	
Hon. Pablo Rodriguez, P.C., M.P., Minister of Canadian Heritage and Multiculturalism 7596	
Culture Policy Development	
Hon. René Cormier 7596	
Hon. Pablo Rodriguez, P.C., M.P., Minister of Canadian Heritage and Multiculturalism 7597	
Business of the Senate	
Hon. Yonah Martin 7597	

ORDERS OF THE DAY

Accessible Canada Bill (Bill C-81)

Second Reading—Debate Continued

Hon. Mary Coyle 7598
Hon. Patricia Bovey 7598
Hon. Judith G. Seidman 7601

The Estimates, 2018-19

Main Estimates—Thirty-sixth Report of National Finance

Committee Adopted
Hon. Percy Mockler 7604

Bill Respecting First Nations, Inuit and Métis Children, Youth and Families (Bill C-92)

Aboriginal Peoples Committee Authorized to Study Subject
Matter

Hon. Diane Bellemare 7605

Food and Drugs Act (Bill S-228)

Bill to Amend—Message from Commons—Motion for

Concurrence in Commons Amendments—Debate
Continued 7606

Promotion of Essential Skills Learning Week Bill (Bill S-254)

Second Reading—Debate Continued

Hon. Raymonde Gagné 7606
Hon. Ghislain Maltais 7606

National Framework for Essential Workforce Skills Bill (Bill S-256)

Second Reading—Debate Continued

Hon. Raymonde Gagné 7607

Criminal Records Act (Bill S-258)

Bill to Amend—Second Reading—Debate Adjourned

Hon. Kim Pate 7609

United Nations Declaration on the Rights of Indigenous Peoples Bill (Bill C-262)

Second Reading—Debate Continued

Hon. Kim Pate 7613
Hon. Marilou McPhedran 7614
Hon. Mary Jane McCallum 7615
Hon. Renée Dupuis 7617
Hon. Patricia Bovey 7619

National Local Food Day Bill (Bill C-281)

Second Reading—Debate Adjourned

Hon. René Cormier 7621
Hon. Percy E. Downe 7625
Hon. Donald Neil Plett 7626

Visitors in the Gallery

The Hon. the Speaker 7626

The Senate

Motion to Amend the *Rules of the Senate* to Ensure

Legislative Reports of Senate Committees Follow a
Transparent, Comprehensible and Non-Partisan
Methodology—Motion in Amendment—Motion to Refer
Motion and Motion in Amendment to Committee—Debate
Continued

Hon. Yonah Martin 7626

Motion to Encourage the Government to Take Account of the
United Nations' Sustainable Development Goals as it
Drafts Legislation and Develops Policy relating to
Sustainable Development—Motion in Amendment—
Debate Continued

Hon. Yonah Martin 7627

Motion to Call On the Canadian Conference of Catholic

Bishops—Debate Continued

Hon. Murray Sinclair 7627
Hon. Terry M. Mercer 7629

Legal and Constitutional Affairs

Motion to Authorize Committee to Examine Certain Events

Relating to the Former Minister of Justice and Attorney
General of Canada and to Call Witnesses—Motion in
Amendment—Point of Order—Speaker's Ruling Reserved

Hon. Donald Neil Plett 7630
Hon. Claude Carignan 7630
Hon. David Tkachuk 7631
Hon. Renée Dupuis 7631
Hon. Denise Batters 7631

CONTENTS

Tuesday, March 19, 2019

PAGE	PAGE
The Senate	Charitable Sector
Motion to Urge the Government to Raise Awareness of the Magnitude of Modern Day Slavery and Human Trafficking and to Designate February 22 of Each Year as National Human Trafficking Awareness Day—Debate Continued	Special Committee Authorized to Meet During Adjournment of the Senate
Hon. Gwen Boniface7632	Hon. Terry M. Mercer.7636
Hon. Kim Pate7632	National Security and Defence
Role in the Protection of Regional and Minority Representation—Inquiry—Debate Continued	Motion to Authorize Committee to Meet During Sitting of the Senate—Debate Adjourned
Hon. Diane Bellemare.7633	Hon. Gwen Boniface7636
Hon. Terry M. Mercer.7634	Hon. Donald Neil Plett7636
Agriculture and Forestry	Hon. Grant Mitchell7637
Motion to Authorize Committee to Meet During Sitting of the Senate—Debate Adjourned	Arctic
Hon. Diane F. Griffin7634	Special Committee Authorized to Meet During Adjournment of the Senate
Hon. Nicole Eaton.7634	Hon. Dennis Glen Patterson7637
Hon. Donald Neil Plett7635	Foreign Affairs and International Trade
Committee Authorized to Deposit Report on Study of Issues Relating to Agriculture and Forestry with Clerk During Adjournment of the Senate	Committee Authorized to Extend Date of Final Report on the Study of the Impact and Utilization of Canadian Culture and Arts in Canadian Foreign Policy and Diplomacy, as Modified
Hon. Diane F. Griffin7635	Hon. A. Raynell Andreychuk.7637
Hon. Donald Neil Plett7635	Motion in Modification
Legal and Constitutional Affairs	Hon. A. Raynell Andreychuk.7638
Committee Authorized to Meet During Sitting of the Senate	
Hon. Renée Dupuis7636	
Hon. Pierre-Hugues Boisvenu7636	