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The Honourable GEORGE J. FUREY,
Speaker

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THE SENATE

Thursday, April 11, 2019

The Senate met at 1:30 p.m., the Speaker in the chair.

[Translation]

Prayers.

[Translation]

ROYAL ASSENT

The Hon. the Speaker informed the Senate that the following communication had been received:

RIDEAU HALL

April 11th, 2019

Mr. Speaker:

I have the honour to inform you that the Right Honourable Julie Payette, Governor General of Canada, signified royal assent by written declaration to the bill listed in the Schedule to this letter on the 11th day of April, 2019, at 11:01 a.m.

Yours sincerely,

Assunta Di Lorenzo
Secretary to the Governor General and Herald Chancellor

The Honourable
The Speaker of the Senate
Ottawa

Bill Assented to Thursday, April 11, 2019:

An Act to amend The United Church of Canada Act
(*Bill S-1003*)

[English]

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, I 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 Ghislain Maltais, who will retire from the Senate on April 22, 2019.

I remind senators that pursuant to our rules, each senator, other than Senator Maltais, will be allowed only three minutes and they may speak only once.

SENATORS' STATEMENTS

TRIBUTES

THE HONOURABLE GHISLAIN MALTAIS

Hon. Larry W. Smith (Leader of the Opposition): Honourable senators, I rise today to bid farewell to our colleague, the Honourable Ghislain Maltais, who will be leaving the Senate of Canada later this month. For close to seven years, he has proudly represented the people of Quebec in our chamber. His devotion to his home province was well known long before he was appointed to the Senate.

[English]

I know I speak for all honourable senators in expressing sincere appreciation for Senator Maltais' work, both in committee and in this chamber.

[Translation]

Our colleague started out in the insurance field with Maltais Courtiers d'Assurances, the insurance brokerage he owned from 1968 to 1981. Two years later, in 1983, he was elected to Quebec's National Assembly, where he represented the beautiful region of Saguenay for 11 years. He also served as parliamentary assistant to the Minister of Forestry and to the Minister of the Environment, and the experience he gained stood him in good stead years later when he joined the Senate.

My honourable colleagues may not remember this, but in 1997, our colleague stood for the Liberal Party in the federal election. That shows his versatility. However, the Conservative Party of Canada is where Ghislain Maltais felt truly at home, and in 2009, he was appointed to the Senate of Canada on the recommendation of former Prime Minister Stephen Harper.

Our colleague sat on many different committees over the years, but he will be best remembered for his work on the Standing Senate Committee on Agriculture and Forestry, where he served as deputy chair and as chair. In recent years, the committee has produced important reports on market access, family farms, innovation in the agricultural sector, and bee health. Senator Maltais made a valuable contribution to these studies, and he is sincerely dedicated to exploring issues that are important to our rural and agricultural communities.

I would be remiss if I failed to mention that, since 2014, Senator Maltais has had the privilege of being an honorary colonel in Shawinigan's 62nd Field Artillery Regiment. I know he is very proud of that, and rightly so.

Senator Maltais is a passionate, outspoken man who always tells you what he is thinking and feeling. It is highly unlikely that he will be sitting back and enjoying a quiet little retirement; rather, he will be putting his passion to good use on the new challenges and projects that await him.

On behalf of all his Conservative caucus colleagues and all honourable senators, I wish Senator Maltais all the best in the future.

Hon. Senators: Hear, hear!

Hon. Peter Harder (Government Representative in the Senate): Honourable senators, I am pleased but also sad to pay tribute to our colleague, Senator Maltais.

Senator Maltais took his role as a senator and representative of his province of Quebec very seriously. His contributions to the Standing Committee on Agriculture and Forestry, where he has been the chair and vice-chair since 2015, show how dedicated he is to this very important sector of Canada's economy. No matter the size of their farms, Senator Maltais made farmers a priority and stood up for their interests.

Personally, I learned that, in Question Period, there were two possible answers to Senator Maltais's questions: the right answer and the answer he wanted to hear. I like to tell myself that I was able to give him the right answer at least a few times, but I don't think I ever managed to give him an answer that lived up to his expectations.

In addition to being a senator whose remarks in the chamber were always relevant and professional, Senator Maltais is also an extremely kind and courteous man.

When the Agriculture and Forestry Committee returned from its fact-finding mission to the People's Republic of China, Senator Maltais told me that a young Canadian diplomat had been particularly helpful during the visit. Senator Maltais noticed that the young man's family name was Harder, so he wondered if there was a connection. How many Harders could there be in Canada? Our colleague eventually asked the young diplomat if he was related to me. As it turns out, he's very closely related. The diplomat in question is my son, Andrew.

• (1340)

Since then, Senator Maltais has regularly asked me for news about Andrew and his daughter, my granddaughter Atlin. That tells me Senator Maltais has his priorities straight, priorities inspired by love of country, family and friendship.

My dear Senator Maltais, on behalf of everyone in the office of the government representative, I wish you a happy and peaceful retirement that satisfies your greatest expectations.

Thank you very much.

Hon. Senators: Hear, hear!

[English]

Hon. Terry M. Mercer (Deputy Leader of the Senate Liberals): Honourable colleagues, I knew this day would come. I'm not very happy about it. I know that all members of the Standing Senate Committee on Agriculture and Forestry are not happy about it. A loyal, committed member of that committee in this time and place, Senator Maltais added an awful lot to our debates. He has added a lot to our travels.

The new people here should know, if you travel with Senator Maltais, there are a couple of things you need to know. There had better be a Tim Hortons close by. Not only does he drink Tim Hortons, he also used to own a couple of Tim Hortons. He's a good guy to know. He used to own the Tim Hortons in the Halifax airport. So every week, I would dutifully stop by the Tim Hortons in the Halifax airport, I would come up here, I would see Senator Maltais and give him a report on how things were going, whether there was a good crowd, whether the service was adequate. You know what? Not a single free cup of coffee.

The other thing you need to know is that he is a walking advertisement for Nova Scotia honeycrisp apples. He loves Nova Scotia honeycrisp apples. Any time he was anywhere within reaching distance of a honeycrisp apple, he had it and, as a matter of fact, he brought it up again last week.

I have had the pleasure to work with Senator Maltais as he was chair and deputy chair of the Standing Senate Committee on Agriculture and Forestry. As I was reading his bio this morning, I don't understand where we went wrong. As I go through your résumé, I see the word "liberal" here, time and time again. He was the Liberal member for the Quebec National Assembly, representative for Saguenay from 1983 to 1994 when he did not get re-elected. While he was there, he was a member of the National Assembly's Agriculture, Fisheries and Food Commission from 1982 to 1985. Then later on I see he was a Liberal candidate again. Ghislain, over here. I don't understand where the conversion happened.

Ghislain, I see my time is almost up. I want to wish you the best because you've become a good friend of mine. I've enjoyed our time together. We worked very well together on the steering committee over the past number of years. It shows that politics doesn't get in the way of doing good work for the Senate. It doesn't get in the way of doing good work for Canadians.

Ghislain, all the best, my friend. Let's keep in touch.

[Translation]

Hon. René Cormier: Honourable senators, I rise on behalf of the Independent Senators Group to pay tribute to our honourable colleague, Senator Ghislain Maltais, whose tenure in the Senate of Canada has come to an end today.

I would therefore like to take advantage of your final moments in the red chamber, honourable colleague, to thank you for your ongoing commitment to the people of your province and to all Canadians.

Throughout your lengthy career, you have been a businessman, founder of an association and chamber of commerce, president of the North Shore School Board Association, provincial MNA, parliamentary assistant and senator. Above all else, however, you are a good man, a passionate, engaged citizen who loves his region and his constituents.

Over the years, you have done a stellar job of juggling numerous responsibilities, which has earned you many distinctions, including being made Honorary Colonel of the 62nd Regiment of Shawinigan.

Despite these accolades, you have always remained close to the people and involved in your community, always being true to yourself and your loved ones. Whether the topic of debate was agriculture, the fishery, forestry or any other sector, you always focused on the concerns of workers, the women and men you are so happy to serve.

Some of our colleagues in this chamber know you much better than I do, given the years they have spent with you. Having said that, Senator Maltais, I would like to describe the person I met when I became a member of the Standing Senate Committee on Official Languages, and later its chair. Colleagues, as you are all aware, Senator Maltais is a passionate person, especially when it comes to official languages and his beautiful home region, the North Shore. In the Senate, we have had many opportunities to listen to Senator Maltais defend the language rights of parliamentarians and all Canadians.

Every week at the Standing Senate Committee on Official Languages, my colleagues and I have observed how your spirited interventions, which can be hard to interrupt, are always inspired by a deep love of the French language and how you keep a watchful and benevolent eye on the needs of official language communities across the country.

As you know, as legislators and representatives of minorities and regions, we senators work in an environment where every word that is uttered is important. It can be intimidating for young senators to speak with ease. That obviously does not apply to you, dear colleague, and in that regard, you are a true inspiration to us all. We all appreciated your outspokenness and honesty, as well as your ability to defend your ideas and ideals without any written notes. Your comments have always been direct and frank, and we appreciate that.

We will certainly miss your great zest for life and your manner of speaking, which you yourself have called a bit *bougonneux*, or grumpy — and I say this affectionately.

That said, if your love for life and people is any indication, your career path will not end today when you leave the Senate. Honourable senator, on behalf of my colleagues in the Independent Senators Group and all senators in this chamber, I wish you all the best. May you enjoy good health, peace, joie de vivre and love from your fellow Canadians and may you continue to inspire us for years to come.

Happy retirement, senator.

Hon. Senators: Hear, hear!

Hon. Leo Housakos: Dear colleagues, I am pleased to pay tribute to my good friend Ghislain Maltais on the occasion of his retirement.

Senator Maltais grew up on the shores of the Saguenay. He attended Université du Québec à Rimouski, founded his company in Charlevoix, was a member of the Quebec National Assembly for Saguenay, and currently resides in Quebec City. It is no wonder that he knows eastern Quebec so well and has always connected with the humour of the people in those regions.

Senator Maltais was often the voice of reason in parliamentary debates and in caucus. He was also a source of historical references. As a member of the National Assembly from 1983 to 1994, he was there for Mr. Lévesque's "beau risque" constitutional debates surrounding the Charlottetown Accord referendum.

It took some skill for a proud federalist like him to maintain his popularity in such a nationalist riding. He was also a proud Liberal — at the provincial level, of course, and once at the federal level.

When I was actively involved in the Action démocratique du Québec, Ghislain and I had many debates. We did not see eye to eye on who could best lead Quebec, but we knew that both of us had Quebec's best interests at heart. We fully agreed that under Stephen Harper the Conservative Party was the best party to lead Canada.

• (1350)

I appreciated how much respect Senator Maltais had for the parliamentary system. He always understood that exchanges in Parliament must be frank, but also respectful.

It was a pleasure to work with him when I was in the chair. His counsel was, for the most part, sound. I said "for the most part" because Ghislain could sometimes confuse the *Rules of the Senate* and the rules of the Quebec National Assembly.

Thank you, Ghislain, for all your years of service to Quebec and Canada. I also want to thank your family for their sacrifices. We all know that a life in politics can often be hard on loved ones. I wish you the best of luck in your future endeavours, my friend. Thank you.

Hon. Serge Joyal: Honourable senators, Senator Maltais was known for his unique perspective on our deliberations, and when he retires next week, we will feel his absence in our debates. When Senator Maltais rose to speak in the chamber, we knew that he would be sharing his experience, based on life in what is known as "the regions." We listened to him because he shared concerns from people working hard every day to earn a living. This perspective is essential to debates on bills, because these bills often affect the lives of millions of people who do not have anyone lobbying for their interests and do not have the same economic power as major banks or corporations.

Senator Maltais was the MNA for Saguenay, which is a region, and, as our colleague just noted, he knows the North Shore well. Nobody can match his on-the-ground experience there. He has

always been close to the “real workers,” the people of the land and the forest, who earn a living by the sweat of their brow. When he speaks in this chamber, it’s their voices we hear.

That’s why I’ve always listened closely to what he says. I truly believe he speaks from a place of common sense and conveys people’s real-life concerns. We all know how easy it can be to slip into abstraction when debating political problems and how quickly the debate can become disconnected from reality. But the full force of the law applies to everyone, every day. A recent example of that was his intervention in support of Canada Post workers and their families during the debate on the back-to-work bill in December 2018.

There was another contribution that Senator Maltais made, a contribution that is incredibly important to the definition of Canada. Senator Maltais ensured that the voices of francophone Quebecers were heard. As they say, his heart is in the right place. When he rises, he speaks for Quebecers, telling the Senate all about their concerns and views. His francophone instincts serve him well. He is endowed with the wisdom and unflappable strength of the old francophones families, the ones rooted in tradition that have held on to their unassailable sense of identity throughout the centuries, secure in their ability to endure and claim their place in a united Canada. He belongs to the generation that lived through Quebec’s two independence referendums, first in 1980 and again in 1995. He was part of the group that proclaimed their attachment to this country loud and clear. He personally played a role in keeping Canada together, and for that, we owe him a debt of gratitude.

Those events have passed into history, but those who lived through them can never forget. Every day, they know that the only reason why Canada survived as a country and continues to be the envy of the world is that they had faith in our ability to resolve our differences and reaffirm what brings us together.

Debates in this chamber were always more thorough when Senator Maltais took part. Over the years, he consistently offered us an informed perspective, based on his long experience with community involvement and service to others, in a frank and objective way. As he heads into retirement, he leaves behind colleagues who are proud to have served alongside him.

Thank you, Senator Maltais.

Hon. Paul E. McIntyre: Honourable senators, I would like to join my colleagues in paying tribute to Senator Ghislain Maltais and recognizing his contribution to the Senate. I echo the remarks made by other senators who underscored his long-standing commitment to his province and his country. He is a father and a grandfather. He has children and grandchildren. His long list of accomplishments includes being a member of the Quebec National Assembly, a senator, and a great defender of francophones, both in this chamber and on the Standing Senate Committee on Official Languages.

Senator Maltais is one of the rare senators who speaks without any written notes, and his speeches are always both interesting and eloquent. Naturally, he has a gift for telling it like it is and sharing what is on his mind. His departure will be a great loss for the Senate. A few months ago, I started trying to prepare my

colleagues for what it would be like when he left by quoting the Bible passage that says “there shall be weeping and gnashing of teeth.”

What I like and appreciate about Senator Maltais is his fighting spirit, his wisdom, his independence, his intelligence and, above all, his fervent desire to ensure that the Senate plays its role as a chamber of sober second thought. That will be his legacy.

I am honoured to have had the privilege of working with him and serving with him on the Official Languages Committee. Senator Maltais, thank you so much for your great work. You are certainly leaving big shoes to fill in the Senate. I wish you a happy retirement and all the best in your future life with your wife, children and grandchildren by your side.

Hon. Pierrette Ringuette: Dear Senator Maltais, some might say that we are friends because we form a small caucus of two smokers. But that is not the only thing that fuels our friendship. We shared experiences as members of provincial legislative assemblies at a time when our country was in the midst of tense constitutional discussions. Some may recall that there was a time in my life when my name was Pierrette Ringuette-Maltais. Now my name is Pierrette Ringuette. You will note the difference. Senator Maltais always took great pleasure in teasing me, saying that Pierrette could never stray far from the Maltais.

For more than six years, Senator Maltais and I have been taking part in The Many Facets of Parliament Hill. We like to rib each other during that activity, much to the delight of parliamentary employees who see supposed adversaries laughing together. Our friendship helped put employees at ease around senators and showed that senators are not as boring as they are often portrayed in the media. We often reminisced about our youth and our involvement in church choirs. Let’s just say that the vespers and *Agnus Dei* sung by Senator Maltais were quite different from the ones my generation sang. To make up for it, he did not shy away from openly and publicly singing *Le rossignol*, or The Nightingale, by Luis Mariano. Senator Maltais certainly has the voice of a nightingale.

We also share a friendship with Cuban parliamentarians and the people of Cuba. A few years ago, we met with several organizations in Havana at our own expense. I can’t sit down without sharing a little story about the time Senator Maltais and I were on a parliamentary visit to Barbados. Once we arrived at the hotel in the early evening, our little caucus of two smokers went and sat on the chairs on the beach to smoke our cigarettes and talk about the day’s meetings. I turned around and saw three men with hats, one of whom made a smoking motion with his hand. I said to Ghislain, “that poor man wants a cigarette.” I waved him over and offered him a cigarette. As he approached, the young man took a different kind of cigarette out of his pocket. Of course, Senator Maltais began laughing at my naïveté until he nearly choked.

• (1400)

Please be assured, Senator Maltais, that your wisdom as a parliamentarian will be sorely missed in the deliberations of this chamber, but I will never forget our conversations and the jokes we shared as friends.

As you spread your wings, dear nightingale, and fly towards your retirement, I hope it's filled with love and laughter. I hope your fishing trips with your children and grandchildren leave you with many fond memories. Please also know that you are welcome in my home at any time to share that beautiful singing voice. Enjoy your retirement, my dear friend.

Hon. Pierre-Hugues Boisvenu: Honourable senators, I also rise to say farewell to Senator Ghislain Maltais, a colleague and friend, and to thank him for the many years he spent in politics serving his province, his country and the Senate of Canada.

I would like to highlight the many lives of Senator Maltais. As you know, he will be retiring from the Senate in a few days. I do not believe the word “retire” is in his vocabulary. A lover of politics, the senator is a walking encyclopedia on Quebec and Canadian politics. He may not admit it, but he has most definitely been the most active Quebec and Canadian politician of his generation. First, he was the MNA for Saguenay — a Liberal one — in Quebec’s National Assembly from 1983 to 1994. Later he was appointed to the Senate, where he finally saw the light.

Throughout his political career, he rubbed shoulders with the giants of Quebec and Canadian politics such as Jean Charest, Lucien Bouchard, Robert Bourassa, René Lévesque and Brian Mulroney, to name a few. If you ask him, he can tell you stories about all the politicians he worked with. However, he will only share secrets and confidences with his closest friends.

Even as a successful strategist and organizer from 1994 to 2007, his feet were firmly planted in politics. He was appointed to the Senate in 2012. Throughout his tenure, I always knew him to be a staunch defender of Quebec’s interests. Having travelled all across Quebec, from east to west and north to south, he knew the province like the back of his hand. He knew Quebec like he knew his best friend, and he was just as loyal. He is an intellectual but down-to-earth man who gets close to people so he can listen to them — and especially to political decision-makers. Senator Maltais has left his mark in the Senate as a Canadian politician who is proud of Quebec, proud of his roots and proud of Canada. He shared this pride with dignitaries all over the world whom he met on his many trips as a member of the Senate’s parliamentary delegations.

Ghislain, I join all those who worked with you in the Senate, both senators and employees, in thanking you for all the years you have spent in service to your country.

In closing, I would like to express just one wish: please stop smoking so that your retirement lasts as long as possible and you can continue to offer the best of yourself to this world. Thank you, dear Senator Maltais.

EXPRESSION OF THANKS

Hon. Ghislain Maltais: Honourable senators, sitting in the Senate is a privilege. We were all granted this same privilege by a Prime Minister. In my case, it was the Right Honourable Stephen Harper, whom I thank for giving me this extraordinary opportunity to sit in this wonderful place, willed into place by our predecessors during Confederation.

As I prepare to leave, it is important to thank the people I worked with. I want to start with the speakers: the Honourable Noël Kinsella, the late Pierre Claude Nolin, Senator Leo Housakos, and you, Your Honour. I must say that you run this Senate masterfully. I knew you when I was acting speaker. You were there, you often gave sage advice, and we had the pleasure of sharing all kinds of things together — but I’ll come back to that later.

Of course, I would like to thank my leaders, Senator LeBreton, Senator Carignan and Senator Smith; the caucus chairs, all those who have played leadership roles in our caucus.

As you may have already heard, I am a loyal man. I remain true to my convictions and true to my colleagues. That is extremely important to me. Of course I want to thank all the Senate staff, including the table clerks, translators, tech people, pages, bus drivers, and the janitors in our offices, basically, all the wonderful people working in our service but who never get the spotlight. These people are crucial to the functioning of the Senate, and I wish to express my sincere thanks to them.

I also want to spare a thought for our security guards. You know, we have always been told that politics is not a dangerous profession, and yet I have lived through two shootings in my lifetime, one on May 8, 1984, in the National Assembly, and the second one here in October, two years ago. Thanks to our security guards, we are all still here today. I also congratulate the people who built the new Senate, because it is much safer, which makes it much easier for the security guards to keep us safe.

Of course, when you have served on a number of committees, you also get to know the staff working on those committees. I want to thank one clerk in particular with whom I worked from the very beginning of my time here, Kevin Pittman, who is currently a clerk with the Agriculture Committee, and others. We worked extremely well together. As Senator Cormier said, I can be a little grumpy at times, but we still managed to get along and work extremely well together.

Mr. Speaker, when one is appointed to the Senate, one joins with other people to form a team, one that is crucial to the performance of our functions. I created a small team with Mélanie Donoghue and Luc Harrison. We were more than just a team, we were a little family, and this allowed me to focus on my responsibilities as a parliamentarian and legislator. I wish to thank them publicly. They’re in the gallery. I wish them not a happy retirement, but a long and fruitful political career. Luc was one of the senior advisers to Robert Bourassa, the former premier of Quebec, who I had the privilege of serving. Mélanie will continue her fine work with a new senator and I’m convinced that the Senate will benefit from her experience. Thank you, Mélanie. Thank you, Luc.

• (1410)

Mr. Speaker, before I get to the matter at hand, I’d like to say that my thoughts are with our colleague, Senator Jaffer, who is going through difficult times. Mobina is a personal friend. Although we sit on opposite sides of the chamber, we have worked together. I have a great deal of empathy for what she’s going through.

I also want to mention our colleague who is no longer in this place, Senator Demers. Life isn't easy for him; although he is unable to speak, he is aware of his surroundings. Jacques, we are with you and will be for as long as you live.

My final words are for all of you, my honourable colleagues on both sides of the chamber. When the Fathers of Confederation instituted the Senate, it was a well-considered and necessary decision to allow a second reading of the legislation passed in the other place. The purpose of the Senate was, is and always will be to ensure that the legislation passed by the House of Commons reflects the aspirations of Canadians. That is our role.

It is also our role to give a voice to the voiceless. When we sit on various committees, look at the number of emails we receive in a day. Those are people who want to be heard. They have no other voice but ours. We're not in the Senate for personal honours or to become big stars. We're here to serve the people who have no other voice but ours. We're here for them.

We're also here for the good of our country and our province. Every province that we represent needs to be heard in this chamber. We must have the voice of our people heard. It is our duty. We mustn't overlook that duty. Personal glory is fleeting, but greatness achieved together is lasting. That is what we have here together.

Before I finish, I won't respond to all of the colleagues who offered tributes, but only to my friend Terry Mercer. I want him to know that in Quebec, there is no Conservative Party. There is only the Liberal Party and the other parties. To find my voice, I had to join the conservatives. Naturally, I was also very involved in agriculture, because farming is the one sector we can't live without. If we didn't have farmers, whether they are big or small, gardeners or berry pickers, what would we put on the table? They are the ones I want to pay tribute to. They have one of the most important jobs in the world, yet they are often viewed with contempt by certain classes of society. As my friend Serge Joyal can surely tell you, in Europe, farmers are patronized as valiant labourers, but here in Canada, they are agricultural professionals. I stood up for them as professionals.

I was a member of the Standing Senate Committee on Official Languages. I am a proud francophone. I have always said that my province is my homeland and my country is Canada. I strongly supported it. As a member of the Standing Senate Committee on Official Languages, I vigorously defended francophones outside Quebec and anglophones living in Quebec because our duty is to stand up for minorities. I worked with anglophones in minority communities just like I worked with francophones because it is necessary. In a bilingual country, everyone has the right to be heard. What is really important for a country that will remain united for a long time to come is understanding. To understand one other, we need to know one other. To know one other is to admire one another and to be able to work together.

Mr. Speaker, I would like to issue a challenge to this chamber before I leave. As you know, I have been in politics for nearly 40 years. I've travelled around the world. I have visited our extraordinary country from one end to the other. There's one thing that I keep seeing. We've travelled to the moon and will

soon travel to Mars. We're looking at the stars, but we need to look at what's happening on the streets of our major cities, and that is homelessness.

It's 2019. How can our country not be close to ending homelessness? These are human beings. They are Canadians who were born in this country and who are entitled to a second, third, fourth and fifth chance. Dear colleagues, I think you should come together to examine possible solutions and call on the government to end homelessness for the good of our country. It is a problem around the world, but Canada should be the first to eradicate it and give these people every opportunity to get back on track and regain their dignity, which is Canada's greatest strength. I challenge you to do this, and I hope you will rise to the occasion. If a country wants to be great, it needs to be great for the little guys and the least fortunate too. Thank you.

Hon. Senators: Hear, hear!

[English]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Vincent Chati. He is the guest of the Honourable Senator Bovey.

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

Hon. Senators: Hear, hear!

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Alanna Armitage. She is the guest of the Honourable Senator McPheeran.

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

Hon. Senators: Hear, hear!

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Jane and Lewis MacKay. They are the guests of the Honourable Senator Kutcher.

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

Hon. Senators: Hear, hear!

PASSOVER

Hon. Marc Gold: Honourable senators, next week, Jews around the world will sit at the dinner table to celebrate Passover and to read from a book called the Haggadah. The Haggadah tells the story of the liberation of the Jewish people from slavery in Egypt. But it does more than just tell the story. It is a script for how the Passover meal — the Seder — is to be organized and how it is to unfold. It is a ritualistic piece of interactive theatre in which the participants are slowly transported back in time to experience what it was like to be delivered from slavery.

• (1420)

[*Translation*]

For example, why does the Haggadah instruct us to eat only unleavened bread, and for eight long days? It is so that we experience the haste with which we had to flee Egypt, leaving no time for our bread to rise. Why does it instruct us to eat bitter herbs? It is to evoke the harshness of our experience as slaves. And why does it instruct us to drink four full glasses of wine in the course of the Seder? And Jews are not necessarily known for being big drinkers. It is so that we may lose our sense of time and place, and experience the story as if it happened to us personally in real time. As the Haggadah tells us, “in every generation we are obligated to view ourselves as if we were the ones who went out of Egypt.”

So why do we do this each and every year, religious and non-religious Jews alike? We do it because the Passover story is our origin story as a people. We tell it to bind ourselves to our shared memory and shared destiny as a people. But we also do it because the story of Passover is at the heart of one of the central ethical teachings of the Jewish tradition: that the world is broken and that each of us is obligated to do our part to repair it.

Passover forces us and reminds us to confront the bitter fact that we live in a world where millions of people remain enslaved and unfree — people enslaved by tyrants abroad, or in the hands of human traffickers in Canada; people unfree to practise their faith, or express their political views, or pursue their personal goals, because of state or family coercion and control; people who are prisoners of such poverty that they are denied the fruits of the freedom they might formally enjoy.

We tell the story of Passover because it reminds us that none of us are truly free while others remain unfree. We tell the story because it instructs us to seek their liberation with the same passion, dedication and pride that we celebrate our own delivery from slavery in Egypt.

This is what my parents taught me, what my wife Nancy and I passed on to our children, and what they, in turn, are passing on to their children.

If I may end by invoking the title of a well-known comedy album of my youth — and I date myself — you don’t have to be Jewish to learn the lesson of Passover and to pass it on to others.

Thank you for your kind attention, and happy Passover.

Hon. Senators: Hear, hear.

ROUTINE PROCEEDINGS

PARLIAMENTARY BUDGET OFFICER

PROJECTING THE REVENUES AND EXPENSES OF CANADA STUDENT LOANS PROGRAM—REPORT TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the report of the Office of the Parliamentary Budget Officer entitled *Projecting the Revenues and Expenses of Canada Student Loans Program*, pursuant to the *Parliament of Canada Act*, R.S.C. 1985, c. P-1, sbs. 79.2(2).

TREASURY BOARD

2019-20 DEPARTMENTAL PLANS TABLED

Hon. Peter Harder (Government Representative in the Senate): Honourable senators, I have the honour to table, in both official languages, the Departmental Plans for 2019-20.

JUSTICE

CHARTER STATEMENT IN RELATION TO BILL C-84—DOCUMENT TABLED

Hon. Peter Harder (Government Representative in the Senate): Honourable senators, I have the honour to table, in both official languages, a Charter Statement prepared by the Minister of Justice in relation to Bill C-84, An Act to amend the Criminal Code (bestiality and animal fighting).

CHARTER STATEMENT IN RELATION TO BILL C-91—DOCUMENT TABLED

Hon. Peter Harder (Government Representative in the Senate): Honourable senators, I have the honour to table, in both official languages, a Charter Statement prepared by the Minister of Justice in relation to Bill C-91, An Act respecting Indigenous languages.

CHARTER STATEMENT IN RELATION TO BILL C-93—DOCUMENT TABLED

Hon. Peter Harder (Government Representative in the Senate): Honourable senators, I have the honour to table, in both official languages, a Charter Statement prepared by the Minister of Justice in relation to Bill C-93, An Act to provide no-cost, expedited record suspensions for simple possession of cannabis.

[English]

THE ESTIMATES, 2019-20

MAIN ESTIMATES TABLED

Hon. Peter Harder (Government Representative in the Senate): Honourable senators, I have the honour to table, in both official languages, the Estimates for the year 2019-20, Parts I and II: The Government Expenditure Plan and Main Estimates.

STUDY ON A NEW RELATIONSHIP BETWEEN CANADA AND FIRST NATIONS, INUIT AND METIS PEOPLES

FIFTEENTH REPORT OF ABORIGINAL PEOPLES COMMITTEE TABLED

Hon. Lillian Eva Dyck: Honourable senators, I have the honour to table, in both official languages, the fifteenth report (interim) of the Standing Senate Committee on Aboriginal Peoples entitled *How did we get here? A concise, unvarnished account of the history of the relationship between Indigenous Peoples and Canada* and I move that the report be placed on the Orders of the Day for consideration at the next sitting of the Senate.

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

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

THIRTY-NINTH REPORT OF COMMITTEE ADOPTED

Hon. Sarabjit S. Marwah, Chair of the Standing Committee on Internal Economy, Budgets and Administration, presented the following report:

Thursday, April 11, 2019

The Standing Committee on Internal Economy, Budgets and Administration has the honour to present its

THIRTY-NINTH REPORT

Your committee, which is authorized by the *Rules of the Senate* to consider financial and administrative matters, respectfully requests that the following funds be released for the fiscal year ending March 31, 2020.

Transport and Communications (Legislation: Bill C-48)

Activity 1: Alberta and Saskatchewan	\$	153,750
Total	\$	153,750

(including funds for public hearings and a fact-finding mission for 12 senators and 3 senators' staff to travel)

A copy of the committee's detailed budget application is appended to this report.

Respectfully submitted,

SABI MARWAH
Chair

(For text of budget, see today's Journals of the Senate, Appendix, p. 4551.)

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

Hon. Sarabjit S. Marwah: Honourable senators, with leave of the Senate and notwithstanding rule 5-5(f), I move that the report be adopted now.

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

Hon. Senators: Agreed.

Senator Marwah: Honourable senators, this report contains one recommendation for a supplementary legislative budget allocation. The Standing Senate Committee on Transport and Communications requests \$153,750 for the study of Bill C-48. CIBA considered this supplementary budget earlier today, which will allow the committee to add Alberta and Saskatchewan to the schedule of public hearings on the bill. CIBA now recommends to the Senate that the report be adopted so that the funds can be released to the committee for the purpose of their study. The reason for the urgency of this request is that the committee is hoping to travel during the week of April 29.

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

Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

[Translation]

• (1430)

THE ESTIMATES, 2019-20

NOTICE OF MOTION TO AUTHORIZE NATIONAL FINANCE COMMITTEE TO STUDY MAIN ESTIMATES

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate): Honourable senators, with leave of the Senate and notwithstanding rule 5-5(j), I give notice that, later this day, I will move:

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Main Estimates for the fiscal year ending March 31, 2020, with the exception of Library of Parliament Vote 1; and

That, for the purpose of this study, the committee have the power to sit, even though the Senate may then be sitting, with rule 12-18(1) being suspended in relation thereto.

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

Hon. Senators: Agreed.

[English]

NOTICE OF MOTION TO AUTHORIZE THE JOINT COMMITTEE ON THE LIBRARY OF PARLIAMENT TO STUDY VOTE 1 OF THE MAIN ESTIMATES

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate): Honourable senators, with leave of the Senate and notwithstanding rule 5-5(j), I give notice that, later this day, I will move:

That the Standing Joint Committee on the Library of Parliament be authorized to examine and report upon the expenditures set out in Library of Parliament Vote 1 of the Main Estimates for the fiscal year ending March 31, 2020; and

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

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

Hon. Senators: Agreed.

QUESTION PERIOD

FINANCE

LOBLAWS FUNDING AGREEMENT

Hon. Larry W. Smith (Leader of the Opposition): My question is for the Leader of the Government in the Senate. On Monday, Minister McKenna announced that \$12 million from taxpayers' money would go to Loblaws to help the company pay for retrofitting refrigerators at its grocery stores. According to the 2018 Annual Financial Report, Loblaws made \$800 million in net earnings last year alone. The family behind this company is easily one of Canada's wealthiest, worth in excess of \$10 billion. Loblaws could certainly afford to make these changes without taxpayer help.

Senator Harder, I think it's fair to say that many Canadians are opposed to the government's decision to give their money to Loblaws. What do you say to these middle-class taxpayers? Why is it difficult for this government to exercise good judgment on their behalf?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. He will know that in previous budgets this Senate approved measures that allow the conversion in businesses to less carbon-intensive energy sources, including commercial enterprises, and that should they meet the criteria established through the program, they would be eligible for these conversions.

I am informed that this decision by Loblaws will have a very significant impact in terms of reduction of greenhouse gases, and that motivation on behalf of the enterprise and in conformity with the law that was passed and the regulations that are provided allow this company to take into account and participate in this measure.

I do hope that on reflection the honourable senator agrees that providing incentives for the conversion to less carbon-intensive energy sources is a good thing for Canada.

Senator Smith: Thank you for that answer. My first reaction is I'd rather close down the sewers that are putting waste into the rivers throughout our country than necessarily give money to a major corporation. Maybe it just doesn't send the right message.

Last year, Loblaws was involved also in an offshore tax evasion case before the Tax Court of Canada, which resulted in the company recording a charge of \$367 million in taxes and penalties. I'm talking about judgment and prioritizing, Mr. Leader.

Canadians also would no doubt remember that Loblaws admitted to a bread price-fixing scheme, which cheated its customers for a period of 14 years.

Senator Harder, does your government have any unease in handing over taxpayer dollars to a company that has previously shown such little respect for middle-class families and taxpayers?

Senator Harder: Again, I thank the honourable senator for his question. As the senator knows, Loblaws is a very large company and has many interactions with the government, not all of them pleasant for Loblaws, I should add. It has had a long experience in Canada. Its contribution to workers and to the well-being of the towns in which it operates is well noted. I hope we don't get into beating up every company that takes advantage of provisions that this Parliament has adopted to accelerate their transition to a lower carbon economy.

[Translation]

PRIME MINISTER'S OFFICE

SNC-LAVALIN

Hon. Leo Housakos: My question is for the Leader of the Government in the Senate. Mathieu Bouchard was one of the key players in the SNC-Lavalin affair because he met with the company's representatives a number of times. It appears he was the one pulling strings for a remediation agreement. Gerald Butts and Michael Wernick both testified in public and lost their jobs because they were involved in the affair, Mr. Leader, but Mathieu Bouchard never had to testify and is still working for the PMO.

Senator Harder, why is Mathieu Bouchard still at the PMO? When will Canadians hear from Mr. Bouchard about his role in this affair?

[English]

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

Let me repeat yet again that the issue of SNC-Lavalin has been well debated and reviewed in the other place in committee. The character that the honourable senator references has had his name brought forward.

I have utmost regard for the work that Mathieu Bouchard does and continues to do. I do not think it's helpful or, frankly, appropriate to cast aspersions on people who cannot defend themselves in this chamber.

INFRASTRUCTURE AND COMMUNITIES

INVEST IN CANADA

Hon. Leo Housakos: Fourteen meetings with SNC-Lavalin, and I'm casting aspersions? He hasn't answered to anybody yet.

Since we're not going to get an answer on the SNC-Lavalin file, let's try a more important question, because the government seems to diminish obstruction of justice.

My question is for the government leader, again. On November 29, six months ago, I asked you about the work done by Invest in Canada, the agency that was created under Bill C-44, the Budget Implementation Act, in 2017. You could not answer simply because nothing had to be done. Six months later, on the Invest in Canada website we can find two announcements: the nomination of a CEO and the appointment of directors in March and July 2018, but nothing about any results.

There is on the website a ministerial plan for Invest in Canada. In the plan, all the results are either to be determined or non-applicable, but one thing is clear: Invest in Canada will have spent \$23 million last fiscal year and will spend another \$36 million this year.

I remind all senators that our Banking Committee of the Senate said in its report that it could not see the usefulness of this new agency.

Senator Harder, close to two years later would you agree that the Banking Committee of the Senate and its members were right in questioning the need for Invest in Canada?

Hon. Peter Harder (Government Representative in the Senate): Again, I thank the honourable senator for his interesting supplementary question. Let me simply say that the departmental reports that I've tabled may well have further information to report to Parliament.

With regard to his specific question, it is always good when Senate committees question government programs and the establishment of agencies and the like, and that accountability is part of the framework that the Senate provides through its review not only of departmental estimates but of the Main Estimates and when departments are called before the Senate committees to answer directly.

HEALTH

SUICIDE AWARENESS AND PREVENTION

Hon. Stan Kutcher: Honourable senators, my question is to the government leader in the Senate. Suicide prevention is an important issue to Canadians, but there are few approaches that when applied in the general population have demonstrated decreased rates of suicide. The most fulsome of these is means restriction.

In the most recent budget, the Government of Canada has allocated \$25 million for a pan-Canadian suicide prevention service that uses a 24/7 crisis support model.

Unfortunately, the available scientific evidence does not provide comfort as to the known effectiveness of this approach. However, this decision may offer a unique opportunity to determine this. Will the implementation of this service be critically and independently evaluated using rigorous research methodology to help determine if this implementation works to prevent suicide?

Hon. Peter Harder (Government Representative in the Senate): Again, I thank the honourable senator for his question. I can confirm, as his question indicates, that the government has taken action through the Federal Framework for Suicide Prevention and supporting the Canada Suicide Prevention Service through the budget that was just tabled. This service offers free 24/7 support to all Canadians and, since it was launched in 2017, has been called nearly 2,000 times a month.

I can also confirm to the honourable senator and, indeed, this chamber that the Canada Suicide Prevention Service will be rigorously evaluated every five years. The evaluation design will be informed by evidence and best practices used in Canada and other countries, including the United States.

• (1440)

The effectiveness of high-quality suicide prevention lines as a part of a continuum of crisis support measures has been well established. There is international evidence that de-escalation of crisis through community-based crisis support can prevent self-harm and suicide attempts.

As the honourable senator will know are from his professional background, the World Health Organization has highlighted crisis lines as a key part of a national comprehensive approach to reducing suicide and it is the government's hope that this investment will underscore that experience in the Canadian practice.

[Translation]

MEDICAL ASSISTANCE IN DYING

Hon. Renée Dupuis: My question is for the Leader of the Government in the Senate. Senator Harder, on December 13, I asked you a question about medical assistance in dying, and you replied that you would be happy to have discussions with Senate leaders and coordinators to, as you put it, “determine how these issues can benefit from Senate consideration.”

I'd like to know if you have followed up on that commitment.

I asked a follow-up question, and in response, you undertook to, and I quote:

... have discussions with the Minister of Justice about how the minister intends on moving forward and with respect to how the government wishes to engage on these subject matters.

Can you tell me if you have followed up on this and, if so, how?

Thank you.

[English]

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for her question. I can report it is the intention, and indeed the requirement, of the legislation that was passed here that the minister, on behalf of the government, will refer the independent reviews to a committee of

Parliament — a full review — by June 2020. And that it is in the context of this date that the government will both refer to parliamentary review and participate in that review at the most senior levels.

[Translation]

OFFICIAL LANGUAGES

POST-SECONDARY EDUCATION

Hon. Rose-May Poirier: My question is for the Leader of the Government in the Senate. Senator Harder, on Tuesday morning, I had the pleasure of meeting with stakeholders from the francophone post-secondary teaching community, who shared their concerns about the negotiations on the new Official Languages in Education Program, or OLEP, which continue to drag on. Under this program, the federal government provides financial support for minority language education and second-language instruction.

The agreements are renewed every five years. The last agreement expired on March 31, 2018, and it is difficult to know whether negotiations are progressing or whether they have even started.

Senator Harder, funding for the OLEP is essential to the vitality and development of linguistic minority communities. Can you give us an update on the OLEP negotiations?

[English]

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for her question. I will undertake inquiries and report back.

[Translation]

Senator Poirier: In addition, Senator Harder, given that the negotiations for the new agreement were not concluded, Minister Joly announced that the block funding would be extended by two years.

The government knew the agreement was expiring on March 31, 2018. The agreement has been expired for a year now, and the government needs another two years to negotiate with the provinces.

Why is the government dragging its feet on this file? Why doesn't it take the negotiation of these agreements seriously?

[English]

Senator Harder: Again, I will add that to my inquiries.

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

FUNDING FOR PROGRAMS

Hon. Linda Frum: Honourable senators, my question is for the Government Leader in the Senate.

Last week, during the state visit by Israeli President Reuven Rivlin, Prime Minister Justin Trudeau stated that Canada would continue to speak out in the most forceful way against movements like BDS, the Boycott, Divestment, Sanctions movement, which targets Israel.

I appreciate those words, but I'm sure you agree that actions speak louder than words. It's the actions of Prime Minister Trudeau's Department of Global Affairs that are of concern here. Global Affairs Canada is providing \$4.8 million for a project run by KAIROS Canada, titled Women of Courage. Close to \$1 million of this will go to a grant to support the Palestinian organization Wi'am. Wi'am actively promotes BDS.

Senator Harder, Prime Minister Trudeau vows that Canada will speak out against BDS, meanwhile his government is funding an organization that promotes BDS. The Prime Minister's words are one thing, his actions are another. Senator Harder, why is your government supporting an organization that promotes BDS and attacks our ally, Israel?

Hon. Peter Harder (Government Representative in the Senate): Again, I thank the honourable senator for her question. I will have to take note of it and seek a more detailed response from the department. As the honourable senator will know the Government of Canada, both as an expression of the visit by the president and historically, has viewed its support for Israel as very key in its foreign policy.

Senator Frum: I think when you do your inquiry, Senator Harder, you may find the answer will be that Global Affairs will say they've instructed this organization not to use the Canadian funds for the purposes of BDS. However, I hope when you speak to Global Affairs you'll ask them how it is that they think they can track money and when they give a grant they know which dollars are being used to support BDS and which dollars aren't. Thank you.

Senator Harder: Yes.

JUSTICE

AWARENESS OF SEXUAL ASSAULT TRAINING FOR JUDGES

Hon. Frances Lankin: Honourable senators, my question is for the Government Representative in the Senate.

Senator Harder, this morning I read a disturbing news report. In Calgary, Justice Scott Brooker found two men accused of gang raping a teenage girl not guilty. The justice found that video evidence of the acts of sex, along with the lack of consistency in the statements of the teenage victims' evidence, led him to believe she had not just given her consent to sexual intercourse, in his view she had indeed wanted "rough sex."

A third accused in the same matter, a youth, in a different court, before a different justice, pleaded guilty to sexual assault. In that case, Justice O'Gorman also viewed the video evidence and said that the video depicted, "the most appalling acts of human depravity I have ever had the displeasure to witness as a judge," and, "there is not one part of either video that shows any scintilla of consent."

Firstly, this underscores the criticism a number of us had with the tragic shortfall of the consent amendments to the Criminal Code that were passed by Parliament last year, but we will live to fight that another day.

Senator Harder, Bill C-337, authored by the Honourable Rona Ambrose and sponsored in this chamber by Senator Andreychuk, which deals with the training of judges with respect to sexual assault, is awaiting consideration by the Legal Committee. There is a backlog of government legislation there, as we know, and it's appropriate those bills be dealt with as priority. However, this has been in the chamber since May of 2017.

There is/was all-party support in the other place. Even though it's a private member's bill and not subject to your office's influence, I wonder if you would undertake to have a discussion with the leaders and facilitators in this place. I would like to ask this question to each of them to see if they could commit to find a way for this bill to be brought forward and dealt with. It may be another committee, but I say in my support of Senator Andreychuk's efforts, of Rona Ambrose and my support of women and victims of sexual assault and this particular teenage girl, it is such a necessary next step. If you could undertake to have those conversations, maybe the good will of the all-male leadership and facilitator group could find a way to bring this to a review by a committee and third reading in this place.

Some Hon. Senators: Hear, hear!

Hon. Peter Harder (Government Representative in the Senate): Senator, I thank you for your question. As the question in the preamble would indicate, this is not a matter of government legislation. Although I'm happy to remind all colleagues that I was one of the early speakers on this bill and spoke not only in support of the bill personally, but also on behalf of the government and urged its adoption.

• (1450)

I will certainly raise again in the leaders' forum the opportunity that we might have to exercise some nudging of consideration, and I will even offer — should there be a will to have it put in place — to present a motion to the Senate so that they could ask the relevant committee to study the bill on a priority basis, even though that might displace government business for a day or two.

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

DEPUTY MINISTER—FEMALE APPOINTMENTS

Hon. Marilou McPhedran: Honourable senators, this is a question to Senator Harder. It relates to something I've recently learned, and I want to make sure my understanding is correct.

The first part of my question is: Is it correct that there has never been a woman deputy minister of Foreign Affairs?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for her question. I'm looking in my mind at the pictures. I think you will find that there have been a number of associate deputy ministers of Foreign Affairs, and there have certainly been a number of deputy ministers of International Trade within the department. But I believe you are correct in your recollection that there has not been a woman appointed as deputy minister of Foreign Affairs, although there probably could have been when certain people were appointed.

Senator McPhedran: My understanding is there is a vacancy and a search under way.

The second part of my question is whether it would be possible to convey the first part of my question and ask if this could be given some consideration.

Senator Harder: I thank the honourable senator for her question. Having benefitted from working for a woman minister of Foreign Affairs many, many years ago, I will indeed raise this, but not in a spirit where I am trying to have influence on behalf of the Senate for an independent process to respect the public service integrity. But I do think the point you're making is one where attention ought to be drawn.

[Translation]

JUSTICE

JUDICIAL SELECTION PROCESS

Hon. Pierre-Hugues Boisvenu: Honourable senators, my question is for Senator Harder. When there was a leak involving the National Shipbuilding Strategy, the federal government asked the RCMP to investigate right away. Now there has also been a leak regarding the process for the appointment of Supreme Court justices, and this leak has harmed the reputation of Manitoba Chief Justice Joyal, and yet no one has mentioned the possibility of an investigation into this matter, not even the Minister of Justice.

How do you explain the double standard applied by this government?

[English]

Hon. Peter Harder (Government Representative in the Senate): Again, I thank the honourable senator for his question. He will know this question has been asked in recent days and I can give the same answer, and that is that the Minister of Justice has expressed the views of the Government of Canada on this matter.

[Translation]

Senator Boisvenu: Yes, last week, you were asked whether the government would investigate the leak about the Supreme Court appointment process. You were also asked whether the

government had contacted the Privacy Commissioner, Daniel Therrien, about this matter. You replied that you would make inquiries.

Can you tell us if you have made those inquiries? If so, what was the response? Is there anyone in government who cares enough about this serious leak to conduct an investigation?

[English]

Senator Harder: Again, as the honourable senator will know when this question was asked, I undertook to make inquiries, and those inquiries are under way.

DEMOCRATIC INSTITUTIONS

SENATE APPOINTMENTS

Hon. Denise Batters: Senator Harder, five months ago I asked you two straightforward questions about the Trudeau government's so-called independent Senate appointment process. You didn't bother to answer them, so I asked you the same question again in December. There was no response.

It's now April, and you have still failed to provide me with an answer. So I will ask you again, because apparently you didn't get it the first two times, which individual and organizations nominated the last 12 senators appointed, and which provinces declined to name Senate advisory appointment panellists?

Hon. Peter Harder (Government Representative in the Senate): Again, I thank the honourable senator for her question. If she'll be patient and if we get to the end of Question Period, under Delayed Answers I think she'll find her answer.

Senator Batters: The Easter bunny has come.

Senator Harder, you keep touting the Trudeau government's supposedly independent arm's-length Senate appointment process, but to date you haven't given us any information so that we can evaluate how independent and arm's length it really is. We don't know who sponsored the now 16 most recently appointed senators. The Senate advisory appointment panel hasn't filed an updated report since 2017, but what we do know is that Saskatchewan declined to participate in naming independent panellists, as did the previous Governments of Manitoba and British Columbia. So we know that those boards were 100 per cent filled by the PMO.

Senator Harder, is that what passes for Trudeau transparency and independence?

Senator Harder: Again, I thank the honourable senator for her question. Let me simply draw attention to a recent public survey that was referenced yesterday by Senator Dasko, which speaks to the support that Canadians have expressed, which I think is 77 per cent on the independent Senate appointment process. I do think that support is widespread, even in the province of Saskatchewan, and is one that reflects the government's commitment to an independent process. It does provide the

opportunity for provinces to participate, quite unusually, and those provinces that have participated have spoken in the context of the nomination of consideration appropriately.

I do think it's a bit rich to criticize an independent process that is working, in comparison to processes that were in place before.

VETERANS AFFAIRS

SUPPORT FOR VETERANS

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, my question is a follow up to yesterday's question to the Leader of the Government. This question also relates to an earlier question from our leader regarding the \$12 million of taxpayer money that was awarded to Loblaws. I know that this government believes it is entirely acceptable to give hard-earned taxpayers' dollars to a supermarket chain valued at over \$24 billion, yet veterans have been told by the Prime Minister that they're asking far too much from their government.

I think all honourable senators will remember what the Prime Minister said to an Afghanistan veteran at a town hall in Edmonton:

Why are we still fighting certain veterans groups in court?
Because they're asking for more than we are able to give right now.

Senator, please explain how your government justifies giving Loblaws \$12 million while they are fighting veterans in court?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for her question. It gives me the opportunity to review the government's initiatives with respect to veterans.

Since 2016, investment has totalled \$10 billion for veteran programs and services. The government has put in place both new programs and made substantial improvements to the benefits and services offered. The government has raised financial supports for veterans and caregivers, supported a continuum of mental health services, introduced new education and training benefits, and expanded a range of services available to families of veterans, particularly those who were medically released.

I should also add that the Veteran and Family Well-Being Fund provides funding in the form of grants and contributions to organizations that are striving to improve the well-being of veterans. The first call for applications in 2018-19 resulted in 155 applications being received, 21 selected for funding, for a total of \$3 million.

In Budget 2019, the government proposes to invest a further \$256 million in veterans and their families, including \$41 million over five years starting in 2019-20, and \$5.4 million ongoing to making transition processes simpler and seamless for veterans, and the government is expanding access to the education and training benefit to include members of the Supplementary Reserves.

The budget also includes \$20.1 million over five years, starting in 2019-20, with \$5 million per year ongoing to create the Centre for Excellence on Chronic Pain Research, plus an additional \$25 million over 10 years to fund ongoing operations at the Canada Institute for Military and Veteran Health Research.

• (1500)

The budget includes another \$150 million over five years, starting in 2019/2020, to establish a new veteran survivors fund to better support veterans and their spouses who married over the age of 60.

The budget includes \$2.9 million over three years to the Highway of Heroes fund, \$2.5 million over five years to help the Juno Beach Centre continue to deliver its mandate and \$30 million to commemorate Metis veterans.

I should also point out that this government opened nine Veterans Affairs offices that were closed under budgets supported by the honourable senator, and hired over 630 staff to replace the ones eliminated in the budgets the honourable senator supported.

[Translation]

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Peter Harder (Government Representative in the Senate) Honourable senators, I have the honour to table the answers to the following oral questions:

Response to the oral question asked in the Senate on April 17, 2018 by the Honourable Senator Gagné, concerning procurement strategy – linguistic rights.

Response to the oral question asked in the Senate on May 8, 2018 by the Honourable Senator Dagenais, concerning the Book of Remembrance.

Response to the oral question asked in the Senate on May 8, 2018 by the Honourable Senator Joyal, P.C., concerning the Centennial Commemoration of First World War Armistice.

Response to the oral question asked in the Senate on May 8, 2018 by the Honourable Senator Smith concerning the Medical Marijuana Program – Veterans Affairs Canada.

Response to the oral question asked in the Senate on September 19, 2018 by the Honourable Senator McIntyre, concerning funding and services – Veterans Affairs Canada.

Response to the oral question asked in the Senate on November 8, 2018 by the Honourable Senator Boisvenu, concerning support for veterans.

Response to the oral question asked in the Senate on November 8, 2018 by the Honourable Senator Dagenais, concerning the Book of Remembrance.

Response to the oral question asked in the Senate on November 8, 2018 by the Honourable Senator Martin, concerning support for veterans.

Response to the oral question asked in the Senate on November 8, 2018 by the Honourable Senator Smith concerning pensions – Veterans Affairs Canada.

Response to the oral question asked in the Senate on November 21, 2018 by the Honourable Senator Batters, concerning Senate appointments.

Response to the oral question asked in the Senate on November 29, 2018 by the Honourable Senator Martin, concerning support services for veterans.

Response to the oral question asked in the Senate on November 29, 2018 by the Honourable Senator McIntyre, concerning funding and services – Veterans Affairs Canada.

PUBLIC SERVICES AND PROCUREMENT

PROCUREMENT STRATEGY—LINGUISTIC RIGHTS

(Response to question raised by the Honourable Raymonde Gagné on April 17, 2018)

The Government of Canada is committed to promoting official languages and upholding the *Official Languages Act* (OLA) by supporting linguistic duality in education. We are working with partners to identify solutions for surplus federal real property and other assets that support this commitment and help address broader social policy objectives.

Public Services and Procurement Canada (PSPC) was mandated to proceed with the disposal of the property at 510 Lagimodière Boulevard, Winnipeg, Manitoba. In 2013, as per the *Directive on the Sale or Transfer of Surplus Real Property*, PSPC provided federal departments, Crown corporations, and provincial and municipal governments with an opportunity to acquire, at market value, the property for public purposes. No signal of interest was received, including from the provincial Ministry of Education and Training on behalf of school boards. The Division scolaire franco-manitobaine toured the property in November 2017 and concluded that the building did not meet its needs.

Treasury Board requirements related to the disposal of surplus federal property are set out in *Policy on Management of Real Property* and the *Directive on the Sale or Transfer of Surplus Real Property*. PSPC and TBS continue to collaborate on the disposal process. Additionally PSPC continues to review its internal processes to enhance its engagement of minority language communities.

VETERANS AFFAIRS

BOOK OF REMEMBRANCE

(Response to question raised by the Honourable Jean-Guy Dagenais on May 8, 2018)

Veterans Affairs Canada

Veterans Affairs Canada maintains the seven Books of Remembrance commemorating the lives of more than 118,000 Canadians who, since Confederation, have made the ultimate sacrifice while serving our country in uniform. An eighth *Book of Remembrance: War of 1812*, which contains the names of those who fell in service during the War of 1812, has also been created to be displayed in the Peace Tower's Memorial Chamber along with the other seven Books. While Centre Block is closed for renovations, all eight Books of Remembrance, including the *Book of Remembrance: War of 1812*, are now on display for public viewing in a specially created Room of Remembrance within the West Block of Parliament.

CENTENNIAL COMMEMORATION OF FIRST WORLD WAR ARMISTICE

(Response to question raised by the Honourable Serge Joyal on May 8, 2018)

Veterans Affairs Canada

Each year, the Senate plays a key role in Veterans' Week by hosting a ceremony launching this important period of remembrance. Youth engagement is a focus of Veterans Affairs Canada's Canada Remembers Program. For example, in 2018, over four million learning resources—themed around the First World War armistice—were distributed to schools, libraries and youth organizations across Canada. A Senate representative and students were part of the Government of Canada delegation to Belgium to mark the armistice centennial, and youth played a central role at in-Canada events (e.g. La Citadelle in Québec, Government House in Fredericton, St. Bonaventure's College in St. John's, Sergeant Hugh Cairns V.C. Memorial in Saskatoon). At the Canadian National Vimy Memorial and the Beaumont-Hamel Newfoundland Memorial in France, Canadian students proudly serve as guides to enhance visitor experience. The Department takes part in Encounters with Canada program activities in Ottawa that provide students the opportunity to learn about all those who served. Funding is provided to youth-focused projects, such as Historica's Memory Project. These initiatives are a few examples of how the Canada Remembers Program encourages youth to carry the torch of remembrance.

MEDICAL MARIJUANA PROGRAM

(Response to question raised by the Honourable Larry W. Smith on May 8, 2018)

Veterans Affairs Canada

Veterans Affairs Canada (VAC) has been reimbursing Veterans for cannabis for medical purposes since 2007. Due to several factors the total costs of reimbursement for cannabis for medical purposes rose significantly. A 2016 report by the OAG prompted a review of the reimbursement policy.

The new reimbursement policy is based on evidence and on information. Evidence came from a review of the scientific literature and information was gathered from consultations with Veterans, licensed producers, stakeholders, medical experts, and allied nations to develop a balanced policy.

On November 22, 2016, VAC announced a new reimbursement policy for cannabis for medical purposes:

- VAC reimburses for a maximum of three grams per day, up to a maximum rate of \$8.50 per gram, for dried cannabis, or its equivalent in fresh cannabis or cannabis oil.
- VAC will reimburse for more than three grams per day on an exceptional basis with appropriate supporting medical documents.

VAC continues to monitor the growing body of knowledge on the issue of cannabis used for medical purposes and is partnering with the Canadian Armed Forces (CAF) and others to fund a research study in the efficacy and safety of cannabis for PTSD among CAF personnel and Veterans.

FUNDING AND SERVICES

(Response to question raised by the Honourable Paul E. McIntyre on September 19, 2018)

Veterans Affairs Canada

Veterans Affairs Canada is changing the way it processes applications and increasing staff by creating a dedicated team of francophone adjudicators to address the discrepancy in wait times for francophone applicants. Veterans Affairs Canada is also analyzing its tools and processes to understand why applications from female Veterans currently take longer to process. Any discrepancy in this regard must be addressed. Veterans Affairs Canada is looking closely at the delays in processing applications for women and how this can be improved. These are only a few of changes that Veterans Affairs Canada is making to improve services.

SUPPORT FOR VETERANS

(Response to question raised by the Honourable Pierre-Hugues Boisvenu on November 8, 2018)

Veterans Affairs Canada

Veterans Affairs Canada takes seriously its responsibility to protect the privacy and rights of Veterans. It does not comment on the specific case of any Veteran.

Requests for mental health services for family members, where there are extenuating circumstances, will be reviewed by a Veterans Affairs Canada area director (or higher) before making a decision. In no instance will Veterans Affairs Canada treatment benefits be provided to a Veteran's family member who is incarcerated in a federal facility. These facilities are responsible for the treatment of persons in their care.

Ensuring the health and well-being of a Veteran remains the top priority of Veterans Affairs Canada. The focus of providing mental health supports to a family member is based on the best interest of the well-being of the Veteran.

BOOK OF REMEMBRANCE

(Response to question raised by the Honourable Jean-Guy Dagenais on November 8, 2018)

Veterans Affairs Canada

Veterans Affairs Canada maintains the seven Books of Remembrance commemorating the lives of more than 118,000 Canadians who, since Confederation, have made the ultimate sacrifice while serving our country in uniform. An eighth *Book of Remembrance: War of 1812*, which contains the names of those who fell in service during the War of 1812, has also been created to be displayed in the Peace Tower's Memorial Chamber along with the other seven Books. While Centre Block is closed for renovations, all eight Books of Remembrance, including the *Book of Remembrance: War of 1812*, are now on display for public viewing in a specially created Room of Remembrance within the West Block of Parliament.

SUPPORT FOR VETERANS

(Response to question raised by the Honourable Yonah Martin on November 8, 2018)

Veterans Affairs Canada

The government is committed to delivering timely services for Veterans. With the April 2019 implementation of Pension for Life and the growing number of applications, Veterans Affairs Canada is focusing on reducing current wait times and addressing the backlog rather than changing service standards at this time.

Veterans Affairs Canada is also working towards providing better information to Veterans who are awaiting decisions. It has released the first phase of a new Wait Time Tool on Veterans Affairs Canada's website which provides current average wait times. The wait times provided are based on the last 90 days of data for specific programs. The data will be updated weekly to ensure current and reliable information. This will allow Veterans to check at any time for wait time information.

Ongoing updates to the Wait Time Tool are planned. A future phase will provide Veterans with more detailed real-time status information specific to their own individual applications within My VAC Account's 'Track your applications' feature. Veterans will also get an estimated date that they can expect to receive a decision on their application.

PENSIONS

(Response to question raised by the Honourable Larry W. Smith on November 8, 2018)

Veterans Affairs Canada

Since 2006, Veterans with an illness or injury related to their service are provided treatment benefits and programs under the New Veterans Charter (*Well Being Act*). At the time, it was unanimously agreed that the Pension Act did not provide necessary rehabilitation supports: like medical, vocational and psychosocial rehabilitations – among others. We do not believe going back to a time before these services were offered would help Veterans.

Veterans asked to return to a pension-option, which was announced in December 2017. The new Pension for Life will include an option of a tax-free, monthly payment of \$1150 (at its maximum) for life; a tax-free monthly payment of \$1500 (at its maximum) for life, in case of additional barriers to reestablishment. Veterans will continue accessing various rehabilitation programs and we will streamline 6 benefits (including income replacement at 90% of a Veteran's pre-release salary) into one benefit to facilitate applications and ease the administrative burden.

Veterans will also be able to earn up to \$20,000 in employment income before any impact on benefits.

With the changes made since Budget 2016, including the new Pension for Life, Veterans are better supported than they were in 2015.

A case study can be found at the link below. In addition to the amounts listed on the link, the individual could also qualify for additional benefits, announced with budget 2017, such as the Education and Training Benefit after they have participated in the Rehabilitation Services and Vocational Assistance Program.

<https://www.veterans.gc.ca/GCWeb/pdf/Veteran-Story/PhillipeR.pdf>

DEMOCRATIC INSTITUTIONS

SENATE APPOINTMENTS

(Response to question raised by the Honourable Denise Batters on November 21, 2018)

Under the independent Senate appointments process, it is not a requirement for a person to be nominated by an organization for consideration as a candidate for appointment.

Records received by the Independent Advisory Board for Senate Appointments (Advisory Board), including information on nominations, are confidential and treated in accordance with the provisions of the *Privacy Act*.

In recognition of the important role the Senate plays in regional representation, two Advisory Board members are selected from the province or territory where there is a current or upcoming Senate vacancy. The Government of Canada asks the province or territory to propose names of potential board members before appointing the members from that jurisdiction for a one-year term. While participation in this process is not mandatory, deliberations with provincial and territorial partners in the selection process of Advisory Board members are treated as confidential.

VETERANS AFFAIRS

SUPPORT SERVICES FOR VETERANS

(Response to question raised by the Honourable Yonah Martin on November 29, 2018)

Veterans Affairs Canada

Veterans Affairs Canada and the Department of National Defence are working together to reduce complexity, overhaul service delivery, and strengthen partnerships between the two departments, to ensure that the transition, from Canadian Armed Forces service to life after service, is as streamlined as possible.

This means harmonized services, clear guidance, timely access to benefits and services, and coordinated case management between both departments during transition.

The goal is to help transitioning members find their new normal and to help them through this process, however long it might take, with the dignity, respect and support they so fully deserve.

Regarding medical assessments, Veterans Affairs Canada makes every effort to ensure it has the most current medical information. Whenever possible, Veterans Affairs Canada uses the medical information from the Canadian Armed Forces' health records. When that information is missing or not up to date, Veterans Affairs Canada works with military and civilian physicians to obtain the best information possible to inform decisions.

FUNDING AND SERVICES

(Response to question raised by the Honourable Paul E. McIntyre on November 29, 2018)

Veterans Affairs Canada

Funding:

Veterans Affairs Canada's priority is to help Veterans. In fact, 93% of its budget goes to funding Veterans' programs and benefits. In 2017-2018, that amounted to \$4.4 billion spent directly on benefits and services for Veterans, their families and other eligible recipients.

The number of Veterans coming forward with disability benefit applications has increased by 32% since 2016. Whether 10 Veterans, or 10 000 come forward, they will receive the benefits they need.

To keep up with the rise in demand and ensure that Veterans get services and benefits when they need them, the government invested \$42.8 million in Budget 2018 to increase service delivery capacity.

Changing how the government accounts for lapsed money for Veterans' programs does not preclude investment in Veterans since those resources are always there to be drawn on.

Veterans Affairs Canada builds its annual budget so it can respond adequately to Veterans in need of benefits and services. Accurate forecasting is important, as it helps ensure that there is enough funding for all eligible Veterans who are likely to need help in a given year. Veterans Affairs Canada's budget fluctuates each year because its programs are based on Veterans' needs and entitlements.

Veterans Affairs Canada's benefit programs and services are funded based on actual demand. It updates its client and expenditure forecasts by program each year, based on actual results, to adjust projected trends for future demand.

Services:

In order to address the discrepancy in wait times for francophone applicants, Veterans Affairs Canada is creating a dedicated team of francophone adjudicators to process these applications.

Veterans Affairs Canada is also taking measures to reduce the current backlog and improve the current wait times for all applicants, regardless of the language of the applicant. Veterans Affairs Canada is simplifying the decision-making

process and changing the way Veterans Affairs processes applications, thereby moving toward an integrated approach to reduce overall processing times.

Applicants wishing to track the progress of their application can do so using the online resource "MyVAC Account." Veterans Affairs Canada has introduced a wait-time tool which shows the average processing time for various program and benefit applications.

[English]

ORDERS OF THE DAY

MESSAGE FROM COMMONS URGING DISPENSATION OF CERTAIN BILLS

The Hon. the Speaker: Honourable senators, I have the honour to inform the Senate that a message has been received from the House of Commons which reads as follows:

Wednesday, April 10, 2019

RESOLVED,—That, in the opinion of the House, 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*, as well as Bill C-337, *An Act to amend the Judges Act and the Criminal Code (sexual assault)*, are both critical pieces of legislation duly passed by the House of Commons that have been in possession of Honourable Senators for many months and both bills should be passed into law at the earliest opportunity; and that a message be sent to the Senate to acquaint Their Honours accordingly.

ATTEST

Charles Robert
Clerk of the House of Commons

POINT OF ORDER

Hon. Yonah Martin (Deputy Leader of the Opposition): Your Honour, on a point of order, as the current Deputy Leader of the Opposition and former Deputy Leader of the Government, and having served 10 years in this chamber, I find this message quite extraordinary in that the House understands the processes that a bill must undergo in their chamber, as do we. And we have talked even today about the independence of the chambers and the independent process that the Prime Minister upholds.

I understand it's from the other house, but I was thinking about this message that we're receiving today. A lot of things happen in this chamber that are unprecedented and extraordinary situations. I recall missing appendices of a bill that Senator Day recognized and we suspended the sitting so we could wait for those

parchments to arrive. A lot of things could happen. In fact, it is quite within reason and order for Senator Lankin to ask a question of Senator Harder about one of those bills.

I'm not questioning the spirit of the message in terms of how important these bills are. We have been in discussions and there are ongoing negotiations about these bills. The Point of Order I'm raising is simply that I think it is precedent-setting for the House to send such a message to us. I wouldn't want to instruct and say what the language should be or what they should or shouldn't do, so as not to set a precedent that we accept a message where we are being asked — or, rather, told — that we should do something when we understand that each of our houses has a process.

I hope that we will continue our discussions and the bills will undergo the process that they need and that we will get to them. We still have several weeks left in this session. I know there are a lot of other bills that are before us, so we are feeling that pressure. I just do not think this kind of precedent is something we would accept.

I can hear Senator Cools' voice rising and saying, "How dare the other house tell this house what we should or should not do." On that point, Your Honour, I would like for you to consider this very important Point of Order.

The Hon. the Speaker: Honourable senators will know that when a message is received from the other place, it is the responsibility of the Speaker to read that message. At this stage, it is merely read into the record to be published in the *Journals of the Senate*. There is nothing on the Order Paper with respect to it for further consideration.

I take the point with respect to the fact that it is highly unusual. However, it is not unprecedented. A similar message was received in this chamber from the other place back in 2008 with respect to another piece of legislation.

That does not detract from the fact, again, that this is very unusual. However, the proper procedure from here forward is that if senators want to comment on this or speak to it, they must commence either a motion or an inquiry with respect to this particular matter, after the proper notice.

QUESTION OF PRIVILEGE

SPEAKER'S RULING RESERVED

The Hon. the Speaker: Honourable senators, I am now prepared to hear further new arguments in relation to the Question of Privilege raised by Senator Plett. I want to repeat, though, honourable senators, as I said yesterday, I will only entertain matters that are new to the debate. I do not want to hear further comments with respect to individual senators, groups, caucuses, or a rehash of the arguments that we had when the Question of Privilege was raised at the first order.

New information, Senator Plett.

• (1510)

Hon. Donald Neil Plett: Thank you, Your Honour. I will indeed be very brief.

Further to the question of privilege which I raised in the Senate Chamber, I would like to make a point of clarification and provide some additional information. In my letter of notice to the Clerk of the Senate, and in my address to the Senate on this matter, I noted that by 2 p.m. that afternoon, the full details of the agreement had been leaked to the media and a copy of the signed document had been posted on Twitter by Dale Smith. It has been brought to my attention that the 2 p.m. time stamp I referred to was in Pacific time.

I'm not very literate when it comes to IT information, but apparently mobile devices display the time when a tweet was posted in local time, but a desktop computer displays the time in Pacific time. What this means is that the tweet was posted not at 2 p.m. but at 5 p.m. local time.

In order to verify that this was the case, I had my staff do two things: First, they did a test post on Twitter and immediately checked the time stamp. On a mobile phone, the time stamp was correct. On a computer, the time stamp indicated the tweet had been posted three hours earlier, which was obviously incorrect.

Second, my staff contacted Dale Smith, the journalist who made the Twitter post, to verify what time he made the tweet in question. Mr. Smith confirmed that he tweeted at 5 p.m., not 2 p.m.

This information, colleagues, is significant because Senator Woo told this chamber that if the tweet was posted at 2 p.m., his decision to break the trust of the others involved in the negotiations and distribute a copy of the confidential agreement with all the ISG senators could not have resulted in the leak.

We now know this is incorrect because Senator Woo admitted that he provided copies of the confidential document to members of the Independent Senators Group shortly after 4 p.m., and the document appeared on Twitter at 5 p.m.

However, colleagues, allow me to clarify one additional item: The question of privilege which I raised does not primarily pertain to whether Senator Woo shared the confidential document with Dale Smith. The question is whether he shared it with anyone outside of his most immediate advisers. By his own admission, he has done so, sharing it with all the ISG senators.

Colleagues, at least twice during this debate on this matter on Tuesday, members opposite spoke about staff having done certain things. They were implicating other senators' staff other than their own. Colleagues, I do not think it is proper for us to talk about people in this chamber who have no method of defending themselves.

Your Honour, I thank you for the opportunity to bring this additional information to the chamber. I look forward to your ruling on this matter.

Hon. Yuen Pau Woo: Honourable senators, I wish to respond briefly to Senator Plett's intervention. I'm grateful he is offering a correction of his mistake concerning timelines in his original letter to the Speaker.

Along with all senators, I was misled by the information he provided. I would note, however, that Senator Plett's case was built on the presumption of a 2 p.m. tweet by the journalist. He now understands that case to be flawed because ISG senators did not receive the document in question until 4 p.m., and therefore the causality would have been impossible. As a result, he is offering a fresh account of how the document was leaked to the media.

He says, in his latest intervention, that the tweet "could have" originated from me. Well, colleagues, that is speculation. It is the same order of speculation as me saying it could have originated from him, or that it could have originated from one of his caucus colleagues, or it could have originated from a Conservative staffer.

Perhaps we will get another clarification of the timing of the tweet. Regardless of when the tweet was sent, his argument boils down to this: It could have been Senator Woo.

I'm offended by the wild and baseless nature of this allegation, which could itself be considered a breach of my privilege.

Colleagues, if "could have" is the basis on which a breach of privilege can be found, we should brace ourselves for an avalanche of privilege questions.

I would add one more new point: The extent to which the document I shared with ISG colleagues is confidential has not even been determined. Unfortunately, both Senator Plett and I, and all other participants at that meeting, are constrained from saying more about what we agreed to because that would in itself violate the confidentiality of our discussions.

All I can tell you is that I shared the document with ISG members in good conscience and in a belief that it was consistent with what was agreed to at that meeting.

Let me reiterate: I did not leak the document to the media.

Yet, honourable senators, the extent to which the document is confidential and what time a certain journalist tweeted it out are not central to the matter that the Speaker must resolve, which is the question of whether a prima facie breach of privilege has been established. Several of our colleagues have already argued in detail that all four criteria set out in the Rules have not been met. I will not repeat those arguments, except to say that this point of privilege is not only unfounded, but it is frivolous and vexatious and has been a waste of precious Senate time.

The Hon. the Speaker: Senator Martin, do you have something new to add to the two facts that were presented?

Hon. Yonah Martin (Deputy Leader of the Opposition): Yes, if I may add a few facts.

The Hon. the Speaker: I'm not interested in a debate. I'm only interested in facts at this stage.

Senator Martin: I want to explain a few important facts for the day that we're talking about. As the deputy leader, I naturally work very closely with the leader and our leadership team and was aware that Senator Plett was also part of those discussions.

I had communicated with my caucus about the importance of not doing anything on social or traditional media on that day because our aim was to have the motion withdrawn and no one in the chamber tweet or talk about it so as to potentially ignite another debate. As we know, in this chamber, if something slightly goes against what we all understood would be happening, the whole thing could go off the rails. We could potentially jeopardize this very important timeline we needed to agree to.

As the deputy leader, I had communicated this to members of my caucus, and Senator Housakos, who is very active on social media — he sits right next to me — so I recall reminding him and saying that everyone should honour the agreement and not add anything into the public sphere because we had not yet shared that timeline with our caucus. I know the leaders had, but our groups had not been privy to the same information.

In fact, the timeline is similar to what had already been previously discussed, but the fact is that no one in our caucus had a copy of the signed document. That is why it was concerning to me to see it on that day — a tweet by Dale Smith — and it was retweeted, and we talked about those items. I wanted to share that was my experience as deputy leader trying to keep to the agreement to the best of our ability. I was concerned when the tweet went out that something could happen because I had not even shared that with our caucus members.

• (1520)

I wanted to add that to the debate.

The Hon. the Speaker: I thank honourable senators for their additional input. I will take it under advisement.

OCEANS ACT CANADA PETROLEUM RESOURCES ACT

BILL TO AMEND—THIRD READING—DEBATE ADJOURNED

Hon. Patricia Bovey moved third reading of Bill C-55, An Act to amend the Oceans Act and the Canada Petroleum Resources Act, as amended.

She said: Honourable senators, I am pleased to stand here today to speak at third reading of Bill C-55, An Act to amend the Oceans Act and the Canada Petroleum Resources Act.

First, I want to applaud the serious and thorough work of the Standing Senate Committee on Fisheries and Oceans. Their study was comprehensive. They heard from multiple perspectives from coast to coast to coast. The passion for the areas, ocean beds, aquatic species, peoples of the areas, and the present and the future were all central to our discussions.

The chair, Senator Manning, managed the discussions with expertise. Everyone had their say, and were given time to pose questions and delve deep. The respect for various view points was palpable in the most positive sense. It was an honour to sponsor this bill and work with this committee.

Senator Manning and committee members, I thank you. Congratulations on the heartfelt deliberations.

At the outset, I also want to thank senators' staff. They worked hard in seeking out additional information throughout second reading and committee study. Their work added to the substance of the discussions, and as sponsor, I thank them all.

The department staff is also owed real thanks. They were there throughout, answering myriad questions — ones they wanted and perhaps those they did not want — ones they expected and those from left field.

Now I will speak to the bill itself. Let me remind you of its intent and what it was never meant to cover. The goal is marine protection, environmental and sea life, rare and endangered species, and endangered areas. It is not a land bill. It is not an overall oceans bill, which is Bill C-68, now under study by the Fisheries Committee.

This bill, Bill C-55, would simply provide an additional tool to use to protect the oceans that surround this country from coast to coast, north, east and west. Canada's oceans are part of who we are. They have sustained the people who have inhabited this place throughout histories, pre- and post-contact. As the beneficiaries of this ongoing multi-century sustenance, we have a duty to provide the stewardship for which our oceans are now in dire need. It is this relationship — past, present and future — that led me to take on the sponsorship of this bill.

As one who has lived on one ocean and visited the other two many times, and whose father-in-law spent his whole working life on the Pacific Ocean, I felt a real need to speak to this particular piece of legislation. We live in a time of urgency when it comes to our oceans and the greater environment around us. We need to act now, because at the end of the day, it is the health of our oceans that ensures the health and prosperity of the people and communities that depend upon them.

Indeed, I find myself in a unique place at this moment. Here I am, an independent senator, sponsoring a bill of the Liberal government, based on and honouring a Conservative government's international agreement. Is anything more independent or comprehensive than that?

This bill, which was sent to us in June 2017 from the other place, as you know, recently completed committee stage with what I would characterize as an energetic, robust and honest debate. With the guidance of the chair — as I have said, Senator Manning — we spent a total of eight meetings on this bill. Three of those meetings were spent on clause by clause, where we discussed a total of seven amendments. This is on par with a number of committee meetings where this bill was under study in the house, which saw witnesses over a period that spanned nine meetings.

In total, witnesses from every coast and in between have spoken to the merits of this bill, a bill that seeks to provide a mechanism for interim protection for Marine Protected Areas, MPAs; to ensure we can protect and conserve areas of ecological significance until a final determination is agreed to among the various levels of government, communities and Indigenous peoples at the table.

Consultation is at the cornerstone of the establishment of a Marine Protected Area. It is clear that consultation remains the foundation of all decisions regarding proposed protection, including the process of providing interim protection under this bill, which allows time for research and solid ultimate decisions based on that consultation.

Again, as I said when I spoke to this bill in May, the establishment of a Marine Protected Area currently takes an average of seven to 10 years. In that period of determining the protected area, there is no mechanism currently in place or available in the Oceans Act to ensure we can begin to protect the potential areas of interest right from the start of the process.

This bill, based on the precautionary approach, will allow for interim protection areas that we know have ecological and biological significance, while further scientific research and Indigenous knowledge can be determined.

Bill C-55 will allow the minister to make an order to freeze the footprint of activities occurring in an area or cancel an interim designation. The interim order would be made following initial consultations and science after a period of approximately one and a half to two years. This means the total time for a final designation following the initial consultations would be six and a half to seven years, five of which are post the initial protection period.

Again, we know that the current average time to establish an MPA is five to seven years. As you can see, with this bill, there will be no shortcuts.

What is different, however, will be government's ability to ensure that, in the years leading up to the possible final designation, the area of interest receives a base level of protection. I would suggest to senators in this chamber that this is a common-sense piece of legislation when it comes to the stewardship of our marine environment.

Marine Protected Areas have helped us ensure that countless ecologically significant areas have received protection. These areas contribute immensely to support a network of marine biodiversity and the overall health of our oceans, so that many of us enjoy it for its splendour and, for many coastal communities, their livelihood.

Today, MPAs are protecting ecological systems in peril. These are areas that are important fish-breeding grounds that ensure our fisheries remain sustainable. There is no question that we need to do more to protect our marine environments if we are to provide critically important support for future fish stocks and the livelihood for future generations.

The protection of more areas is important and one agreed to by nations globally.

The Hecate Strait MPA, for instance, on the West Coast of British Columbia and the Douglas Channel in Queen Charlotte Sound is one such area. The Hecate Strait MPA conserves glass sponge reefs that cover a total area of 2,410 square kilometres. Made of silica, these sponges are fragile and live up to 200 years — more ancient, I may say, than all of us. The reefs are important, as not only do they filter the water, they provide refuge, habitat and nursery grounds for aquatic species, including commercially important rockfish, other finfish and shellfish species.

Could you imagine that for years while we sought to designate the area as an MPA, knowing how fragile these reefs were and are, but we could do nothing to protect them in the interim? To me, that seems to be a solvable problem. The answer lies in Bill C-55. I know many senators in this chamber share this sentiment with me.

[Translation]

There is no doubt that climate change is the biggest problem we are facing today. Measures to protect the environment and marine stewardship initiatives should have already been undertaken. As we learned in *Canada's Changing Climate Report*, which was published last week, Canada's temperature is rising.

• (1530)

Indeed, the temperature in the North has increased by 3.9 degrees, or three times the global average, which is 1.2 degrees. This temperature increase will cause sea levels to rise and increase the acidity and water temperature of the Arctic Ocean and all of Canada's oceans. The report predicts a dangerous acceleration of certain extreme weather events over a period of less than 100 years. Accordingly, the time we have to react to the situation corresponds to the lifetime of our grandchildren. We simply cannot wait another 15 years before we do something to protect our marine ecosystems, because our world is changing much faster than that — which was also predicted — and ecosystems need better protections much sooner. The cart is now before the horse. We need mechanisms like the interim protections set out in Bill C-55 to help make up for lost time.

I want to reiterate once again that making up for lost time does not mean cutting corners. We still need to conduct extensive consultations, which we will do, and the proposed legislation does not in any way change that process.

[English]

I would also say that this bill may be one of the very few that we see coming from the House of Commons that is based on a shared commitment by all parties. As many of you know, this bill will help the government meet its international marine conservation target of protecting 10 per cent of Canada's marine and coastal areas by 2020.

I would like to remind senators today that this commitment to fulfilling international targets for marine protection was actually first made by the previous Conservative government in 2010, and today, nine years later, we in this chamber are ensuring that we

follow through with this well-defined commitment. Therefore, this bill, like our oceans that know no boundaries, transcends partisan lines. Let us work together to continue the promise of the previous government. We knew that we needed to protect the ocean then, and we know that even more today.

[Translation]

I now want to move on to the amendments made by the Senate Fisheries Committee. I think these amendments are redundant and change the purpose of the legislation.

It is clear from the comments of Senators McInnis and Patterson, the sponsors of the proposed amendments, that the amendments were made out of concern for their community. I commend them for doing that. Part of our work as senators is to represent our regions, and I know that that sentiment was at the heart of what motivated the senators to propose these amendments.

[English]

First, let me speak to Senator McInnis' amendment. It articulates that before an interim order is made, the approximate geographical location of the proposed area for interim protection and an assessment of what would be protected is to be made available. This is common sense. Government should be making that information available. If an interim protection order is made, knowing the general area is necessary in order to make the designation. That process and those definitions already exist.

In my view, and with all due respect, I believe Senator McInnis' amendment is, in short, redundant, as it seeks to make a change when the requirement is already in place.

Let me give you an example of the current gazetting requirement an interim protection order must adhere to.

If one goes online right now, one could look at any previously proposed order for a Marine Protected Area. I will use as an example the Banc-des-Américains Marine Protected Area proposed regulations published in *Canada Gazette*, Part I, on June 30, 2018.

The posting includes background information regarding the ecological significance of the area and its species, as well as an analysis of the impact of types of activities on the area, such as fishing, marine transportation, and tourism. In addition, there is a map of the proposed area — and many of you know I adore maps — where the geographical location of the MPA is clearly identified, along with an analysis of benefits and costs of the proposed regulations and a description of the consultations.

We can see from the consultations that the process of selecting Banc-des-Américains for potential designation dates back to 2009. It was only after two years, in 2011, that the area of interest was officially announced. Again, I note that the proposed regulations for the final MPA were published in 2018.

In the two years before the area of interest was announced, there were extensive consultations regarding the boundary of the proposed protected area.

For those of you here who are not familiar with the gazette process, regulations are published in *Canada Gazette* Part I for an initial period of 30 days to allow for comments and suggestions from the public. This means that in the interim protection process, the order would need to be published in the Gazette for a minimum of 30 days. The published order would necessarily include the geographical location of the proposed area.

After the 30 days, the comments are assessed and a final set of regulations published in *Canada Gazette*, Part II. Once they are published in *Canada Gazette*, Part II, then the order is final and the area officially receives interim protection under the Oceans Act.

I also want to emphasize that this process is in addition to the cabinet directive of regulations that must be adhered to, and departments and agencies must ensure that the process is open and transparent when it comes to determining an area for interim protection. This cabinet directive is derived from the statutory authority under section 7(1) of the Financial Administration Act.

We can also see this directive, open and transparent, in action as to how current MPAs are determined. For instance, you can also go online today to see areas of interest for the proposed MPAs such as the Eastern Shore MPA. I want to be clear that this area in question has not yet been established. That is because the process typically takes anywhere from seven to ten years. Online, you will again find an actual map of the geographical location of the proposed Eastern Shore Islands Area of Interest and a description of the location:

The site stretches from Clam Bay near Jeddore Harbour to Barren Island near Liscomb Point and extends approximately 25 km from mainland in the Scotian Shelf bioregion.

It lists the approximate size as 2,000 square kilometres. There is also a list of ecological features in the area, including important habitat for Atlantic salmon; complex mosaic at the bottom habitat; spawning area for Atlantic herring; juvenile/nursery area for Atlantic cod, white hake, and pollock; important foraging area for various birds, including Harlequin duck — which is of special concern — Roseate tern — which is endangered — and shorebirds such as the purple sandpiper.

As well, the key objectives of the approach are listed, as well as a list of the consultations that took place. All of this information is available now regarding an area of interest. It is available because this information is required under the cabinet directive on regulations.

Honourable senators, I have given you examples of how the amendment proposed by Senator McInnis is redundant and unnecessary. I also want to say I agree that consultation and knowing the area in question is critically important. I therefore agree with Senator McInnis' goals regarding openness and transparency for the communities.

Though I will agree with sending the amended bill back to the House of Commons, I do not think this amendment is necessary; it is already covered.

[Senator Bovey]

• (1540)

[Translation]

I know that Senator McInnis proposed this amendment because of the concerns he raised about the proposed MPA on the East Coast. I would remind you that this area hasn't been established yet. It is not an MPA yet. Fishing is not limited there. I understand that the communities are expressing their concerns. That is why there are consultations under way. Disagreements and concerns are part of the process, but make no mistake: it is not true that no one is being consulted or that there are no mechanisms in place yet to ensure transparency.

The second amendment I want to talk about is actually the first one the committee adopted on this bill, the one proposed by Senator Patterson. He explained why it was important to codify the current practices and conduct appropriate consultations. The concerns Senator Patterson talked about were raised by the Inuvialuit Regional Corporation and the Government of Nunavut.

[English]

Before diving into this amendment, however, I believe it's important to speak to the amendment made in the House of Commons Fisheries Committee by Members of Parliament Michael McLeod and Hunter Tootoo, at the request of Nunavut Tunngavik Incorporated, to ensure promises made under the Nunavut Agreement are carried out. Groups such as the Qikiqtani Inuit Association, or QIA, supported this change and, in a letter that the Fisheries Committee received a few weeks ago, said that they "... are satisfied that it protects Inuit rights."

I would also like to echo the words of Minister LeBlanc who addressed this issue in the other place. He said:

Bill C-55 does not take away from the requirement to consult and engage throughout the development of an interim protection MPA. Part II of the Oceans Act, which frames the strategy for managing oceans, is based on a collaborative approach with provinces and territories, indigenous organizations, and stakeholders who depend on the oceans. The Oceans Act is one of the first federal statutes to enshrine a non-derogation clause.

Back to the substance of the amendment. As with Senator McInnis' amendment, I also put to you that this amendment is redundant, as it replaces a process that is already in place and is, therefore, in my estimation, unnecessary. Again, the Oceans Act contains provisions that explicitly lay out the requirements for consultations in sections 29 to 33. Specifically, section 33 says:

33 (1) In exercising the powers and performing the duties and functions assigned to the Minister by this Act, the Minister

(a) shall cooperate with other ministers, boards and agencies of the Government of Canada, with provincial and territorial governments and with affected aboriginal organizations, coastal communities and other persons and bodies, including those bodies established under land claims agreements;

(b) may enter into agreements with any person or body or with another minister, board or agency of the Government of Canada;

(c) shall gather, compile, analyse, coordinate and disseminate information;

(d) may make grants and contributions on terms and conditions approved by the Treasury Board; and

(e) may make recoverable expenditures on behalf of and at the request of any other minister, board or agency of the Government of Canada or of a province or any person or body.

Again, even if somehow the government failed to cooperate or consult based on the explicit legal requirements in the Oceans Act itself, the interim protection order would need to go through the *Gazette* process and other processes required under the Statutory Instruments Act whereby anyone can submit their concerns and comments. This is obviously not the standard for consulting with communities and Indigenous peoples that we should deem as adequate. However, I am trying to illustrate to you that all of the mechanisms the amendment speaks to are already in place. I have to think the issue at the fore is due not to the present bill but to years of governments letting communities down with prior lack of consultative processes. I understand the concern and the desire to repair that concern.

Honourable senators, I also want to further touch on the discussion around this amendment regarding the inequality around existing land claim agreements. As many of you know, land claim agreements were signed at different points in time and, as a result, some have benefits that others do not. For instance, an Inuit impact benefit agreement, or IIBA, is required under the Nunavut Agreement and allows for the possibility of significant economic benefits to the region. The Inuvialuit Final Agreement, however, does not contain a similar provision that includes an IIBA. On this point, I think we all recognize that when it comes to ensuring that the rights of the Inuit are realized, it should be a race to the top.

I would like to read an excerpt from a letter recently received from the QIA, which represents over 14,000 Inuit peoples:

QIA takes very seriously the need and utility of consultation. Equally important for QIA is clarity of process and engagement to allow for due diligence and decision making in a manner that supports the ability to apply Inuit rights. From QIA's perspective the proposed amendments to Bill C-55 will serve to frustrate the process of first considering and then coming to a decision upon interim protection. Prolonging this process does not result in improved benefits for Inuit.

Finally, what our engagements upon C-55 have demonstrated for QIA is the unfortunate implications of disparity between Inuit land claim agreements. Not all Inuit share the same rights as Inuit in Nunavut, yet all Inuit are actively seeking means to improve the socio-economic status of their communities. In the context of Federal

conservation areas, delivery of improved benefits for Inuit requires a shift in policy, and possible amendments to existing land claims agreements, as opposed to legislative amendments to the Oceans Act. It is very unfortunate that differences among land claims agreements have created such inequity among Inuit. Simply stated the rights of some Inuit are stronger than others. From our perspective these inequities are unfair and will continue to result in difficulties in addressing social issues and developing local economies. This is a topic that deserves greater attention within the context of the Arctic Policy Framework. Where the high tide mark rises for one group, it should provide platform for others to do the same. Canada is made better when this occurs.

QIA, the Government of Nunavut, and the Government of Canada have been in negotiation for a considerable period over the potential creation of a protected area in the High Arctic Basin. This agreement would be a great development for QIA and Nunavut, and also another reason why Bill C-55 is so important.

If an interim order is issued depending, of course, on the passage of Bill C-55 without amendments, this would accelerate the process of creating an MPA for the area which, as I understand, has been under negotiation for years. Budget 2019 has set aside \$700 million over 10 years for Arctic communities, and I understand that a significant portion of these funds is dependent on the designation of the High Arctic Basin. It would be better to get these funds out sooner than later, I think, and to help the Inuit in moving forward with a plan that they have been leaders on.

Honourable senators, I would also refer you to comments made by professor of law Nigel Bankes of the University of Calgary regarding the amendment proposed by Senator Patterson. Professor Bankes' post focuses on the intent of the bill, to reduce the time required to establish an MPA in an area deemed at risk. His conclusion regarding the amendment proposed by Senator Patterson reads thusly:

The result of this amendment, if adopted, will be to create a stand-alone set of consultation provisions with respect to a single section and a single power within the statute. This is not a logical approach to address and improve the standard of consultation, nor an approach that will provide certainty with respect to consultation.

Indeed, Professor Bankes states:

. . . it makes no sense to make an expedited process to provide a *temporary* MPA designation subject to *more* detailed statutory procedures than those that apply to a permanent designation by way of an order in council and regulation. Effective interim protection for marine areas at risk of harm requires speedy action: this amendment, if confirmed, will frustrate the very purpose of Bill C-55.

It is for these reasons that I did not support this amendment.

As the previous Minister of Fisheries, Oceans and the Canada Coast Guard put it:

The interim protection MPA proposed under Bill C-55 addresses this gap in conserving our oceans' biodiversity. This new tool would give us the option to establish interim protection where initial science and consultation tell us we need to act in a precautionary manner. These MPAs provide a clearly defined geographical space that is recognized and managed through a new legal mechanism, a ministerial order, and are developed to achieve the long-term conservation of nature with associated ecosystem services and cultural values.

• (1550)

I believe that Bill C-55 strikes a balanced and responsible approach to providing protection for at-risk marine areas as originally received in this chamber. While I do not support the two amendments adopted at committee stage for the reasons I have stated, if it is the will of this chamber, I will agree to sending this bill back to the other place where these amendments will be considered and dealt with.

(On motion of Senator Housakos, debate adjourned.)

BILL TO AMEND CERTAIN ACTS AND REGULATIONS IN RELATION TO FIREARMS

TWENTY-FIRST REPORT OF NATIONAL SECURITY AND
DEFENCE COMMITTEE—DEBATE ADJOURNED

The Senate proceeded to consideration of the twenty-first report of the Standing Senate Committee on National Security and Defence (Bill C-71, An Act to amend certain Acts and Regulations in relation to firearms, with amendments and observations), presented in the Senate on April 10, 2019.

Hon. Gwen Boniface moved the adoption of the report.

She said: I rise today at report stage as Chair of the Standing Senate Committee on National Security and Defence to outline the changes to Bill C-71, An Act to amend certain Acts and Regulations in relation to firearms.

I would like to thank members of the committee for their collegial and organized approach to the clause-by-clause process. I would also like to thank officials who appeared for their expertise and knowledge of the subject matter and their cooperation in tracking down answers to questions that were raised.

Colleagues, many changes were made to Bill C-71 during clause-by-clause consideration. I will outline them for you over the following few minutes. I will begin with changes to the Firearms Act.

Clause 2 of the bill was amended to remove the provision that permitted a Chief Firearms Officer to review the lifetime history of a licence applicant or a current holder looking to renew their licence. This effectively keeps us under the current regime in which the past five years would be under review.

Clause 4 of Bill C-71 included the provisions that dealt with the authorization-to-transport regime, which many of you may recall. This clause was deleted in its entirety at committee. This again will keep Canada operating as it has been to this point, which allows automatic ATTs for transport of restricted and prohibited firearms to gun shows, gunsmiths and border stations, along with the automatic ATT provided for shooting ranges.

Because clause 4 was deleted consequentially, clauses 6, 8 and 15 were also deleted, as they are tied to the implementation of clause 4. A new clause was adopted at committee, clause 11.1, which adds annual reporting to Parliament on the impacts of classification decisions on firearms, businesses and owners. This addition would also put in place a timeline that the minister must meet to table the reports.

Now let me turn to changes to the Criminal Code.

Clauses 16 and 18 were deleted at clause-by-clause consideration. The effect of these deletions is that the Governor-in-Council will continue to have the ability to downgrade the classification of firearms after a classification has been identified by the RCMP firearms centre.

Consequentially, all of clauses 19, 20 and 21 were also deleted to ensure consistency within the legislation after the deletion of clause 18.

Also as a result of clause 18 being deleted, rule 10-5 was administered to return to clause 1 of Bill C-71. It was advised that this clause would also be deleted, which was the case.

Further, our committee appended an observation to the report, which recommends that the government consider compensating businesses affected by Bill C-71 in circumstances where firearms within inventories are classified as prohibited.

Senators, I recognize the complexity of our committee clause-by-clause deliberation, which is why I will provide this summary of what I just explained: Clause 2 was amended and new clause 11.1 was added to the bill. All of clauses 1, 4, 6, 8, 15, 16, 18, 19, 20 and 21 were deleted. That is my report.

Hon. André Pratte: Honourable senators, last Monday, a wafer-thin majority on the Standing Senate Committee on National Security and Defence eviscerated Bill C-71, removing three of its five main provisions.

Bill C-71 contains a set of pragmatic, reasonable measures that will strengthen Canada's gun control regime while respecting the rights and privileges of firearms owners, the overwhelming majority of which are good, law-abiding citizens. These measures are necessary because in recent years, gun violence has significantly increased in the country. This violence is in part due to gang violence, but non-gang-related gun violence is also on the rise. Meanwhile, between 500 and 600 Canadians take their own lives each year with a gun.

The amendments adopted in committee, if they were to be confirmed by the Senate, would make it easier for violent and suicidal persons to get their hands on a gun. They would hinder police investigations, and they would politicize firearm

classification. On the other hand, the provisions contained in Bill C-71, modest though they are, would help in the fight against violence.

The committee's amendments are hostile to the principle, to the intent of the bill, which is to improve our firearm control system in order to reduce the harm inflicted by guns. This is a principle that is endorsed by a majority of Canadians and — I think — endorsed by the majority in this chamber, as indicated by the second reading vote. This is why, in my opinion, we should reject the committee's report.

Colleagues, I was appointed to the Senate three years ago. With each day that passes, I realize how much I still have to learn. The first time someone raised with me the possibility of rejecting a committee's report, I felt uneasy. What? Reject the committee's hard work? After all, didn't they hear dozens of witnesses and weigh the evidence? Yes, they did. And I'm grateful, as I'm sure you are, for the work this committee has done, as we're all proud of the great work accomplished by our committees in general.

I want to thank the chair, Senator Boniface, for doing a superb job in piloting the committee's work. I also want to sincerely thank the bill's critic, Senator Plett, and all the members of the committee for debating this polarizing issue in a thorough and respectful manner.

This being said, the *Rules of the Senate* make it crystal clear that the Senate is under no obligation whatsoever to accept the committee report. In fact, amending or rejecting such a report is a perfectly ordinary thing.

As is noted in *Senate Procedure in Practice*:

The Senate must then make a decision on the report by adopting, rejecting or amending it. . . . If the Senate rejects a report on a bill containing proposed amendments, the amendments are defeated and the bill without amendment may proceed to third reading.

Speaker Charbonneau said it in his January 31, 1991, ruling:

When we send Bills to committee we do so essentially to get advice from the committee. But. . . the Senate cannot be bound by the advice that it receives from a committee. In other words, the Senate must remain master of its own decisions.

Although the rejection of a committee's report does not happen too often, it is by no means an exceptional measure. During the Fortieth Parliament, for instance, it happened at least four times. Rejecting the report would not mean that the committee had no right to amend the bill — of course not. It was perfectly within its rights. But it would express quite clearly that the Senate disagrees with amendments that go so far as to surgically removing the heart and lungs of this piece of legislation.

If we vote down this report at third reading, we will have the original bill before us in the state it was in before the bill was nearly entirely debilitated of all its purpose in committee. Of course, senators will then be free to propose amendments, but these amendments will be considered by the Senate as a whole.

[*Translation*]

As I said earlier, the committee eliminated three of Bill C-71's five main provisions. Very little remains of the original bill.

I would like to remind senators that Bill C-71 stems from a clear promise made by the Liberal Party of Canada during the 2015 election campaign. In fact, the bill practically quotes the firearms section of the Liberals' election platform word for word.

Agreeing to the amendments that the Standing Senate Committee on National Security and Defence made to the bill would violate the mandate the government was given in 2015 with regard to firearms.

• (1600)

I would now like to remind senators, as briefly as possible, of the changes the committee made to Bill C-71. It is all bit technical, but there is nothing technical about the impact of these changes. We are talking about human lives.

Right now, when someone applies for a firearms licence, the law requires that a background check be conducted for the previous five years. Bill C-71 proposes to expand the scope of background checks to cover the applicant's entire lifetime. It is easy to understand why. Any act of domestic violence, for example, or any suicide attempt that occurred more than five years ago is certainly still relevant when determining whether a person should be allowed to own a firearm.

However, because of a close vote, the National Security and Defence Committee did away with that measure. That is a giant step back that deprives vulnerable people of the additional protection they could have had under Bill C-71.

[*English*]

In Canada, firearms are classified in one of three categories, prohibited, restricted or non-restricted. The criteria for each class are set out in the Criminal Code. The determination of the class to which each firearm model belongs, based on the Criminal Code criteria, is a technical assessment performed by RCMP experts in their laboratory here in Ottawa. In 2015, the previous government introduced changes to the Criminal Code that, in effect, allowed to cabinet to override the RCMP's determination, ignore the Criminal Code definitions and classify a firearm had been determined to be prohibited in a lower category. Bill C-71 proposes to go back to the original language of the Criminal Code so that the final word on gun classification would belong to nonpartisan experts from the RCMP.

In committee, a tie vote led to the defeat of these crucial sections of the bill. If we confirm the committee amendments, cabinet will keep the authorities to arbitrarily override the RCMP's classification decisions.

Honourable senators, this would be very unfortunate. Classifying firearms is a specialized task for which politicians are ill-equipped. The risk is that, similar to what happened four years ago with two models of converted fully automatic rifles, cabinet overrides a decision based on pressures from the gun lobby rather than on rigorous expert evidence.

In its original version, Bill C-71 makes changes to the legal requirements regarding the transportation of restricted and prohibited firearms — the most dangerous of guns. The idea is to restrict the possibility of ill-intentioned gun owners to transport their firearms anywhere they want. The Canadian Association of Chiefs of Police supports this provision, and Chief Constable Adam Palmer of the Vancouver police explains why:

By going to . . . more defined transportation rules, you actually hold people more accountable . . . this would stop people from transporting firearms in their vehicle as frequently . . . reduces the likelihood of theft from vehicles as well.

Yet, the committee on national security rejected these modifications which police forces actively support. Colleagues, in such a matter, I think we would be well advised to follow the counsel of police officers.

Bill C-71 now lies in ruins at our feet. Considering that this bill was part of the Liberal's election platform, and taking into account that a majority of Canadians support the strengthening of our gun control regime, I believe it is our duty to bring back Bill C-71 to its original state so we can debate it here on its merit at third reading, reasoned amendments presented and all.

[*Translation*]

By rejecting the committee's report, we will be preventing violent or suicidal people from obtaining a firearms licence. We will be facilitating police investigations and letting the RCMP experts have the last word on firearms classification.

[*English*]

Colleagues, I could go on at length about why we should not accept the committee's truncated version of Bill C-71, but in the end, there is only one reason that counts: What the Senate decides, with regard to the committee's report, is literally, for hundreds of Canadian women and men, a matter of life and death. Thank you.

Some Hon. Senators: Hear, hear.

(On motion of Senator Plett, debate adjourned.)

[Senator Pratte]

**DIVORCE ACT
FAMILY ORDERS AND AGREEMENTS
ENFORCEMENT ASSISTANCE ACT
GARNISHMENT, ATTACHMENT AND
PENSION DIVERSION ACT**

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Dalphond, seconded by the Honourable Senator Coyle, for the second reading of Bill C-78, An Act to amend the Divorce Act, the Family Orders and Agreements Enforcement Assistance Act and the Garnishment, Attachment and Pension Diversion Act and to make consequential amendments to another Act.

Hon. Paul E. McIntyre: Honourable senators, I rise today to speak at second reading on Bill C-78.

First, I want to thank my colleagues on both sides of this chamber for their thoughtful interventions in this debate. The proposed legislation seeks to amend the federal family laws related to divorce, separation and parenting. Bill C-78 proposes substantial amendments to the Divorce Act, Family Orders and Agreements Enforcement Assistance Act and the Garnishment, Attachment and Pension Diversion Act.

[*Translation*]

Family law in Canada is a shared jurisdiction between the federal government and the provincial and territorial governments. The Divorce Act applies to married couples who divorce. Provincial and territorial laws apply to the following people: unmarried or common-law couples, and married couples who are separated but not divorced.

Since family law is a shared jurisdiction, the federal government must work closely with the provinces and territories on issues arising in this area of law. There has been no major update of federal family law in more than 20 years.

[*English*]

The stated intention of the bill is to meet four key objectives: Promote the best interests of the child; address family violence; help to reduce child poverty; and make Canada's family justice system more accessible and efficient in the context of family breakdown.

The reforms to the Divorce Act seek to protect families, particularly children, from negative outcomes related to separation and divorce.

Among other measures, Bill C-78 creates new rules for parents who wish to relocate a child after a divorce, introduces child-focused terminology, encourages alternative dispute resolutions and establishes a non-exhaustive list of criteria with respect to the best interests of the child.

It also introduces measures to assist the courts in addressing family violence and simplifies certain processes, including those related to family support obligations.

The reforms to the Family Orders and Agreements Enforcement Assistance Act seek to provide more tools to establish and enforce child support and lessen the need for expensive court costs.

Among other things, the bill allows the release of information to help obtain and vary a support provision, expands the release of information to other provincial family justice government entities. It also permits the garnishment of federal money to recover certain expenses related to family law and extends the binding period of a garnishee summons.

Last, Bill C-78 also amends the Garnishment, Attachment and Pension Diversion Act to, among other things, give priority to family support obligations and simplify the processes under the Act.

As well as introducing amendments to the three federal statutes, Bill C-78 brings two international conventions into force in Canada: The 1996 Hague Convention on the Protection of Children, and the 2007 Hague Child Support Convention.

It is important to note that Canada cannot ratify and become a party to the conventions until the changes proposed in this bill are made.

Being a party to the conventions would make it easier to resolve some family law issues when one or more of the parties lives in another country.

[*Translation*]

The House of Commons adopted five significant amendments to improve Bill C-78. One of the amendments would give litigants the right to use the official language of their choice in divorce proceedings and hearings before the lower courts.

[*English*]

Although Bill C-78 proposes substantial changes to family law in Canada, many of these changes make sense.

Generally speaking, we can be supportive of the bill's intentions and objectives of protecting the best interests of children, helping to reduce child poverty and addressing family violence. In addition, the bill aims to reduce delays in the justice system, save costs and increase efficiency. However, there are some areas of the bill that we should question and seek clarifications.

The court's determination of the best interests of the child must consider the presence of any family violence and its impact. True, Bill C-78 addresses the issue of family violence, which is one of the four objectives of the bill.

The term "family violence" is broadly defined to include physical abuse, sexual abuse, threats of harm to person, pets and

property, harassment, psychological abuse and financial abuse. Unfortunately, definitions of what constitutes psychological and financial abuse are not found in the bill. Further clarification is needed so that priority is not given to certain factors over others.

Moreover, in reading the bill, one notes that the proposed intent is to include domestic violence in the concept of family violence. However, as noted by colleagues, the bill fails to include and define the notion of domestic violence against women. It is therefore imperative that the vocabulary or terminology of domestic violence against women in the context of family violence be clearly defined in Bill C-78.

The bill also fails to provide a gender-based analysis of family violence.

Additionally, some commentators have pointed out that some definitions in Bill C-78 such as "decision-making responsibility" is too ambiguous. It refers to "significant decisions" and "significant extra-curricular activities," which are not clear. Moreover the definition of "family dispute resolution processes and family justice services" as well as "family member" are vague.

Another area of concern is that Bill C-78 includes a "maximum parenting time" provision that appears similar to the "maximum contact principle" enshrined in the current Divorce Act. However, the bill does not introduce a presumption of equal shared parenting or what is commonly referred to as joint custody.

I note that the bill is now at second reading, and for the purpose of addressing those concerns, I invite the sponsor of the bill to refer this matter to committee for further consideration.

An Hon. Senator: Question!

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

It was moved by the Honourable Senator Dalphond seconded by Coyle that this bill be read a second time.

Hon. Senators: Agreed.

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

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

The Hon. the Speaker pro tempore: Honourable senators, when shall this bill be read the third time?

(On motion of Senator Dalphond, bill referred to the Standing Senate Committee on Legal and Constitutional Affairs.)

[Translation]

THE SENATE

MOTION TO AFFECT QUESTION PERIOD
ON APRIL 30, 2019, ADOPTED

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of April 10, 2019, moved:

That, in order to allow the Senate to receive a Minister of the Crown during Question Period as authorized by the Senate on December 10, 2015, and notwithstanding rule 4-7, when the Senate sits on Tuesday, April 30, 2019, Question Period shall begin at 3:30 p.m., with any proceedings then before the Senate being interrupted until the end of Question Period, which shall last a maximum of 40 minutes;

That, if a standing vote would conflict with the holding of Question Period at 3:30 p.m. on that day, the vote be postponed until immediately after the conclusion of Question Period;

That, if the bells are ringing for a vote at 3:30 p.m. on that day, they be interrupted for Question Period at that time, and resume thereafter for the balance of any time remaining; and

That, if the Senate concludes its business before 3:30 p.m. on that day, the sitting be suspended until that time for the purpose of holding Question Period.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[English]

ADJOURNMENT

MOTION ADOPTED

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of April 10, 2019, moved:

That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, April 30, 2019, at 2 p.m.

She said: I move the adoption of 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.)

[Translation]

THE ESTIMATES, 2019-20

NATIONAL FINANCE COMMITTEE AUTHORIZED
TO STUDY MAIN ESTIMATES

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of earlier this day, moved:

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Main Estimates for the fiscal year ending March 31, 2020, with the exception of Library of Parliament Vote 1; and

That, for the purpose of this study, the committee have the power to sit, even though the Senate may then be sitting, with rule 12-18(1) being suspended in relation thereto.

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

Hon. Senators: Agreed.

(Motion agreed to.)

JOINT COMMITTEE ON THE LIBRARY OF PARLIAMENT
AUTHORIZED TO STUDY VOTE 1 OF THE MAIN ESTIMATES

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of earlier this day, moved:

That the Standing Joint Committee on the Library of Parliament be authorized to examine and report upon the expenditures set out in Library of Parliament Vote 1 of the Main Estimates for the fiscal year ending March 31, 2020; and

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

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

Hon. Senators: Agreed.

(Motion agreed to.)

**NATIONAL MATERNITY ASSISTANCE
PROGRAM STRATEGY BILL**

THIRD READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Mégie, seconded by the Honourable Senator Dasko, for the third reading of Bill C-243, An Act respecting the development of a national maternity assistance program strategy.

Hon. Marie-Françoise Mégie: Honourable senators, although it is late, I am pleased to rise today as sponsor to speak at third reading of Bill C-243, An Act respecting the development of a national maternity assistance program strategy.

I thank Mark Gerretsen, the member for Kingston and the Islands, the bill's sponsor in the other place, for this important initiative. I also want to thank my honourable colleagues who took the time to study this bill and vote on it.

Lastly, I want to thank Senator Petitclerc, Chair of the Standing Senate Committee on Social Affairs, Science and Technology, as well as the committee's members, for their careful study of this bill.

The committee met three times between November 7 and December 6, 2018, to carry out this excellent work. It heard testimony and expertise from 12 witnesses, including two appearing as individuals and 10 appearing as government officials or representatives of women's rights groups and professional associations. I think that my colleagues have covered almost all there is to say about Bill C-243, but there are three points that I would draw your attention to.

• (1620)

[*English*]

The bill calls on the federal government to develop a comprehensive strategy to support pregnant women and engage in broad consultations in collaboration with provincial and territorial governments.

[*Translation*]

That is the essence of this bill. As I said here at second reading stage, Bill C-243 directs the Minister of Employment and Social Development to conduct cross-Canada consultations, bearing in mind provincial and territorial jurisdiction, on the prospect of developing a national maternity assistance program to support women who are unable to work due to pregnancy and whose employer is unable to accommodate them.

Consultations will cover a number of issues, such as the demand for this kind of national program, different types of workplaces, the adequacy of existing programs, social benefits and legal implications. Once this national program is set up, it will apply to women employed in federally regulated workplaces.

It will become a model of best practices, the standard that provinces and territories can look to when developing their own programs.

In committee, participants emphasized the importance of including transparency and accountability measures to ensure that the findings of the consultations will be available within three years of the bill coming into force.

Since December 2017, the federal government has relaxed certain special unemployment provisions, such as maternity benefits, and made them more inclusive. Amendments were made to the Employment Insurance Act to provide earlier access to maternity benefits. This ensures that pregnant workers can receive these benefits as early as 12 weeks before their expected delivery date instead of eight weeks.

Furthermore, in budget 2018, the Government of Canada proposed a new five-week EI parental sharing benefit. This benefit became available on March 17, 2019.

However, Canada, with the exception of Quebec, still does not have a long-term national strategy to keep pregnant women safely employed. Current legislation discourages interested women from working in occupations traditionally held by men. In 1981, the Quebec provincial government sought to address the inequality that pregnant women may experience. Under the safe maternity experience program, women have the option of preventive withdrawal under certain conditions. Women also collect income replacement benefits while on preventive withdrawal.

The preamble to Bill C-243 acknowledges the Quebec program and the fact that the bill was inspired by the positive impact of that program.

Point number 2:

[*English*]

This bill is about taking steps towards gender equality. Motherhood should not be a leading trigger for poverty.

[*Translation*]

As we all know, women's participation in the Canadian labour force and their economic security have changed dramatically in recent decades. Women play a significant role in diversifying our economy and keeping our businesses competitive and our country prosperous.

Despite everything that federal, provincial and territorial governments have done to promote equal rights, gender inequalities persist to this day. That is especially true for pregnant women. They encounter major obstacles arising from legislative systems and structures that are not designed with the realities of pregnancy and childbirth in mind. That puts these women in a vulnerable position. Women who want children have to bear an additional financial burden if their employer cannot eliminate job-related hazards, modify their duties or reassign them to other duties. That goes double for pregnant women whose job is so hazardous that they have to stop working early in their pregnancy. Such women become financially and

psychologically vulnerable because of their sex. They have to deal with a gap in their income from the time their EI sickness benefits run out until their maternity benefits kick in.

This is how they end up on a path towards poverty. That is what happened to one of our witnesses, Melodie Ballard, who was the inspiration for this bill in the other place. During her gap with no income, she was forced to give up her home and move into a travel trailer, after moving 11 times in one year.

Point number 3.

[*English*]

Lastly, a woman should not have to choose between working in the field of her dreams and the health of her unborn child.

[*Translation*]

Senator Miville-Dechéne gave an eloquent reminder at the end of her speech. She said:

No woman should have to choose between her job and the health of her unborn child.

Other points that can have an impact on a female worker's decision were raised in committee. They include the following:

- (a) awareness among the various stakeholders of the difficulties women experience during pregnancy and childbirth;
- (b) awareness among governments, employers, female workers and unions of the specific needs of women whose duties have to be adapted or modified because of the risk that they pose;
- (c) awareness of the harassment a woman can face in the workplace as a result of her pregnancy; and
- (d) the need to adopt a human-rights-based approach that ensures respect for the dignity of pregnant workers and that eliminates discrimination in the workplace against these women.

Honourable senators, I applaud these brave, intrepid women who choose to start a family while working in high-risk jobs. Some of them do so on their own, without sharing parental responsibilities with a partner. Today we are thinking of them and all the obstacles they must overcome. Bill C-243 doesn't purport to address all of the inequalities these women face, but it does present an opportunity for us to listen to them and do something to make things a little easier for them.

Honourable senators, for our daughters and granddaughters, for other women like Melodie and for all Canadian women, I urge you to support Bill C-243 and pass it as soon as possible. Thank you.

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

[Senator Mégie]

[*English*]

SIKH HERITAGE MONTH BILL

THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Marwah, seconded by the Honourable Senator Wetston, for the third reading of Bill C-376, An Act to designate the month of April as Sikh Heritage Month.

Hon. Leo Housakos: Honourable colleagues, I rise today to speak in support of Bill C-376, An Act to designate the month of April as Sikh Heritage Month.

Canada is home to the largest Sikh population outside of India. Sikhs have a long and deep-rooted history in Canada, dating back to 1867 when it was believed that the first known Sikh, Major Kesur Singh, settled in Vancouver, British Columbia.

As a senator from Montreal, I can appreciate the pride and success of our Sikh community. It is small but vibrant and has made a huge contribution to the fibre of Montreal. And I know how important the Sikh community is across British Columbia as well, and right across the country.

Although one of the first and largest Sikh communities was established in the Vancouver area, there were also Sikh pioneers who settled in Victoria, the interior of B.C. and, of course, the lower Fraser Valley, which includes Abbotsford, Mission and Chilliwack.

• (1630)

For over 120 years, Sikh pioneers have played an important role in Canada's nation building and have made significant contributions to the Canadian economy, to our multicultural fabric and to the political landscape of Canada. Records show that the earlier wave of immigrants worked in lumber mills, in forestry and farming, and in building the historic Canadian Pacific Railway.

Like many Canadians who responded to the call of duty in 1914 when World War I began, a group of Sikhs, men who had immigrated to Canada from India, enlisted in the Canadian Army, ready to serve. These soldiers selflessly fought alongside their fellow Canadian brothers in arms for freedom and democracy.

Sikhs are known for their welcoming spirit and promotion of human rights. They are advocates of freedom of religion and equality, particularly the equality of men and women. Moreover, they are called upon by their faith to dedicate their lives to the pursuit of justice and service to others.

In 1908, the first historic Sikh gurdwara, or place of worship, was established in the Fraser Valley. This magnificent monument is a true testament of the strength, dedication and perseverance of the Sikh community. Today, the Abbotsford gurdwara remains the oldest surviving gurdwara in North America and reminds us of the immigrant experience of Sikhs in Canada and is a true symbol of their faith and spirituality.

April is a significant month in the Sikh community. It is the month in which Vaisakhi, a religious and historical festival, marks the new year. Vaisakhi commemorates the founding of the Sikh community in 1699 and is referred to as the Khalsa under Guru Gobind Singh. It is a time when Sikh families and friends come together and celebrate the spring harvest festival, often with parades and special processions throughout the streets. Gurdwaras, or Sikh places of worship, hold kirtans, which include the devotional singing of scriptures and legends.

I have yet to participate in this wonderful activity in Vancouver, but I understand it is quite a celebration. I hope that very soon I will have the pleasure of attending a Vaisakhi parade during the month of April in Vancouver to celebrate the Punjabi and Sikh new year.

Fortunately, my friend and colleague Senator Yonah Martin has attended a large number of these events throughout the years and this weekend will be attending this year's Vancouver Vaisakhi festival with the Honourable Andrew Scheer, Member of Parliament Alice Wong, and many others.

To quote my colleague in the other place, Member of Parliament Bob Saroya, when speaking to this bill in the House of Commons, the designation of April as Sikh heritage month "would provide Sikhs and Canadians alike with an opportunity to reflect on, celebrate and educate future generations about the inspirational role that Sikh Canadians have played and continue to play in communities across Canada."

Both our former Prime Minister Stephen Harper and current Opposition Leader Andrew Scheer have expressed their support of the Sikh communities across Canada and the importance of preserving Sikh heritage in Canada.

Honourable senators, I am proud to support this bill along with my colleagues the Honourable Senator Yonah Martin and the Honourable Senator Salma Ataullahjan, who is our friendly critic of this bill. I would like to commend her and Sabi Marwah, sponsor of the bill in the Senate, as well as Member of Parliament Sukh Dhaliwal, the initiator of the bill in the House of Commons, and of course Bob Saroya from the House of Commons, another friendly critic of the bill, for all their hard work and determination in moving this bill forward.

I ask all honourable senators to join us in supporting Bill C-376, which will officially declare April as Sikh heritage month and celebrate the wonderful contribution the Sikh community has made to Canada.

Hon. Senators: Hear, hear.

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

Some Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to and bill read third time and passed.)

BUSINESS OF THE SENATE

Hon. Diane Bellemare: Honourable senators, I ask for leave of the Senate to proceed to the Notice Paper now.

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

Hon. Senators: Agreed.

[*Translation*]

THE SENATE

MOTION TO URGE THE GOVERNMENT TO INVOKE THE GENOCIDE CONVENTION TO HOLD MYANMAR TO ITS OBLIGATIONS AND TO SEEK PROVISIONAL MEASURES AND REPARATIONS FOR THE ROHINGYA PEOPLE—DEBATE ADJOURNED

Hon. Marilou McPhedran, pursuant to notice of April 3, 2019, moved:

That the Senate urge the Government of Canada without further delay to invoke the Genocide Convention and specifically to engage with like-minded States to pursue the matter before the International Court of Justice in order to hold Myanmar to its obligations and to seek provisional measures and ultimately reparations for the Rohingya people;

That the Senate urge Canada to exert pressure on Myanmar to release the jailed Reuters journalists, and to allow for unobstructed access to Rakhine State by independent monitors in order to investigate the international crimes committed and to afford protection to remaining Rohingya;

That the Senate urge the Government of Canada to continue to assist the Government of Bangladesh through multilateral aid in addressing the humanitarian needs of the Rohingya refugees, with particular focus on the needs of women and children, including education; and

That a message be sent to the House of Commons requesting that house to unite with the Senate for the above purpose.

She said: Honourable senators, I rise today to speak to my motion, which calls on the Government of Canada to invoke the Genocide Convention with respect to the ongoing genocide committed by Myanmar against the Rohingya people and to pursue the matter before the International Court of Justice. As a

member of the international community, Canada has a duty to hold Myanmar to account for the crime of genocide committed against the Rohingya people.

[*English*]

April marks the month of genocide remembrance, condemnation and prevention. This is a month of sober remembrance. It is a time for us to reflect on the meaning we ascribe to the words “never again.”

Today I acknowledge that we are standing on the surrendered Indigenous territory of the Algonquin people. On this land, the Canadian government committed genocide against the Indigenous people of Turtle Island, which included the forcible removal of children into residential schools.

A few days ago, April 7, we observed the National Day of Reflection on the Prevention of Genocide. Senators Andreychuk and Cormier, along with other senators, welcomed civil society and parliamentarians here to mark the twenty-fifth anniversary of the outbreak of the Rwandan genocide.

In only 100 days — from April to July 1994 — nearly 1 million Tutsis were slaughtered, enabled by a lack of action by the international community — well-documented inaction by Canadians like retired Senator Roméo Dallaire and Dr. James Orbinski of Doctors Without Borders, who refused to abandon Rwanda.

Colleagues, let’s recall the words “never again,” taken up after the Holocaust of the Second World War, when millions of Jewish people, along with people with disabilities, Roma and homosexuals, were murdered with vicious, hate-driven efficiency.

From the horror of mass atrocities, Jewish lawyer Raphael Lemkin built the word “genocide” from the ancient Greek word “*genos*,” for “race” or “tribe,” and the Latin word for “killing,” “*cide*.” He helped to draft what became the first UN human rights treaty, the Genocide Convention of 1948, which was not activated until 1951 — after 20 countries, including Canada, had ratified it.

Days ago, Rwandan genocide survivors reminded us, here in the Senate of Canada Building, of how the world failed them in 1994. In truth, it is more accurate to say “again, again, again” than to mouth “never again,” after each fresh set of massacres intended to destroy a people, whether in Europe, Africa, or now — 25 years after Rwanda — in Myanmar, as the world watches the ongoing cleansing operation directed by the Tatmadaw, Myanmar’s military rulers, which started in 2017, resulting in coordinated mass rapes across hundreds of villages and different districts, occurring in ways that cannot be seen as coincidental. The aim of those rapes, resulting in thousands of Rohingya women being forcibly impregnated, were part of the state of Myanmar strategy to destroy the Rohingya, specifically included in the definition of genocidal actions defined in the convention.

[Senator McPhedran]

Over 720,000 Rohingya have escaped genocide in the Rakhine state in Myanmar, fleeing from the evil but familiar genocidal techniques of murder, rape, mutilation and burning whole communities, escaping into neighbouring Bangladesh.

• (1640)

The joint motion of both houses of Canada’s Parliament last fall made us the first country to officially name this as genocide. For those who remain in Myanmar, the attacks are ongoing, as the Government of Myanmar has continued its persecution of the remaining Rohingya and, just as happened in the Nazi Holocaust, the attacks are extending to other ethnic groups, such as the Kachin, the Kayan, the Shan and the Chin minorities in Myanmar.

The volume and pace of refugee arrivals in Bangladesh made this the fastest-growing refugee crisis in the world, with a concentration of refugees in Cox’s Bazar, a camp on the coast of Bangladesh, among the densest in the world. Just weeks ago, Bangladesh informed the UN Security Council that Rohingya refugees fleeing Myanmar will no longer be accepted.

Honourable senators, why should the Canadian Senate consider another motion on the Rohingya genocide? Why is the motion before you today focused on Canada taking specific action under the Genocide Convention? Because Canada ratified the Genocide Convention in 1951 and Myanmar ratified it in 1956, so both are state parties to this international law. However, as set out in the motion before you, Myanmar continues to defy international norms and standards, including the imprisonment of journalists and the denial of access to the UN Special Rapporteur.

As international human rights expert, Professor John Packer, recently noted, the essential thrust of the Genocide Convention — the repeated call of never again — is prevention. Prevention entails positive duties. The International Law Commission has made it clear that matters such as genocide are available to any and all interested states, not just those directly damaged. Failure of state parties to the Genocide Convention to take action to prevent genocide, or, once begun, failure to take action to prevent further acts of genocide, thus constitutes a breach of the Genocide Convention.

As further noted by Professor Packer, in this regard it is essential to understand that the character of the Genocide Convention is, above all, a matter of state obligation, where breaches engage state responsibility and the attendant law of state responsibility.

Colleagues, in November 2017, I was on the parliamentary delegation in Bangladesh briefed by the Honourable Bob Rae on the very evening that he returned from the Cox’s Bazar Rohingya refugee camp. I’ve known him since law school, and as many others in this chamber who know him will likely agree, he’s like a rock in even the most tense situations.

But not that evening, and not this past June when he testified before our Senate Human Rights Committee, near the end of his mandate as the Special Envoy for the Prime Minister, where he broke down and told the senators:

The camps are full of young people, and the thing that I felt as a father and a grandfather is, these are just kids.

In September 2018, the report of the Independent International Fact-Finding Mission on Myanmar by the UN Human Rights Council stated that the Tatmadaw, the ruling armed forces of Myanmar, continue to use rape and sexual violence as a part of a:

. . . deliberate strategy to intimidate, terrorize or punish the civilian population. They are used as a tactic of war.

The UN fact-finding report also urged for senior generals of the Myanmar military to be investigated and prosecuted in an international criminal tribunal for genocide, crimes against humanity and war crimes.

In that same month of September 2018, the Parliament of Canada unanimously adopted MP Andrew Leslie's motion, recognizing that the crimes committed by Myanmar against the Rohingya constitute the crime of genocide. As we know, Senator Omidvar brought that motion to us and, as a result, both houses of the Canadian Parliament named it a genocide, an action of which we can be pleased.

Canadians care. Canadians look for ways to make a positive difference, locally, national and internationally. For example, city councillors in municipalities across Canada, including our largest cities of Montreal and Toronto, are tabling motions this month calling for the end of Myanmar's genocide against the Rohingya.

At the UN Forum on Minority Issues in November of 2018, Nurul Islam, Chair of the Arakan Rohingya National Organisation, presented a statement on behalf of the Rohingya people, calling for the international community to invoke the Genocide Convention against Myanmar.

Canadian human rights academic centres, such as the Montreal Institute of Genocide and Human Rights Studies at Concordia University, the Raoul Wallenberg Centre for Human Rights, affiliated with McGill University, and the Human Rights Research and Education Centre at the University of Ottawa, have also called for Canada to follow up on its joint parliamentary motion by taking further action to invoke the Genocide Convention, which we can do as a state party.

This action would be consistent with the motion already accepted in both houses of our Parliament, and it is this action that is at the heart of the motion before you today.

As Canadians, we take pride in our leadership on international human rights. However, our commitment to human rights is not just defined by the speeches we give in Parliament or at the UN, or even by the dollars we commit to international development. Our commitment to human rights is defined by what we say and what we do in response to egregious human rights violations, including the crime of genocide.

Honourable senators, this Genocide Remembrance, Condemnation and Prevention Month, let us remember the millions of human lives that have been lost to genocide, including those that were lost in the Holodomor, the Armenian Genocide, the Holocaust, the Rwandan Genocide, the Srebrenica genocide, the Cambodian Genocide and the Darfur Genocide.

Let us acknowledge this by taking further action for the hundreds of thousands of Rohingya who have been driven from home. With this motion, we can do more than remember. We can take action consistent with our obligations under international human rights law to hold the Government of Myanmar accountable for the ongoing genocide against the Rohingya, the Kachin, the Karan, the Shan and Chin minorities.

Sixty-eight years after Canada ratified the Genocide Convention, let us ensure that the words, "never again," are not said too late yet again. I invite you to consider and give your support to this motion which, if passed, will be taken to the other place, where a Member of Parliament is waiting to move there as well.

Thank you. *Meegwetch.*

Hon. Josée Forest-Niesing: I have a question for the senator.

The Hon. the Speaker: Senator McPhedran, your time is about to expire. Are you asking for a couple of minutes to answer a question?

Senator McPhedran: Yes.

Senator Forest-Niesing: Thank you, honourable senator, for bringing to light the importance of this particular motion. You're quite right that Canadians do care. As a Canadian, I care and am very preoccupied and compelled to take action.

I wonder, however, given the fact that Myanmar has not co-operated with other international efforts, including denying access to the UN Special Rapporteur, if it's not clear if Myanmar will consent to the process if Canada brings it before the International Court of Justice.

• (1650)

So I wonder, if the Senate accepts your motion urging the government to invoke the Genocide Convention, what are the chances that Myanmar will be held to account before the International Court of Justice?

Senator McPhedran: I thank the honourable senator so much for a very good and quite tough question. It is true, as the senator has pointed out, that Myanmar has not accepted the compulsory jurisdiction of the court pursuant to article 36(2) of the International Court of Justice statute. However, both Myanmar and Canada are state parties to the genocide convention itself which allows Canada, as a state party, to rely on Article 9 of the convention. That article provides that disputes between the contracting parties relating to the interpretation, application or fulfilment of the convention, including those relating to the responsibility of a state for genocide, can be submitted to the International Court of Justice by a state party.

Myanmar has not made any reservations under Article 9 of the genocide convention. Therefore, Myanmar, as a state party, is bound by obligations under the genocide convention to appear before the International Court of Justice. Of course, before pursuing any intervention, military or otherwise, we must exhaust the resources available to us under international human rights law, and this motion reinforces this approach. The International Court of Justice is there for exactly this kind of situation. Thank you.

(On motion of Senator Omidvar, for Senator Bernard, debate adjourned.)

ABORIGINAL PEOPLES

COMMITTEE AUTHORIZED TO MEET DURING
SITTING OF THE SENATE

Hon. Lillian Eva Dyck, pursuant to notice of April 9, 2019, moved:

That the Standing Senate Committee on Aboriginal Peoples have the power to meet on Thursday, May 2, 2019, from 1 p.m. to 4 p.m., for the purposes of its study on the subject matter of Bill C-92, An Act respecting First Nations, Inuit and Métis children, youth and families, 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: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to.)

[*Translation*]

FISHERIES AND OCEANS

COMMITTEE AUTHORIZED TO MEET DURING
SITTING OF THE SENATE

Hon. Marc Gold, for Senator Manning, pursuant to notice of April 9, 2019, moved:

That the Standing Senate Committee on Fisheries and Oceans have the power to meet, in order to continue its study of Bill C-68, An Act to amend the Fisheries Act and other Acts in consequence, on Tuesday, April 30, 2019, from 5 p.m. to 9 p.m., even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

He said: Honourable senators, I move the motion standing in my name.

[Senator McPhedran]

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

Hon. Senators: Agreed.

(Motion agreed to.)

[*English*]

NATIONAL SECURITY AND DEFENCE

COMMITTEE AUTHORIZED TO DEPOSIT REPORT ON STUDY OF
NATIONAL SECURITY AND DEFENCE POLICIES, PRACTICES,
CIRCUMSTANCES AND CAPABILITIES WITH CLERK DURING
ADJOURNMENT OF THE SENATE

Hon. Gwen Boniface, pursuant to notice of April 10, 2019, moved:

That the Standing Senate Committee on National Security and Defence be permitted, notwithstanding usual practices, to deposit with the Clerk of the Senate, between April 29 and May 10, 2019, a report relating to its study on Canada's national security and defence policies, practices, circumstances and capabilities, if the Senate is not then sitting, and that the report be deemed to have been tabled in the Senate.

She said: Honourable senators, I move the motion in my name.

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

Hon. Senators: Agreed.

(Motion agreed to.)

REVIEW OF LEGISLATION IN THE SENATE OF CANADA

INQUIRY—DEBATE ADJOURNED

Hon. Percy E. Downe rose pursuant to notice of February 26, 2019:

That he will call the attention of the Senate to:

- (a) The regrettable failure of the Senate, on occasion, to perform its important duty of providing careful review of legislation. Many times over the years, senators have been urged and pressured by members of the government of the day to pass legislation as quickly as possible. However well intentioned, rushing legislation can have a long term negative impact;
- (b) The example of the report last week by the Parliamentary Budget Officer “The cost differential between three regimes of Veterans Benefits”, which once again serves as a reminder of the rapid passage in 2005 of Bill C-45, the legislation enacting the New Veterans Charter which replaced the Pension Act;

- (c) Bill C-45, which passed through both Houses of Parliament with a haste that did not reflect the serious impact of such legislation;
- (d) The fact that having passed the House of Commons in two minutes, so quickly that second reading, committee study and third reading were deemed to have taken place over the space of those two minutes, Bill C-45 came here, where the four hours plus of chamber and committee debate was vastly more study than happened in the other place, but still in no way constituted the sober reflection and analysis that is our duty;
- (e) The fact that the report of the Parliamentary Budget Officer last week demonstrated that the New Veterans Charter did not work as its proponents had promised, and as a result of senators' failure to properly examine Bill C-45, disabled veterans and their families paid, and continue to pay the price. As the Parliamentary Budget Officer says in his report "From the perspective of the veteran, virtually all clients would be better off if they were to receive the benefits of the Pension Act.", which the New Veterans Charter replaced;
- (f) The fact that the Senate was in such a rush to pass the Bill that we referred it for a single meeting to the next committee that was scheduled to sit, not Defence or Veterans' Affairs, but National Finance. And at that meeting, we were warned, but failed to heed the caution voiced by Sean Bruyee, retired Canadian Forces captain and longtime veterans' advocate who testified, "We all know that the government wants to be seen as honouring veterans, but that does not necessarily mean that their veteran's charter is free of error... We believe disabled veterans and the CF would rather have it right than have a flawed and unjust charter right now";
- (g) The struggle we constantly face in this chamber, as every minister wants their bill passed, often with a real or imagined deadline looming, whether it be international obligations, public messaging, the summer break, or an election. Regarding the latter, it is worth recalling that the request to pass Bill C-45 quickly was so it would not die on the Order Paper prior to the 2006 Election;
- (h) The lessons of the New Veterans Charter experience - that the Senate's failure to do its job resulted in untold millions of dollars not being paid out to disabled veterans and their families. These were Canadian Forces members injured in the service of Canada;
- (i) The opportunity we had to correct the legislation in 2005, and failed to do our job. Senators must reflect upon their obligation to provide sober second thought and to pass, amend, or reject legislation based solely on its merits; and

- (j) Rather than simply standing and repeating platitudes in the days before Remembrance Day every year, let us work to remember them in our actions rather than empty words.

He said: As honourable senators may recall, my inquiry is about finding balance for the Senate between delaying legislation and rushing legislation. Today I will talk about what happens sometimes when we don't approach the duty to review legislation carefully.

Honourable senators, by now, even the newest senators have experienced the desire of the government and their agents to pass government legislation quickly. Although it is understandable for them to want their bills to pass, that does not remove the Senate's right — and duty — to examine those bills and check them for mistakes and unintended impacts.

Over the years, senators have been urged, pleaded with and otherwise encouraged by members of successive governments to pass legislation as quickly as possible. Again, this is understandable. However, I believe we should take the time we need, both as a matter of principle and because we have recently received a reminder of what can happen when we fail to do so. The recent report by the Parliamentary Budget Officer about changes to disabled veterans' benefits under the New Veterans Charter serves as a good lesson on how rushing legislation can have a long-term negative impact.

I have described the course of events in previous speeches and I will briefly highlight them here. In 2005, then-Prime Minister Paul Martin, then-Opposition Leader Stephen Harper and then-New Democratic Party Leader Jack Layton were in the Netherlands to attend ceremonies commemorating the sixtieth anniversary of the end of the Second World War. On the airplane flight back to Canada, they decided to assist veterans and their families by passing the New Veterans' Charter legislation as quickly as possible.

In that respect, they succeeded. From the time it was first spoken to in the House of Commons to the bill receiving Royal Assent, three days passed. The amount of actual debate in chamber and committee was less than five hours. Only two minutes of that five-hour debate was in the House of Commons; the balance was in the Senate.

To be clear, everyone acted with the best of intentions, but we all know what road is paved with good intentions. We did a lot of paving in the Senate leading to the passing of the Veterans charter. Put simply, the Senate failed in its duty. We did not study the legislation carefully. We did not correct the mistakes in the legislation. We were rushing to do our job. Sometimes, many times, it is precisely our job not to rush.

We can't say we weren't warned. At a meeting of the National Finance Committee where the Senate sent the bill, because they were in a rush, rather than to the Veterans Affairs Subcommittee,

Sean Bruyca, a retired Canadian Forces captain and longtime veterans advocate, testified before the committee. He stated:

We all know that the government wants to be seen to be honouring veterans, but that does not necessarily mean that the veterans' charter is free of error. . . We believe that disabled veterans and the CF would rather have it right than have a flawed and unjust charter right now.

Unfortunately, we did not heed his advice. The recent report of the Parliamentary Budget Officer indicated this failure of the Senate has cost disabled veterans and their families millions in lost benefits. These veterans and their families suffered and did not receive the benefits to which they were entitled, and that is the Senate's fault.

More recently, we had another example on how we have been urged to act more quickly than we would have preferred. At the November 22, 2016 meeting of the Senate Foreign Affairs Committee, then International Trade Minister Freeland testified in support of enabling legislation for a World Trade Organization Trade Facilitation Agreement, a TFA that Canada had signed. As is so often the case, there was the desire to pass the legislation with all speed.

The minister stated she believed Canada should ratify it as quickly as possible. She told the committee that for the TFA to come into force, 110 WTO member countries need to ratify it. At that date, 96 countries had ratified it. Minister Freeland said:

It's really important for Canada's status as an effective and energetic participant in the multilateral trade community and in the WTO to be one of the countries whose ratification of the TFA acts to bring it into force.

It might bear noting that at this point the bill had been in the Senate for five weeks. It took 27 weeks for it to go through the House of Commons — a bill, I might add, that enjoyed the support of all the major parties in the house. So the need for energetic participation was rather late in coming.

• (1700)

At the meeting of the committee, of which I was a member at the time, I questioned the rush and the need for such a tight timetable, as I had additional questions. I asked the minister:

If Canada ratifies after the 110, we're still members [of the agreement] and I appreciate there is some face saving, as the minister indicated earlier, but does the minister anticipate 14 countries to ratify in the next week?

She responded, "Absolutely."

And when I expressed further doubt, she said: "Yes. Everyone has been acting on this."

In other words, it was crunch time, and we had better act quickly.

I set aside my concerns in light of the minister's sense of urgency. The committee had one more meeting on the bill, reported it back on Thursday, November 24, and it was passed in

this chamber two sitting days later on Wednesday, November 30. That's a total of six weeks in this chamber, less than a quarter of the time it spent in the House.

When did the WTO finally get 110 ratifications? They did so on February 22, 2017, three months to the day after the minister said she was absolutely sure it would take only a week.

The purpose of this little story isn't to challenge the minister's judgment or powers of prediction. She was merely doing what all ministers do, which is her utmost to get her legislation passed. Every minister wants their legislation passed. They're always convinced that theirs is a good bill that is perfect the way it is, and "anyway, we can fix any problems with it later, after it's passed."

If our newest colleagues haven't heard such arguments yet — with regulations or other adjustments often promised but rarely delivered — I'm sure they will, especially with an election looming. In fact, it is worth remembering that the need to pass the New Veterans' Charter quickly was so it would not die on the Order Paper prior to the 2006 election.

One example of how we did perform our duty comes from the early days of this Parliament. Those of us who were here in December 2015 may recall Bill C-3, an appropriation bill granting sums of money to the government. Once again, the House of Commons acted with very impressive speed: first reading, second reading, Committee of the Whole and third reading, all in 17 minutes. Of course, such speed is possible when you don't actually look at the bill.

It was only when Bill C-3 came to this chamber that it was noted — by Senator Day, as a matter of fact — that the bill wasn't all there. A schedule referred to in the bill was not included in the bill. Blaming "administrative errors," the House of Commons forwarded a corrected version the following day. Needless to say, there was no mention in the other place that it was the Senate that spotted and corrected the error.

Colleagues, nowhere in the Constitution does it say that the purpose of the Senate is to pass government legislation or private members' bills as quickly as possible. No matter how good a bill's proponents think it is, it always needs to be reviewed. And if the New Veterans' Charter has taught us anything, it's that speed is no guarantee of perfection, and that haste, however well-intentioned, is certainly its enemy.

The Senate is currently devoting a great deal of time debating internal procedures and how we structure our business. It is my view that rather than spending our time on this, we should be paying attention to some of the initiatives being undertaken in other countries with regard to openness, transparency and improving the review of legislation before their respective parliaments. Rather than having a detailed discussion about the personal frustrations of the 105 members of this chamber, we should spend our time and efforts to improve legislation for the citizens of Canada and to follow-up on legislation already passed.

For example, an important initiative toward more open government is to select bills already passed by Parliament for a five-year review and to conduct committee hearings to determine

if the legislation achieved the objectives outlined by the government when it was introduced. The Senate might come up with recommendations to further improve such legislation as a result of this process.

A very small number of bills currently have such a mechanism providing for five-year automatic review. Others — again, not many — have a sunset provision where, if passed, the government has to implement the legislation within a given period or reintroduce it.

As I said, these last two examples are more the exception than the rule.

In addition to carefully reviewing proposed legislation before us, these suggestions would lead to the Senate taking a more active role in examining the impact of legislation already passed.

In closing, honourable senators, we would do well to once again be reminded of the words of Sir John A. Macdonald:

There would no use of an Upper House, if it did not exercise, when it thought proper, the right of opposing or amending or postponing the legislation of the Lower House. It would be of no value whatever were it a mere chamber for registering the decrees of the Lower House.

If all we do is approve, then our approval means nothing. Let us remember that as we go forward. Thank you, colleagues.

Hon. Yuen Pau Woo: Thank you, Senator Downe, for the timely reminder of the need to take the time to review bills.

Can you tell us what you have learned about the flaws in the trade facilitation agreement since we passed it in this chamber that have caused you to have second thoughts about the pace at which we are able to get it through this chamber?

The Hon. the Speaker: Senator Downe, your time might expire before you can answer.

Senator Downe: I will be very brief.

My concerns were prior to passing it. I had a host of questions, particularly from people outside the Senate who wanted me to pursue with some vigour, none of which we were able to do, unfortunately, because the rush was on to get it done.

As to the follow-up, it raises a good point about the five-year review I spoke about. For example, we have now passed CETA, the Canada-Europe trade agreement. I've heard from a host of

people in industries about quotas that seem to be springing up unofficially on the European side that are reducing the export levels we had hoped to achieve. In fact, I had a European ambassador say to me recently, "What is Canada doing? Why are we at 85 and 95 per cent in some sectors, and Canada is at 5 and 7?" That's the type of thing we could be looking at if we did a five-year review. I currently put a question to the Library of Parliament on that very topic.

If we had more time, I could go further.

Senator Omidvar: Senator, thank you for your comments. You talked about undesirable results when we rush things through. I wonder if you could reflect on the opposite side of rush, which is delay. There are implications when we also delay the passage of bills, when we take so much time to deliberate, discuss, delay and never decide.

Today, we've had a rather unusual message come from the House of Commons: unanimous agreement by all members of the House of Commons to proceed on two bills. I wonder if you could reflect on the dangers of undue delays as well as undue rush.

The Hon. the Speaker: Senator Downe, before you begin, your time is expired. Are you asking for five minutes?

Senator Downe: Sure.

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

Hon. Senators: Agreed.

Senator Downe: The hockey game doesn't start for a few hours, so we have plenty of time.

Senator, at the beginning of my remarks, I mentioned the balance between haste and delay, and today's speech was on haste. Stay tuned for chapter 2 at a later date.

• (1710)

An Hon. Senator: Don't delay.

The Hon. the Speaker: Honourable senators, if no other senator wishes to speak, this matter will be considered debated.

(On motion of Senator Housakos, debate adjourned.)

(At 5:10 p.m., the Senate was continued until Tuesday, April 30, 2019, at 2 p.m.)

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