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# House of Commons Debates

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Monday, October 19, 2020

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Speaker: The Honourable Anthony Rota



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# HOUSE OF COMMONS

Monday, October 19, 2020

The House met at 11 a.m.

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*Prayer*

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• (1105)

[*English*]

## POINTS OF ORDER

TECHNICAL DIFFICULTIES OF MEMBERS PARTICIPATING VIRTUALLY—  
SPEAKER'S RULING

**The Speaker:** Before resuming debate, colleagues, I would like to make a statement regarding members participating via the video conferencing system during debate.

On separate occasions, on October 7 and 8, two members encountered technical difficulties when the video feed was lost, either during or prior to their intervention. In the first instance, the member for Gatineau was allowed to continue with audio only, but objections were raised when the member for Calgary Midnapore was invited to do the same the following day at the start of her speech. This led to the member for Elmwood—Transcona and the Parliamentary Secretary to the Leader of the Government in the House to seek direction from the Chair should the House be faced with similar situations in the future.

[*Translation*]

I want to thank both members for their intervention. While the special order of September 23 specifically requires that members voting by video conference have their camera on for the duration of the vote, it remains silent on the issue of members speaking in debate. For this reason, the Chair exercised caution and flexibility, knowing that proper authentication was not in question and that the House could decide how to manage this situation as it did on Thursday, October 8.

[*English*]

Since then, as I understand, consultations with the parties have taken place and all recognized parties have concluded the camera must be on for the entire intervention. A course of action to manage any technical difficulties was therefore established and agreed upon.

When members lose visual contact prior or during a speech, the Chair will interrupt the proceedings momentarily while the technical issue is being addressed. At the same time, the table will consult with the member's whip to determine if an adjustment to the rota-

tion list is being considered. If the member is unable to start or resume the intervention fairly quickly, debate will continue by proceeding to the next member on the rotation list unless there is an agreement to accommodate the member having the technical trouble.

[*Translation*]

To avoid such situations and allow the House administration to provide the necessary assistance, I remind members participating by video conference to connect well in advance of their scheduled intervention.

[*English*]

As we move through the technical intricacies of hybrid sittings, I invite House officers to consider and address the unexpected and unintentional effects that virtual proceedings can sometimes have on the work of members. Their collaboration and assistance are appreciated.

I also want to remind hon. members that it is their individual responsibility to ensure they are in a place that has sufficient bandwidth for interpreters and fellow members to receive a clear transmission.

I thank members for their attention.

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## GOVERNMENT ORDERS

[*English*]

### CRIMINAL CODE

The House resumed from October 9 consideration of the motion that Bill C-7, An Act to amend the Criminal Code (medical assistance in dying), be read the second time and referred to a committee.

**Mr. Kevin Lamoureux (Parliamentary Secretary to the President of the Queen's Privy Council for Canada and to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, allow me the opportunity to reflect on what has brought us to this point.

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Shortly after the 2015 election, a number of pieces of legislation were brought before the House. One of those pieces was Bill C-14, a direct response to courts and the many concerns Canadians had with regard to the issue of dying with medical assistance. The issue was thoroughly discussed and debated. A lot of dialogue took place inside and outside the chamber, and, in fact, across the country. The number of Canadians who were engaged in the legislation was extraordinarily high. That was reinforced earlier this year, but I will get to that particular point later.

Back in January or February 2016, there was a great deal of dialogue taking place. Bill C-14 ultimately passed just prior to the summer break, in June 2016. At the time, parliamentarians recognized that there would be a need to make some modifications. In fact, within the legislation we passed, we created the opportunity for us to review it.

It should come as no surprise to anyone that the issue continues today. Even without legislation, dialogue has been taking place among members of Parliament and constituents. I have had ongoing feedback on the issue, in particular through emails, since 2016. People have expressed concerns and issues with the legislation.

The Superior Court of Quebec made a determination on the legislation, which ultimately dictated that we had to bring in Bill C-7. We had initially introduced the bill earlier this year, I think in February. Prior to its being introduced, Canadians were once again formally called upon to provide their thoughts on the issue. It was amazing that in a relatively short time span, we heard from in excess of 300,000 Canadians. People from all across the nation responded to provide their thoughts and ideas on what they would like to see the government and members of Parliament deal with on this very important issue.

We were very hopeful that a committee would have the opportunity to meet and review the legislation, with the idea of looking at ways it might be changed. Then came the pandemic. As we all know, the focus and attention of Canadians changed, just as the House's priorities had to change, in order to respond to the COVID-19 pandemic. As a direct result, we lost the opportunity for that parliamentary group or committee to get together to review the past legislation, and in fact even the legislation that was being proposed in January or February.

• (1110)

Fast-forward to where we are today. Bill C-7 responds to a decision of the Superior Court of Quebec. It is a reasonable and acceptable piece of legislation that, in this form, makes some changes. It deals with some very difficult issues. For example, it drops the number of days of waiting from 10, after a person is approved and in a near-death situation. I believe this will generally receive good support from all sides of the House. There is the reduction of witnesses from two to one. From what little debate there has been thus far, I believe this has the potential to receive good support. The criteria that a person's death must be reasonably foreseeable is an issue that no doubt will be talked about at great length, both in the chamber and at committee. There are other aspects of this legislation that I find very compelling, and I am very interested to hear what people have to say about them.

A big concern I have is the idea that someone is able to provide consent today but, as an illness or a disease continues, might be prevented from being able to give consent knowingly later, thereby disallowing them from having medical assistance in passing. I know many Canadians share that concern. I am expecting to see a good, healthy discussion on that, whether inside the chamber, in committees or in our constituencies, where we receive feedback.

There is the issue of mental illness and the severity of it. This area is worth ongoing exploration, in different ways. As a former member of the Manitoba legislative assembly, I remember that often when we talked about spending money in health care, mental illness was nowhere near being part of the discussion. In fact, it was a very dear friend of mine, Dr. Gulzar Cheema, who raised this issue at a time when very few people raised it. In general, it is something we need to debate more.

I suspect that as we continue the debate, whether in the chamber or at committee, we will see that it is very emotional for a number of people. I know first-hand how important palliative care is, through the experience of the passing of family, in particular my grandmother and my father. I am very grateful for the Riverview Health Centre in Winnipeg for the service in palliative care they provided. To be there at the passing of my father meant a great deal for me personally, as I knew that when he was there he had the love and care of professionals who deal with people who are passing on. A person has to have a very special heart to deal with that. I had a similar experience with my grandmother, at St. Boniface Hospital. They are two totally different institutions, but the thing they have in common is the supports that are there.

I believe we need to do more in the area of palliative care, and I would love to see more discussion, more debate and more action on the issue. I believe the federal government has a role to play in that area too.

To conclude, I will emphasize for members that here is an opportunity for us not only to look at the core of the issue and have discussions, but to look at some of the issues surrounding end of life and the circumstances that, either directly or indirectly, we are all somewhat familiar with.

• (1115)

**Mr. Eric Melillo (Kenora, CPC):** Madam Speaker, one of the things the member mentioned was improvements to palliative care. I think it is important to note that northern regions of the country and rural and remote regions, particularly indigenous communities in my riding, are chronically underserved in health care delivery.

What does the government plan to do to ensure that residents of indigenous communities, and northern and remote communities, have access to all health care options, including palliative care?

• (1120)

**Mr. Kevin Lamoureux:** Madam Speaker, that is an excellent question, and that is why it is so important that Ottawa work with provincial jurisdictions. Health care, which incorporates palliative care, is administered by the provinces. The palliative care units that we often talk about are administered through our provinces. Ottawa has a role to play through standards and financial support.

We can learn a lot from the provinces. Some provinces deal with health care in different ways, such as urban versus rural. There are opportunities for us not to reinvent the wheel, but rather to look at who is doing it best: look for best practices and ensure that there is some sense of a national standard so that, when our loved ones need palliative care, their ending days are appropriately taken care of.

[*Translation*]

**Mrs. Julie Vignola (Beauport—Limoilou, BQ):** Madam Speaker, this bill is one more step toward more equitable situation-dependent access to medical assistance in dying. This weekend, I had a conversation with my father. I believe there is an issue here with respect to foreseeability.

Take, for example, a person diagnosed with a very serious terminal illness who may nevertheless live for months or years. Can that person ask their doctor now to administer medical assistance in dying once the disease has progressed to a particular stage, even though that person may be incapable of requesting MAID once that time comes?

Will that be possible?

[*English*]

**Mr. Kevin Lamoureux:** Madam Speaker, I do not necessarily know all of the details. Within the legislation, from what I understand, the issue of second consent is important, as is the impact that it has on people who have a deteriorating illness. Today, they might be in a position to give consent, but in their dying days they might not be in that same position.

I believe there is an attempt to deal directly with that issue within the legislation. It is a good question, and I suspect it will be asked once it hits the committee stage.

**Ms. Heather McPherson (Edmonton Strathcona, NDP):** Madam Speaker, this is a very important conversation to be having, and I appreciate all of the interventions that have been made by members of the House.

One of my questions is around that second track of accessing MAID, which requires that one of the two medical practitioners assessing the person has expertise in that condition. Considering that in Alberta, in particular, there are many communities where doctors have been leaving because of current fights with our provincial government, how will the government deal with the fact that some people will not be able to access doctors? Those doctors are not working in remote or rural communities right now, for that second track of the MAID.

**Mr. Kevin Lamoureux:** Madam Speaker, we need to go to my first answer, where I recognized that Ottawa needs to work with the provinces, particularly the different departments and ministries of

### *Government Orders*

health, to ensure that there is a sense of fairness and equity, no matter what region of the nation people are in.

**Mrs. Karen Vecchio (Elgin—Middlesex—London, CPC):** Madam Speaker, this is such an important debate that we are having here today, and I thank members for sharing their stories.

This is a very personal debate. I recall speaking on Bill C-14 when I first joined Parliament. I talked about my own experiences with death. I have watched other families go through these issues as well. We talked about how we could be part of making those last few days, months, and sometimes years work well and make sure of the necessary resources.

I am coming to this debate speaking from two sides, and am almost sitting on the fence on this. I am bringing forward a letter from Richard Sitzes, who is the chair of Our Choice Matters, part of Community Living Elgin. I would like to read this letter into Hansard, because I think it is very important to hear the voices and concerns of those who are disabled. I am also going to read some Twitter posts from the late Mike Sloan. Other people have covered this, and those in London would know that Mike Sloan passed away on January 20, 2020, with medical assistance in dying. He had a very difficult time, but he shared his experiences through his Twitter feed. Because of my work here in Parliament with those with disabilities, I had started a relationship with him and discussed what life looked like and how we were to move forward.

I will begin with the letter from Richard Sitzes, chair of Our Choice Matters, which is a self-advocate group. He writes:

I'm a constituent in your riding and live in St. Thomas, and am very concerned about Bill C-7 and the changes to Canada's law on medical assistance in dying (MAID). I'm worried about the negative impacts this bill will have for people who have a disability in our riding.

As chair of the Our Choice Matters self-advocate group, supported by Community Living Elgin, I am speaking on behalf of our group. In Canada, many people think that their having a disability causes suffering, but people who have a disability say that it is the lack of supports, not disability, that causes them to suffer. We fear that Bill C-7 will make this situation even worse.

Right now, Canadians can only access MAID if they are suffering and close to death. Bill C-7 will make it possible for a person who has a disability to choose medical assistance to die, even if they are not close to death. We strongly believe that removing the end-of-life requirement will increase negative ideas and discrimination against people who have a disability. It will grow the idea that life with a disability is not worth living. We are afraid that people who have a disability will feel pressured to end their lives even if they are not close to death. This has already happened in Canada, and it will get worse because of Bill C-7.

We believe that the federal government should make it easier for people with disabilities to live good lives, not end them. For the safety of people who have a disability, MAID must be available only to people who are close to death. We strongly oppose Bill C-7 and ask that you oppose this legislation.

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I was fortunate to follow up on this letter with Richard last week. He has been a volunteer, not only in my office but in our community, for decades. He is a person we see at every volunteer opportunity. He is there at community events to lend a hand. He looks at his life and recognizes that he has so much to give to our community. I have never met a kinder soul in my life. He just wants to help and at the same time wants to be heard. Having had the opportunity to sit down and talk to Richard, I know his concern is that he will not be the person making that choice, but that it will be made for him. He told me that he did not know who would have the final choice. This is something that Richard, who just celebrated his 60th birthday on August 15, is very concerned with. When I look at Richard, I do not see his life as being worth any less than mine. He has so much to offer to all Canadians. I hope we recognize it is imperative that we have appropriate safeguards for people like Richard who have so much to offer.

On the other side, there are some positives as well. This is where I want to talk about Mike Sloan. He was able to share with Canadians, especially in my region, his everyday struggles of living with cancer. As I indicated, I had created a bond with Mike over the last number of years. When he called to tell me he had cancer, the two of us talked about what he would be going through.

• (1125)

Mike had decided that he was going to die with medical assistance. Watching his death, I can understand why. I understand the struggles that he went through, and want to read some of the things that were put on his Twitter feed.

Madam Speaker, how much time do I have, given that I talk so much?

**The Assistant Deputy Speaker (Mrs. Alexandra Mendès):** Five minutes.

**Mrs. Karen Vecchio:** Fantastic. Okay, that is great.

I want to talk about Mike. There was a CTV interview done with Mike back in early January. Mike had already pinned to his desk area his plans for his own funeral, with the date to be determined. He knew what he wanted in life. He was also a very strong advocate for those with disabilities, but when he got cancer he knew that there were going to be struggles. It was not just his mental capacity he was concerned with, but the physical pain he was going through.

I want to start off with the day of Mike's death: January 20. Bob Smith, a Rogers TV host in the London area, wrote:

Mike Sloan passed peacefully at 1:25 pm EST via MAID. He asked me...to let you know. I was with him at the end, holding his hand. He thanks you all for your support on this journey. His last words were, "Tell Chub I love him."

Chub was Mike's cat. If anyone knew Mike, Chub got him through each and every day. Chub could always be relied on because some days were a little harder than others.

Going back to January 18, Mike wrote, "When it's getting too frightening to drink liquids because they may simply spit back up or choke me, you know, let's be honest about choices here." To me that statement by him is extremely impactful. Another day he talked about being afraid to get in the shower. He was afraid of falling in the shower. He would get in and fall and started thinking

that even though he was a young guy he might need a bench. He was going through all of those different issues each and every day.

Mike was diagnosed with stage four thyroid cancer in February of 2019. He tweeted about his experiences with palliative care and the care he received. It was interesting for anyone to watch this as he would show his belly, which had different things attached for his pain medication. The thing that was so incredible about this man, for any of the other members from the London area, is that he had an incredible sense of humour. He would post a picture of his belly tied to a medical bag that he called his "little purse," which contained his pain medication. He would also show the different tubes that he would inject the medication in to make the pain go away. He was in absolute pain.

He wrote on January 7, "I've never died before, so I don't know what it feels like, but if agonizing pain, difficulty breathing, a fever and inability to sleep are symptoms, I'm getting there." This was a man who did not fear death, but recognized that it was going to happen. He was also a man who would go into the hospital and just be released. What was actually really comical was when he went in with shortness of breath and walked out saying he was being released with pneumonia, but was walking and doing well.

Thinking of Mike, we have to find the right balance. We have to find the balance so that the Mike Sloans and the Richard Sitzes of this world have their wishes honoured. I recognize that this is a very difficult decision for many members of Parliament.

I can tell my colleagues that my vote on Bill C-14 was the most difficult vote I ever made. One of the most important things was that there were safeguards to make sure that the family, individual and entire team involved in medical assistance in dying all knew what they were getting into. It is really important that we make sure that those safeguards are in place and use strong caution with Bill C-7 as to whether this may open a new can of worms.

I am very proud to talk about this because it needs to be debated. There is no wrong or right answer. It is about finding a balance for all Canadians.

• (1130)

**Mr. Arif Virani (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.):** Madam Speaker, my thanks to the hon. member for Elgin—Middlesex—London for her contributions to this debate and in the past years. She raised a very important point when she related the story about Richard. I want to state at the outset that obviously our government values all lives, including the lives of persons with disabilities. We have reflected that in the supports we have put in place. Those lives are all protected by the Constitution.

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I put this to the member for Elgin—Middlesex—London, because she ended by talking about safeguards. I actually raised the issue about pressure being put on individuals during my consultations with various members of the medical establishment. They indicated to me that in the province of Ontario, for example, not a single prosecution had happened in the case of a doctor alleged to have pressured an individual. I put that out there for context.

How does the member feel about the safeguards put in place where the decision has to be the decision of the individual? It has to be in writing and it has to be witnessed. Counselling and supports must be provided to such an individual, including disability supports.

Do those address at least some of Richard's concerns?

I appreciate it is a difficult situation and I can see the member struggling with it, but I just put that out there as part of the conversation about this important bill.

• (1135)

**Mrs. Karen Vecchio:** Madam Speaker, the safeguards are something I am concerned about. Last night, while driving to Ottawa, I listened to a podcast from The Ottawa Hospital and the doctor on it talked about the first time—I'm sorry, that was probably another interview I listened to. Yesterday I listened to six hours of interviews on this.

Not a single person has gone to court, nor have any physicians received judgments or charges based on whether persons were fragile enough to die. There is a whole variety there. One of my concerns is, as we know and as the member from Edmonton indicated, that there are not enough resources.

I am in a smaller community as well. For people to get an appointment with a psychiatrist in my area usually takes nine to 12 months. When people are going through this, they have a really short window in which to receive this type of support. By reducing some of the time frames, we will not be able to provide the services that are really important for the patients, the Canadians, who are making this difficult decision.

[*Translation*]

**Ms. Andr anne Larouche (Shefford, BQ):** Madam Speaker, I thank my colleague for her presentation. I appreciate her sensitivity on this matter and would like to hear her thoughts on the following.

My colleague just mentioned the importance of making sure everyone has access to health care. I would like to go back to an important aspect of this bill.

Would she agree that we need to stop putting palliative care and medical assistance in dying at odds with one another?

The two are not mutually exclusive. In other words, people should be allowed to choose medical assistance in dying if they so wish, just as people who want palliative care should be able to receive it for as long as possible. This might require an increase in health transfers.

[*English*]

**Mrs. Karen Vecchio:** Madam Speaker, we know that the member for Sarnia—Lambton put forward a bill and worked with the

late honourable Mark Warawa on palliative care. We can do both. We can walk and chew gum, and we should increase our efforts in palliative care.

My Aunt Catherine passed away in hospice. It was a very important time for her family to be there and celebrate her life, but we have to recognize that not everyone has these options. Palliative care is something we should be working on, and the member is right that we should be doing both.

**Mr. Richard Cannings (South Okanagan—West Kootenay, NDP):** Madam Speaker, it is so wonderful to hear the member for Elgin—Middlesex—London bring in the human element that is so critical to this debate.

One of the challenges created by the current medical assistance in dying legislation is the requirement for final consent at the time the assistance is rendered. This forces patients to make a cruel choice when faced with a possible loss of competence that would make them unable to give consent. They are forced to either go earlier or risk not being able to receive the assistance they need.

Audrey Parker campaigned to make Canadians aware of this problem, and Bill C-7 would fix it by creating a waiver of final consent. I would ask the member this: Do the Conservatives support Audrey's amendment, which would help those facing the end of life to avoid this cruel choice?

**Mrs. Karen Vecchio:** Madam Speaker, I am very fortunate to be in a caucus where these issues are discussed and where we all have different ideas. I know where I stand, but I may be different than my neighbours on both sides. One just does not know. However, everybody should have the opportunity to have those discussions.

**Mrs. Cathay Wagantall (Yorkton—Melville, CPC):** Madam Speaker, I am pleased to rise today, but I find it difficult to be speaking to another attempt by the Liberal government to endanger the most vulnerable in our society.

After just four years, when the original euthanasia and assisted suicide legislation came in through Bill C-14, we find ourselves considering legislation that would further loosen restrictions, eliminate safeguards and confuse our country's understanding of the sanctity of life and the government's role in end-of-life decisions. Once again, we have been told that in order to uphold the charter rights of some we must endanger the rights and freedoms of others.

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I did not support Bill C-14 for many reasons. The first is the fact that the Supreme Court of Canada invoked such controversial and flawed legislation, which has been proven to be poorly applied around the world. The Liberals also chose to broaden the scope of the legislation, going far beyond the Carter decision. Another reason is that it has been placed ahead of and continues to overshadow any significant palliative care initiative.

In 2019, the Prime Minister promised to expand eligibility criteria, and on September 11 of last year, the Superior Court of Quebec ruled that it is unconstitutional to limit assisted suicide or euthanasia only to those whose death is reasonably foreseeable. Without even appealing the ruling and seeking the advice of the Supreme Court, which has been long occupied with this matter, the Liberals accepted the ruling. They are now rushing to change the law for our entire country.

They gave Canadians a mere two weeks to have their views heard on this deeply personal and complicated issue through a flawed online consultation questionnaire. The use of convoluted and biased language left little to the imagination in terms of how the government planned to legislate assisted death. I too tried to fill it out, and I would argue that many opposed would have been discouraged in participating due solely to the language used.

With such a flawed method, and with no idea if the feedback even remotely reflects the actual views of Canadians, how can the government proceed with this legislation in good faith? This is a rhetorical question because it does not seem to matter to these Liberals. It is clear they used this brief window for feedback to satiate the need for a consultative process.

We also know the government ignored its own timeline for a review of the original assisted suicide legislation, Bill C-14. It was planned for this summer, and instead, we have been presented with this reckless legislation. In the midst of COVID, this was still something very important. Without a proper review and without input from the Supreme Court, this House has been asked to greatly broaden the scope of assisted suicide and euthanasia without a clear enough understanding of whether the current regime is being consistently interpreted or properly enforced.

Bill C-7 is being rushed through. This is concerning. When reading through this bill, I see elements that go beyond the scope of the Superior Court of Quebec's decision, namely, Bill C-7 would eliminate the 10-day waiting period between the date the request is signed and the day on which the procedure is carried out.

The application of the law pertaining to those whose death is reasonably foreseeable has been problematic from the very start of this debate. We know a person's reasonably foreseeable death is a flexible estimation, taking into account all of their medical circumstances, without a prognosis necessarily having been made as to the specific length of time they have remaining. The elimination of the 10-day waiting period for persons whose death is reasonably foreseeable would create the conditions for someone with an indeterminate length of time remaining in their life, possibly years, to be rushed to the decision to receive assisted suicide and euthanasia.

Aside from simply eliminating what most Canadians would consider to be a reasonable period of reflection, this element of the bill

also ignores the possibility of medical advances and improved treatment methods in an incredibly innovative medical science environment. As Cardinal Collins has said, Bill C-7 creates the conditions where an individual can seek a medically assisted death faster than the wait time for a gym membership or a condominium purchase.

I also see no logical reason why the government would reduce the number of independent witnesses required for when the request is signed. It is down from two to one. The government has even relaxed the definition of someone who may serve as a witness, including medical professionals or personal care workers, even those who are paid to provide euthanasia and assisted suicide on a daily basis. This is in clause 1(8).

Surely we can agree that, for the vast majority of those requesting euthanasia and assisted suicide, the requirement for two independent individuals to witness a request to end a life is a reasonable safeguard. How do the Liberals plan to properly protect patients from potential malpractice? How does the government plan on ensuring requesters are presented with a myriad of treatment options rather than just one opinion?

The legislation continues as a series of safeguards the medical practitioner must adhere to before providing assisted suicide to those whose death is not reasonably foreseeable. One of these safeguards would require a medical practitioner to discuss with the person the means available to relieve their suffering, including palliative care.

● (1140)

The safeguard is even weaker for those whose death is reasonably foreseeable, requiring the medical practitioner to merely inform the person of these vital options. The government failed to follow through on its promise to invest \$3 billion in long-term care, which includes palliative care. There does not appear to be any political will whatsoever to improve palliative care.

Canadians have also been calling on the government for a long-awaited national strategy for palliative care. There is a thirst among Canadians for real solutions to end-of-life care. The government seems all too willing to ignore the 70% of Canadians without access to palliative care and, instead, attempts to impose on them a flawed, one-size-fits-all regime. We can already see the consequences of pushing forward an assisted dying agenda when there is little regard for palliative care.



In British Columbia, the Delta Hospice Society was stripped of 94% of its operating budget for refusing to provide euthanasia in a facility intended for the provision of palliative care. Despite repeated attempts to defend its Charter-protected, faith-based objection to being required to provide euthanasia and reach a compromise in good faith, 10 hospice care beds are now at risk and will be surely defunded.

Why do the Liberals continue to ignore the voices of those who have a different perspective on the issue of end-of-life care? People who seek hospice care are seeking it for a reason. They do not desire a medically assisted death. In effect, what has happened in B.C. is an attempt to redefine what constitutes palliative care.

In fact, the Fraser Health Authority's decision flies in the face of the Canadian Society of Palliative Care Physicians, which has clarified that euthanasia and assisted suicide are distinct from palliative care. I caution Canadians not to regard the Delta Hospice Society's situation as an isolated one. The government has shown little interest in supporting hospice care, and I would not be surprised by further attacks on the ability of Canadians to choose to end their lives naturally.

In *The Globe and Mail*, Sarah Gray put it well, stating, "The hospice isn't a place where people come to die. It is where they come to live — to live well for the little time they have left. It is a place of celebration, connection, comfort and support. It is a place of safety for the dying and the grieving." In Cardinal Collins' words, let us work to create a "culture of care", rather than rush toward a culture of "death on demand".

The government would also be wise to recall that much of the debate on Bill C-14 revolved around calls for a solid framework of conscience protection for medical practitioners involved throughout the end-of-life process. At committee, witnesses stated that the protection of conscience should be included in the government's legislative response to *Carter v. Canada*.

The Canadian Medical Association confirmed conscience protection for physicians would not affect access to physician-assisted suicide or euthanasia. Its statistics indicated that 30% of physicians across Canada, or 24,000, are willing to provide it. I live in a rural area of Canada, and I can assure members there are many provisions that are not available to me directly where I live.

Unfortunately, the Liberals failed to defend the conscience rights of Canadians in Bill C-14. I also found it disappointing that they failed to support, in the last Parliament, critical legislation put forward by David Anderson in Bill C-418, the protection of freedom of conscience act. It would have made it a criminal offence to intimidate or force a medical professional to be involved in the procedure. It would also have made it a criminal offence to fire or refuse to employ a medical professional who refuses to take part directly or indirectly in MAID.

Here we are four years later, and Bill C-7 is also void of any provisions that would protect the section 2 rights of Canadians. In Canada, everyone has freedom of conscience and religion under section 2 of the Canadian Charter of Rights and Freedoms. No one has the right to demand all services from all providers in all circumstances. As David stated, protections are needed for doctors and

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health care providers who are not willing to leave their core ethics behind when they are at a patient's bedside. Access to euthanasia and conscientious objection are not mutually exclusive.

We, as legislators, must ask ourselves where the Liberals will draw the line. There will always be the voices of those in our society who feel that the limitations and safeguards are too stringent. When will it be enough for the Liberal government? How far are they willing to go? What message are we sending to the most vulnerable and fragile in our society?

Over the last five years I have advocated for our veterans. I know there are countless veterans who appear able to cope with debilitating physical injuries, but they are extremely vulnerable in their mental health. We are all concerned about the number of them choosing to end their lives by suicide because of complications after serving our country. It is antithetical to try to prevent them from taking their own lives, yet tell them that there are government-designed opportunities to do so.

● (1145)

Bill C-7 fails to provide conscience protection, fails to protect the vulnerable and fails to fulfill the need—

**The Assistant Deputy Speaker (Mrs. Alexandra Mendès):** Questions and comments, the hon. member for Guelph.

**Mr. Lloyd Longfield (Guelph, Lib.):** Madam Speaker, unfortunately I found a lot of partisan comments in the member's intervention in contrast to the comments from the member for Elgin—Middlesex—London. This as a non-partisan issue.

I was visiting businesses in downtown Guelph this morning and I spoke with one of the business owners. He talked about his parents in England, how they had gone through this choice and how other countries provided ways in which people who faced death could control their exit through proper legislation.

I wonder if the member could comment on getting the personal comments directly from people who face those choices, even posthumously, as the member for Elgin—Middlesex—London presented to us, and should we should be looking at including those comments in the committee's study should we be able to get the bill to committee?

● (1150)

**Mrs. Cathay Wagantall:** Madam Speaker, I would disagree with the member's comments. I totally agree with the member for Elgin—Middlesex—London. We are on the same page on this.

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That being said, we have approached it from two different perspectives. On the personal side, I hear those things all the time. The concern is that at what point do we come to a decision on what the responsibility of the government is. I understand we want choice, but the problem is that there are not enough safeguards for those individuals, where it is creeping into a sense that their rights and privileges under the charter are being challenged. That is what I expressed here. Right now we are at the place where we are the line between those who want a certain thing and those who do not. Someone's rights will be trampled if we do not deal with this very carefully.

[Translation]

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** Madam Speaker, as citizens, we should all agree that it is important to prevent needless suffering at end of life and that it should be up to individuals to decide how they want to end their lives with dignity. However, we also need a legal framework to ensure that doctors can act within the law without being faulted after the fact for having helped someone end their life.

Would my colleague not agree that doctors need a legal framework to be able to do this work?

[English]

**Mrs. Cathay Wagantall:** Madam Speaker, a legal framework was presented in Bill C-14. However, the Canadian Society of Palliative Care Physicians has said that there is creep where palliative care facilities are being shut down because the physicians do not feel they should be providing assisted suicide or euthanasia, and their rights are being trampled upon. Many people in our country choose not to go that route. Their rights and their protections need to be in place as well.

That is why we need a better focus on palliative care. We cannot say that we are giving people an option when people do not have an option. The government committed to a national strategy on palliative care and it is our responsibility as national legislators to make it very clear that palliative care is distinct from euthanasia.

**Mr. Dane Lloyd (Sturgeon River—Parkland, CPC):** Madam Speaker, I definitely am in full support of my hon. colleague's very moving remarks. A disability advocate called my office this past week. She was very concerned about watering down protections for vulnerable people by removing the requirements on physicians and having a physician who specializes in the area being involved.

Is there any provision for social workers to be involved? Frankly, physicians are not always equipped to recognize when there might be undue family pressure or other intersectional pressures being put on the patient to make an assisted-death call. What are my hon. colleague's thoughts on that?

**Mrs. Cathay Wagantall:** Madam Speaker, there needs to be clarity in that regard. We are hearing stories, but, as was mentioned, these things are not being brought forward and prosecuted or there are not enough safeguards in place to ensure people are not being coerced in that way. I have had individuals come to me in tears over that very issue. It is becoming commonplace that this is naturally something that is offered to a lot of individuals who are in end-of-life scenarios.

Palliative care is an opportunity for individuals to live their life thoroughly to the end, along with their family. When individuals make that choice, they should not be coerced. We really need to be careful of this.

[Translation]

**Mr. Anthony Housefather (Parliamentary Secretary to the Minister of Labour, Lib.):** Madam Speaker, I will be sharing my time with the hon. member for Oakville North—Burlington.

[English]

This is a very difficult bill and subject for us to deal with. In this case, the sanctity of life, something that all of us cherish, conflicts with the liberty interests protected under section 7 of the charter. This is one of those difficult times where we have to recognize that our own religious views, our own moral views are not the ones we can simply impose on Canadians. We have to recognize that charter rights are sacrosanct. Sometimes, as a member, those are difficult moments.

I personally have said before that I would not choose medically assisted dying for myself. Nor would I encourage family members to avail themselves of the opportunity for medically assisted dying. However, I also fully respect the right of every Canadian to choose for his or herself whether this right should be exercised personally.

In the Carter decision, the Supreme Court of Canada upheld that under section 7 of the charter, there was a certain subgroup of Canadians whose liberty interests were violated by the existing provisions in the Criminal Code on not assisting someone to commit suicide. The Supreme Court in Carter told us that there was a subsection of Canadians, those who were in constant enduring pain and suffering that could not be alleviated by medical treatment reasonably acceptable to them, who had the right to have their death hastened by having medical professionals assist them in doing so.

In the last Parliament, our government brought in Bill C-14. I had the privilege of being the chairman of the Standing Committee on Justice and Human Rights. We heard from a great cross-section of Canadians. We heard from those who represented the disabled community and those who believed in the right to die with dignity. We heard from members of the clergy from all faiths. We heard from university professors, lawyers and doctors. We heard from a great cross-section of Canadians who had very diverse and different opinions.

What we tried to do was craft a law that brought Canadian society together, that protected the vulnerable but yet still afforded everyone the right that the Supreme Court had recognized in Carter, which was the right to decide for one's self whether to terminate one's life in the event he or she was in enduring pain and suffering that could not be alleviated by medical treatment reasonably acceptable to that person.

As well, we had to recognize that when we dealt with the Carter decision in Bill C-14, Canada was at the beginning of a list of countries dealing with medically assisted dying. There were very few countries in the world that had gone where Canada was going. Belgium, Holland, Uruguay and a few American states were, but that was it. Canadian society needed to come to terms with medically assisted dying and learn more about the process before we went too far.

That is why, at the time, I supported a clause in the bill that said that medically assisted dying was limited to those whose end of their natural life was reasonably foreseeable. However, we knew that would change over time and that as Canadian society looked at the experience of medically assisted dying, the bill would come back for review before Parliament and would need to change.

At the justice committee, we proposed a number of important amendments to that bill. We inserted, by unanimous agreement at the committee, conscience rights to ensure that the doctors, nurses and pharmacists whose own beliefs would be offended by medically assisted dying were not compelled to participate in the process. We said that Parliament would need to review some subjects that we were not dealing with, such as the issue of mental illness on its own; the issue of mature minors; and, probably most important, the issue of advance directives for those suffering with dementia.

We also adopted a motion that palliative care had to be part of that review. People should have their death hastened because palliative care treatment is not available to them in Canada.

• (1155)

This bill takes the medically assisted dying regime, Bill C-14, a step further based on the Truchon decision. It held that the provisions we had put in the law about reasonably foreseeable death were not constitutional and that a subgroup of Canadians who may have many more years to live but were in constant pain, enduring interminable suffering, and could not have that alleviated by medical treatment reasonable acceptable to them also had the right to medically assisted dying.

This bill establishes that this group of people also have the right to medically assisted death in Canada, but also imposes additional safeguards on them, namely a 90-day waiting period. We understand that certain people, for example, may suffer a traumatic injury and need time to consider all their options and come to terms with their situation before finally going through with a medically assisted death.

Also, based on the Canadian experience, we are amending the bill to allow certain Canadians who are about to lose their ability to offer agreement to medically assisted dying, because they have lost their capacity to consent, to do an advance consent.

• (1200)

[*Translation*]

Some Canadians want to access medical assistance in dying knowing that they may still have a few more weeks to live. The only reason they want to access it sooner is that they do not want to lose their capacity to consent to medical assistance in dying.

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Personally, I want these people to be able to continue to live and spend those last few weeks with their families. I do not want them to end their lives prematurely because they are worried about losing their capacity to consent to the procedure.

The amendment to the law, this bill that is before us, gives hope to this group. These people will have permission to sign a contract with their doctor indicating that they want to put an end to their life on a specific date, even if they lose the capacity to consent to medical assistance in dying in the meantime.

[*English*]

However, there is still a safeguard in the sense that if people who have lost their capacity to consent show through any action or words that they no longer wish to end their life, the doctor must then stop the procedure.

I strongly support the bill. I think Canadian society has evolved with respect to how we see medically assisted dying. As Canadians, we now have seen where the procedure works and where it does not work. We have seen which groups have been positively impacted and which groups have been left out and where we can improve on the procedure.

Following a great deal of consultation and national interest and seeing a change in how Canadian opinion sees medically assisted dying, this bill is the right one at the right time.

**Mr. Michael Cooper (St. Albert—Edmonton, CPC):** Madam Speaker, I had the privilege of serving with the hon. member for Mount Royal on the justice committee when we studied Bill C-14

The member rightfully talked about the process in which we heard from a diverse range of viewpoints. It is ironic that this legislation circumvents that opportunity to hear from a diverse range of viewpoints by pre-empting a legislative review, which should have started in June.

The hon. member will know that this decision goes well beyond the scope of the Truchon decision. One such area is with respect to advance consent, to which he alluded. Arguably this goes beyond the scope of the Carter decision inasmuch as Carter stated not once, not twice but on three occasions that a patient must clearly consent.

How can the hon. member defend that with respect to legislation that arguably goes beyond the scope of Carter? How can consent be truly meaningful if it is not contemporaneous?

**Mr. Anthony Housefather:** Madam Speaker, I want to say how much I enjoyed serving with my hon. colleague from St. Albert—Edmonton. He always brings a great deal of intelligence and rational thought to these situations.

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First, as the House knows, the government and Parliament are not limited to simply creating a law that repeats the Carter decision; Parliament is perfectly entitled to go forward further and protect liberty interests that were not recognized in Carter. Nobody excludes the right of Parliament to go further than Carter.

Second, I believe that the legislative review on the subjects that we were supposed to review will continue to proceed. This law is a separate piece of legislation dealing with other subjects.

Finally, I would say that, regarding the issue of capacity to consent in advance to medically assisted dying, this is simply for somebody whose death is already foreseeable, coming up in the very near term, to agree with their doctor to end their life if they have lost the capacity to consent to further prolong their life, because otherwise they would make that decision more prematurely. I support it for that reason.

• (1205)

[*Translation*]

**Mr. Rhéal Fortin (Rivière-du-Nord, BQ):** Madam Speaker, the Bloc Québécois agrees with the proposed amendments and welcomes them.

The issue that has not been addressed and that I think is important is advance consent. I would like to know where my colleague stands on that issue.

Would it not be a good idea for people who meet the criteria set out in the act to be able to give their consent in advance, as we do with organ donation, in the event that they are diagnosed with a degenerative disease? Is that an issue that was examined? If so, what is my colleague's position on that?

**Mr. Anthony Housefather:** Madam Speaker, I thank my hon. colleague from Rivière-du-Nord. He always provides an intelligent perspective to the debates.

To me, this is one of the three issues Parliament has to address. The first is the issue of mature minors, the second has to do with psychological illnesses only, and the third has to do with advance directives. I agree with the way in which the bill allows certain people to make an advance request.

The issue of advance directives is very complicated. If we allow people to give such a directive in advance, then we must put in place very clear and precise guidelines. This will certainly be part of our discussion during review of the legislation.

[*English*]

**Ms. Pam Damoff (Parliamentary Secretary to the Minister of Indigenous Services, Lib.):** Madam Speaker, it is a pleasure to follow the wise words of my colleague, the member for Mount Royal.

I am pleased to speak in favour of Bill C-7, an act to amend the Criminal Code, medical assistance in dying. As hon. members know, this bill responds to the Superior Court of Québec decision that struck down the eligibility criteria that naturally occurring death be reasonably foreseeable.

In the last Parliament, I spoke during debate on the original MAID legislation. At that time, I talked about the need for us to have conversations with loved ones about death and dying. "Death"

is a word that elicits strong emotions. We celebrate life, we embrace life and we talk about living. However, we avoid talking about death. We shy away from those conversations because they make us uncomfortable. I know there are those who feel this legislation goes too far. However, regardless of where people fall on this legislation, I think we can all agree that the way we deal with and talk about death needs improvement.

Whether a grievously ill patient chooses to die at home or in a palliative care facility or chooses medical assistance in dying, we should be having these conversations sooner and lovingly assisting those who are ill in the end of their life. These decisions are often made during a health crisis. Ideally, each of us should be engaged in advanced care planning.

I would like to share the story of Bob Lush, an incredible man, respected lawyer and my friend. Bob and his wife Maureen shared a love and bond that was obvious to all who met them. Bob died on March 17. This summer I had lunch with Maureen and she shared with me the decision they took to use MAID. With Maureen's permission, I would like to share Bob's story.

Bob had been diagnosed with multiple system atrophy and pulmonary fibrosis. He also exhibited symptoms of Parkinson's. While his body was failing him, his mind was as sharp as ever. Over time, these serious health issues would worsen, which led his doctors to tell him that he was palliative and that there was nothing more they could do. A palliative care nurse asked if they had thought about MAID and provided them with a brochure. It was not an option they had considered before, but Bob and Maureen together decided that this option would be the most loving way for Bob to leave this earth. I cannot possibly put into words the tremendous love these two shared.

Maureen described for me Bob's last days. They chose March 17. All medical equipment was removed from Bob's room and it was filled with flowers and candles. They loved listening to James Taylor's "American Standard" album, and it was playing. Maureen and Bob's son John were by his side. As *Moon River* played, the doctor administered the MAID drugs. Bob closed his eyes and peacefully, painlessly and humanely passed away. To hear Maureen describe it, I could hear both the love in her voice and the sadness of losing Bob, but she had no regrets and, in fact, wanted Bob's story to be shared so that other families could consider this option for their loved one, if it was the right decision for them.

The legislation before us here today would update our MAID laws in several ways. The bill would maintain existing safeguards and ease certain safeguards for eligible persons whose death is reasonably foreseeable. New and modified safeguards would be introduced for eligible persons whose death is not reasonably foreseeable. Persons whose natural death is reasonably foreseeable, who have been assessed as being eligible for MAID and who are at risk of losing capacity, can make an arrangement with their practitioners in which they provide their consent in advance, which allows the practitioner to administer MAID on a specified day, even if the person has lost their decision-making capacity.

For persons who choose MAID by self-administration, a person could waive in advance the requirement for final consent in case complications arise following self-administration, leading to loss of capacity but not death. These new safeguards would exclude eligibility for individuals suffering solely from mental illness. It would also allow the waiver of final consent for eligible persons whose natural death is reasonably foreseeable and who may lose capacity to consent before MAID can be provided.

This legislation would also expand data collection through the federal monitoring regime to provide a more complete picture of medical assistance in dying in Canada. These are important changes and ones that have been called for since 2016, when the government responded to the Carter decision with its original legislation.

● (1210)

Since MAID became legal in June 2016, there have been more than 13,000 reported medically assisted deaths in Canada. This figure is based on voluntarily reported data from the provinces and territories prior to November 1, 2018; and the data collected under the new monitoring regime after that date. MAID deaths as a percentage of all deaths in Canada remains consistent with other international assisted-dying regimes.

The government undertook extensive consultation in order to update the MAID legislation. In January and February 2020, the Government of Canada engaged with provinces, territories, Canadians, indigenous groups, key stakeholders, experts and practitioners to receive their feedback on expanding Canada's MAID framework. Over 300,000 Canadians participated in online public consultations between January 13 and January 27 of this year.

It is important to recognize that MAID is not the right option for everyone. We still have work to do to educate Canadians about end-of-life options. When the former Bill C-14 was debated in the House, I spoke about palliative care and the need to educate Canadians about it as an end-of-life option. I was pleased the Senate amended our original bill to include palliative care in the legislation. Our government has worked collaboratively with partners, including the provinces and territories, to develop a framework on palliative care. We are implementing a targeted action plan of providing \$6 billion directly to provinces and territories to better support home and community care, including palliative care.

I would like to share once again Bonnie Tompkins' story, a story I shared in 2016 during debate on the original MAID legislation. She is currently compassionate communities national lead for Pallium Canada, a national non-profit organization focused on building

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professional and community capacity to help improve the quality and accessibility of palliative care in Canada.

When her fiancé, Ian, was diagnosed with terminal cancer, he was adamant that he wanted medical assistance in dying. As is common, his biggest concern was the burden he would place on loved ones as his illness progressed. After he saw Carpenter Hospice in Burlington and was educated on the options available—

● (1215)

**The Assistant Deputy Speaker (Mrs. Alexandra Mendès):** We seem to have lost the connection with the hon. parliamentary secretary.

The hon. parliamentary secretary has about two minutes left.

**Ms. Pam Damoff:** Palliative care is something that too few people consider, let alone discuss with their loved ones. Just as Bob Lush's decision was the right one for him, so too was Ian's. These are deeply personal and extremely hard decisions that people make as they near the end of their lives.

This legislation today would address concerns about eligibility for MAID and allow more people who wish to use MAID to do so. I want to applaud the Minister of Justice for his leadership on this bill; as well as the Minister of Health; and the Minister of Employment, Workforce Development and Disability Inclusion. I would also like to give a shout-out to the member for Don Valley West, who chaired the committee in 2016 that reviewed options for MAID legislation and that laid the groundwork for where we are today.

It is my hope that all members of the House will support this important legislation.

**Mr. Colin Carrie (Oshawa, CPC):** Madam Speaker, I want to thank my colleague, especially for sharing those personal thoughts with us because this issue we are debating today is a very personal matter.

I wanted my colleague to comment on a statement by her colleague, the member for Mount Royal, who said in his speech that nobody should have their death accelerated due to lack of palliative care.

We know that my colleague from Sarnia—Lambton brought forward a private member's bill that was in response to this decision, that was basically to allow Canadians to live as well as they can, for as long as they can. This private member's bill was dedicated to providing a national palliative care action plan.

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I wonder if my colleague could comment on the government's response to providing appropriate palliative care so people do not have to choose medical assistance in dying, considering that approximately 70% of Canadians do not have access to appropriate palliative care.

**Ms. Pam Damoff:** Madam Speaker, I thank the member for his question, and I also applaud my colleague, the member for Sarnia—Lambton, for her advocacy on this issue.

One of the problems is that people do not know what palliative care is and what is available, as the story I told about Bonnie Tompkins's fiancé demonstrates. People need to be educated on it, but not going into palliative care does not automatically mean they are choosing medical assistance in dying. That logic is flawed, in my opinion.

There is a need for more education on all aspects of people ending their lives. I think there are conversations that need to be had between families and loved ones so that when or if they become ill, families will know what options are available. As I described in Bob Lush's story, had a nurse not provided information on MAID, the family could never have chosen that option.

Our government is committed to palliative care.

[*Translation*]

**Mr. Mario Beaulieu (La Pointe-de-l'Île, BQ):** Madam Speaker, the bill proposes removing the requirement of final consent for eligible people whose natural death is reasonably foreseeable.

Would it not be appropriate to allow for advance consent and waive final consent for people with degenerative, incurable diseases? What are my colleague's thoughts on that?

• (1220)

[*English*]

**Ms. Pam Damoff:** Madam Speaker, these are indeed very difficult conversation to be having, and that was certainly discussed in 2016. My understanding is that part of the parliamentary review that is to take place on this legislation is about the issue the member has described regarding the people who have a terminal illness and want to provide direction and demands. It is something Parliament needs to look at, and we need to have a fulsome discussion on how we proceed if we choose to proceed on that.

[*Translation*]

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** Madam Speaker, I thank my colleague for her very compassionate and heartfelt speech. It was very moving.

I have a question about requiring a person with an incurable disease to obtain permission from a medical practitioner specializing in the disease in order to get access to medical assistance in dying. In the case of people living in rural or remote regions that do not always have the appropriate medical specialists, does this requirement not constitute an impediment?

[*English*]

**Ms. Pam Damoff:** Madam Speaker, the question from the member is an important one. One does not have to be in a rural area to not have access to medical practitioners who may have expertise. In

speaking with Maureen Lush, I know there is only one doctor in Oakville who is available to perform MAID, and there is no one at all in Burlington.

I think it is very important that people have options and that we remove the stigma of MAID. Hopefully telling these stories will help to educate people on the right option for them and if this is the way they should proceed.

[*Translation*]

**Mr. Alain Rayes (Richmond—Arthabaska, CPC):** Madam Speaker, I am very pleased to speak to the important Bill C-7. We need to know its origins to understand why we are at this point today.

In 2016, working on Bill C-14 was a rather difficult exercise given that the Liberal government was intent on bulldozing it through. I believe that is the right expression, because the government refused all amendments proposed by the different opposition parties, including the Conservative Party, the NDP and the Bloc Québécois.

The government put pressure on the Senate by giving it a deadline. The Senate wanted to improve the bill before the House voted on it. What was the end result? In September 2019, the Superior Court pointed out that the bill passed by the House was not adequate, especially with respect to the issue of the foreseeability of the date of the person's death.

That is where we find ourselves today. We are in the House debating an extremely sensitive subject, but we have not had much time to consult the experts.

Everyone has a different perspective on the issue, whether they are members of the House or members of the public in Quebec or elsewhere in Canada.

I wrote a speech, but I have decided not to read it. Instead, I would like to share my own experience with my colleagues.

The vote on Bill C-14 was the hardest vote I cast in my first four years in Ottawa.

On the one hand, I had some constituents asking me to vote in favour of the bill, while others wanted me to make sure that the legislation would protect the most vulnerable and honour the conscientious objection rights of medical practitioners. On the other hand, I had constituents going through a very difficult time with a loved one who was suffering and could not access MAID.

I did not sleep well the night before the vote. I knew that no matter which position I took, whatever I said in the House could be interpreted by the media and by Canadians. Allow me to explain. Some members voted against Bill C-14, and I would imagine that others will vote against Bill C-7. Members voting against the bill are doing so not because they are against it, but because they do not think it goes far enough.

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The opposite is also true. Some members voted in favour of Bill C-14 in 2016 because they wanted to make sure people got the bare minimum. No matter which side we took, we had to explain something extremely sensitive, and I do not think a simple yes or no could accomplish that.

I often ask myself, who am I to decide for someone else? As lawmakers, it is our duty to protect the most vulnerable, especially if we remove the criterion of reasonably foreseeable natural death for access to MAID. This is reflected in the questions that some members have been asking in the House. I am sure it reflects the opinion of many Canadians who wonder what would happen if a person wanted to give advance written consent in case their situation changed over time. There is much more to this debate, and I do not think we are done talking about it.

Madam Speaker, I forgot to tell you that I will be sharing my time with the member for Calgary Signal Hill.

• (1225)

I am very concerned about ensuring that this bill enables all Canadians, wherever they may live in this country, to have access to the appropriate resources to make the right decision for their situation. The current pandemic has exposed the weaknesses in our health care systems. I doubt all Canadians in rural areas have access to specialists who can guide them and give them the right information so that they can make a decision based on their circumstances.

I am also very concerned about minors and vulnerable people. During the study of Bill C-14 in 2016, I had the opportunity to hear the testimony of two witnesses who had suffered accidents and endured the most traumatic ordeals a human being can experience. They told me that, had they had access to MAID back then, they probably would not have been talking to me that day because they had been in such a dark place at the time.

I know people who were there for the final moments when someone who was suffering asked for MAID. I am certainly concerned about all that, and it makes me wonder what the best solution is. Is it because we do not have the necessary palliative care resources? Is it because both the federal and provincial governments and health care facilities are making poor decisions? I am wondering about that.

I must say, I feel like we are rushing the process today, because has been quite a while since the courts asked Parliament to modernize this legislation after what happened in Quebec. This is a government that shut down Parliament under the pretext of being in a pandemic, as though we could not do more than one thing at a time. There are 338 MPs. Committees could have continued to sit. We could have heard from experts who could have explained this issue to us properly so we could make the right decision, the best decision.

Again, this is something that will not be easy for many of us. We have differing opinions within our party and elsewhere. However, I would like to note that I am proud of my party for letting me vote freely. I want to thank my leader for allowing this, without any pressure from my organization. I hope that all political parties will offer this choice, because this is a vote of conscience, and it is challenging for us to represent our constituents, who do not all share the

same opinion. We also have our own conscience. For some, this is a matter of religion or beliefs, which means we may not all see eye to eye on this file.

Personally, the thing I wrestle with the most is wondering who I am to decide what is best for someone who is suffering. I believe that is what will guide my decision on the day of the vote. I hope that I will be able to make the right decision and that all of us can then work with the government to put all the necessary resources in place to properly inform and educate the public, and provide everything we can to vulnerable people who are going through tough times with loved ones, so that they are adequately supported in making the best decision.

In closing, I hope that next time, we will have more time to talk about people who are not vulnerable, sick or about to die, but still want to express advance consent.

• (1230)

**Mr. Arif Virani (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.):** Madam Speaker, I thank the member for Richmond—Arthabaska for his very frank and candid comments.

I would just like to clarify something. He mentioned that the Liberal Party did not accept the other parties' amendments. That is not quite accurate, because during the debate on Bill C-14, we accepted an amendment endorsed by all parties concerning medical practitioners' freedom of conscience and religion.

I would also like to point out that Bill C-7 does allow for advance consent, but not advance directives. The issue of advance directives will be dealt with in the comprehensive review, which will take place every five years.

I would also like to point out that there is a 90-day waiting period to eliminate the impulsiveness my colleague pointed out in his speech. For example, when a minor has an accident, we do not want them to make an impulsive decision on this matter.

Does the member opposite believe that having a specialist is necessary? For example, Mr. Truchon, who was from Quebec just like the member opposite, had cerebral palsy. Our party believes that a physician must have the requisite expertise to treat and advise patients before they make their decision.

**Mr. Alain Rayes:** Madam Speaker, I thank my colleague for his question and for the clarifications he provided.

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I do think that some expertise will be required. This is a very big decision for patients and their loved ones. There is the whole issue of grieving, a whole process. Yes, it makes sense that the doctor would be a specialist in the individual's illness or disability. However, I wonder if everyone will have access to those resources during the decision-making process. The devil is in the details, as they say. This shows just how urgent it is to deal with the matter of medical assistance in dying and, in particular, Bill C-7.

• (1235)

**Mr. Martin Champoux (Drummond, BQ):** Madam Speaker, this is a particularly meaningful day to talk about this sensitive issue. Yesterday, October 18, marked the first anniversary of the passing of my aunt Claire, who chose to access medical assistance in dying. She was not looking to end her life, but she simply wanted to choose how she would put an end to her suffering and to do so with dignity. I think that the word “dignity” is important, because that is what we are talking about here.

I heard the speech by my colleague from Richmond—Arthabaska, and I appreciated the considerable sensitivity he showed in expressing his concerns. The topic of palliative care is a very important one.

If every patient across the country had fair and equal access to palliative care, would my colleague agree to remove the element of final consent, so that people with degenerative diseases could make a decision several weeks or months in advance, or even years, before their unforeseeable, yet inevitable, death?

Could my colleague speak to that?

**Mr. Alain Rayes:** Madam Speaker, I thank my colleague for his question.

At the end of my speech, I talked about reflecting on the notion of who am I to decide on behalf of someone else going through such a terrible ordeal. I had those discussions, that very debate, more than once with friends over dinner. Some of those friends were going through this situation with their mother or father, or a brother or sister. This is what is really giving me pause right now.

Ultimately, I should allow these individuals to have access to this resource. I am not sure “resource” is the right word; I should say, people should have this as one of their options.

I do want to ensure, however, that the government does everything it can to protect vulnerable people if the time ever comes in their life that they want to end it. It should not have to come to that, and that is what I am wrestling with at the moment.

Ultimately, I hope to be able to let go and vote in favour of this bill, as my colleague mentioned earlier, to let everyone decide for themselves.

[*English*]

**Mr. Ron Liepert (Calgary Signal Hill, CPC):** Madam Speaker, it is an honour to participate in the debate on Bill C-7, which will amend the Criminal Code.

As someone who travels four or five hours to get to Ottawa on a regular basis, often I sit in Parliament and ask, “Do my constituents really care about what we are talking about?” I am pleased today to

participate because I believe that this is a subject matter that every Canadian feels strongly about, one way or another, and that potentially could impact every Canadian. I feel very honoured to participate in this debate today.

We are doing so because the Supreme Court deemed certain provisions of the original medical assistance in dying legislation, MAID, to be unconstitutional. That provision, deeming death must be reasonably foreseeable, is being withdrawn in Bill C-7. The second important piece of this bill is the removal of the 10-day waiting period. In my remarks today, I want to address both of those changes.

First, I would like to state at the outset that I support the bill. In contrast to some others who have spoken, I do not believe the government should have appealed the Supreme Court decision. While I commend the government for finally bringing forward this legislation, it is unfortunate that the Liberals are only acting when being made to do so by the courts. This is somewhat of a repeat of four years ago when the government was forced by the courts to introduce the original MAID legislation.

Those suffering near the end of life should not have to resort to the courts before government acts. I guess one could say, however, that late is better than never, and it is certainly better than endless appeals of the decisions.

Four years ago when the original bill was introduced in the House, I made a special effort to obtain the collective views of my constituents. While I personally supported the original legislation, I also wanted my vote to reflect the feelings of my constituents. I reached out extensively to survey my constituents through phone calls, emails, Facebook and direct mail.

The responses at that time were from all age brackets and all demographics. The end result was 77% of several thousand respondents supported the legislation. Ironically, that number is awfully close to the percentage of support I received in the general election just one year ago. I am confident that a similar survey today would yield the same results, and the majority of my constituents would be supportive of the changes being proposed in the bill.

What I heard from constituents reflected my own personal views. While I respect some deeply held views from constituents who do not support MAID, I am of the belief that I, and only I, should determine how much pain and suffering is reasonable for me when end of life is near. I do not believe any institution or government should deny me my constitutional right.



Some medical professionals do not support MAID, and that is their constitutional prerogative. Those advocating against these changes feel those rights are not adequately protected in the legislation. That may be legally correct, but medical professionals not wanting to administer MAID clearly have a professional responsibility to refer patients. In Alberta, the website for Alberta Health Services has a listing of doctors who are willing to perform MAID. If it is the view of a medical professional that he or she is not prepared to perform MAID, they can make a referral.

The second important piece of this bill is removing the 10-day waiting period. I also support this. The contention that someone who is suffering to the extent that they ask for MAID one day will simply wake up a few days later and change their mind, I do not agree with. In my view all the 10-day period provided for was additional suffering and an opportunity, for those who oppose MAID on fundamental principles, to try to change the patient's mind. In my view, both are wrong.

I am sure most MPs are receiving the same emails I am getting, many from constituents asking that I support the legislation and others who are opposed. I have no issue with those opposed to MAID. Where I do take issue is with some of the rationales that are being used. Medical professionals' conscience rights is one, and I have spoken to that.

● (1240)

Others claim the legislation would take us down the slippery slope of other countries, where euthanasia is available to children and those with mental illness. Clearly those are red herrings because this legislation would do none of that. Others are asking for more study, another delay tactic, similar to appealing the court decisions. It is more work for lawyers, less satisfaction for those suffering.

Increased funding for palliative care has also been raised as an option by those opposing this legislation. Enhancing palliative care is always welcome, but in my view is not directly related to this issue. We are talking here about people wanting to end excruciating pain and suffering. These people are not asking for their pain and suffering to be made more comfortable.

Our health care system must do both things well. It must allow for people to live with dignity and receive excellent care as they reach the end of their lives. In addition, the provision of health care is a provincial responsibility, and I do not believe it should be part of this discussion.

Since the original MAID legislation was passed four years ago, I have taken a special interest in this issue. Unlike some other members who spoke earlier, I have not attended a death where someone has chosen MAID. However, I have had dozens of constituents make a real effort to tell me they experienced MAID with a loved one and that it was very special and appropriate. They personally thanked me, as someone charged with making laws in this country, for making this provision available at end of life for their loved one.

I have not had one constituent call me to say how bad this experience was. In almost all cases, these same constituents have said that society needs to go further. In fact, many constituents seem to

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believe advance consent already exists. They cannot believe they are not allowed to prepare a legal document, while of sound mind, that would provide their loved ones with guidance in the event they are nearing their end of life but are no longer of sound mind. For that reason, it is critical the minister get on with his public consultation on a broader review of MAID, which was promised some time ago.

The minister needs to find out what Canadians want and not make those suffering take years to go through the court system to get change. Like most things, the Liberals blame COVID. However, there are many ways of seeking input from the public regarding other changes to MAID, and the minister needs to get this discussion moving now.

In summary, I look forward to the bill being studied in committee. I know there will be those opposed to the bill and those in favour making presentations, and all need to be heard. For me personally, I have consulted and listened to my constituents and feel very comfortable voting in favour of the legislation.

● (1245)

**Mr. Lloyd Longfield (Guelph, Lib.):** Madam Speaker, the member for Calgary Signal Hill is the member of Parliament for my brother, and I appreciate the effort he is putting forward in reaching out to his constituents to find out what they are thinking on the issue. Our role as members of Parliament is to put aside where we may want to head in favour of finding out from our constituents how we can best represent them.

My question is regarding the speed of reaction. The legislation we introduced last time was a result of a lot of discussion and consultation. The consultations reached 300,000 throughout January of this year. We are being very careful to go one step at a time to avoid slippery slopes.

Could the hon. member talk about the importance of avoiding those slippery slopes by taking the proper amount of time to do the consultations we need?

**Mr. Ron Liepert:** Madam Speaker, I am suggesting we need to launch these consultations that have been promised because there are Canadians who believe this particular legislation could be even further enhanced. The Liberal government needs to get on with these consultations and listen to Canadians.

As mentioned, at the end of the day we are here to represent our constituents. When I did my survey, I did not know how my constituents were going to react. Even though I felt strongly about this particular issue, I wanted to make sure I was representing their views, and I believe in both cases that was the case.

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**Ms. Rachel Bendayan (Parliamentary Secretary to the Minister of Small Business, Export Promotion and International Trade, Lib.):** Madam Speaker, I will be sharing my time with my esteemed colleague from Argenteuil—La Petite-Nation.

It is with great emotion that I rise in the House to speak to the bill on medical assistance in dying.

First, this bill is the result of a decision handed down by the Superior Court of Quebec. I am very familiar with that court. I had the great honour and responsibility of arguing cases before it in my previous life. Barreau du Québec lawyers have the privilege of working with one of the best courts in the world.

This court rendered a decision and rather than appealing it, the Liberal government said yes. Quebec will once again be leading the way for the rest of the country. Our progressive and forward-looking Quebec will guide Canada. That makes me proud both as a lawyer and a federal government MP from Quebec.

The purpose of Bill C-7 is to ensure that people like Ms. Gladu and Mr. Truchon have the same rights, opportunities and freedoms as those who are facing an imminent or reasonably foreseeable death.

• (1250)

*[English]*

The ruling in Truchon found the eligibility criteria of reasonably foreseeable natural death to be unconstitutional. Our government also agrees that MAID should be available to relieve suffering and pain from serious medical conditions and is now proposing through this legislation to amend the Criminal Code so that Canadians can end their lives with medical assistance if that is the right choice for them. To accomplish this, Bill C-7 proposes to repeal the requirement that natural death be reasonably foreseeable, opening up access to those who are suffering in a wider set of circumstances.

The changes to the legislation propose to create two pathways in terms of the procedures that must be followed to assess a request for medical assistance in dying. While I do not have time to get into the details of the two regimes in full, there are a number of points that I wish to highlight today.

For those people who are suffering intolerably from a serious medical condition, but whose death is not reasonably foreseeable, the safeguards put in place emphasize the importance of ensuring that sufficient time is taken to evaluate the request. A minimum of 90 days will be needed so that the person can be assessed by a doctor who has some experience with this condition, which will help to ensure that the person gets all of the information, services and tools that might help them improve their quality of life.

*[Translation]*

Bill C-7 also creates new safeguards with respect to consent. Individuals requesting an assessment for medical assistance in dying give their consent, of course. Clearly, they also give their consent to receive MAID when they officially sign their request. However, what matters most is consent when MAID is about to be administered. There must be no doubt as to the person's desire to receive

MAID at the moment they receive it. Doctors will be more comfortable proceeding under those circumstances.

Depending on their illness, some individuals risk losing their capacity to give consent between the time they are approved for MAID and the day they would like to receive it. Although we expect that most people are ready for MAID rather quickly once their request is approved, some people may wish to wait for a specific event such as a child's wedding or the birth of a grandchild. Those who wish to wait before going ahead with MAID are caught in an impossible situation if there is the risk of losing capacity. Either they wait for their special family event and risk losing their ability to die as they wish, or they move up the date of the intervention and miss a very important moment with their family and friends.

Therefore, this bill will enable individuals in real danger of losing their capacity to consent prior to the day specified for administration of MAID to make special arrangements with their practitioner. Such arrangements must be made in writing. The doctor and the individual must work together to come to an agreement that works for both of them. This safeguard is important for individuals as well as for doctors because they are the ones who bear the tremendous burden of ending someone's life.

The bill addresses another difficult situation.

Let us suppose that, when the day comes, the person has lost their capacity to consent to MAID, but remains conscious and alert, although not competent. Let us also suppose that they act in such a way or make gestures clearly indicating that they do not want to receive MAID. The bill addresses this situation—which we obviously hope will be rare—by clearly stating that the physician must not proceed because, in this case, it is no longer what the person wants.

*[English]*

The concept of freedom of choice, for me, remains central to all of this. I watched my grandmother suffer from Alzheimer's. Not long after I was born she was diagnosed, and when I was very young she used to repeat the same stories over and over again to me, about her own life and the life lessons that she wanted to pass on. She would tell me about how she used to work two and then three jobs, taking shifts overnight in order to buy her family's first home and provide a better life for her children. What that repetition instilled in me was certainly an understanding that my grandmother was probably the strongest woman I knew, that she was a force of nature.

When I was about seven or eight she forgot who I was, she forgot who everybody was, and I had to very painfully remind her every time I saw her. By the time I was 10 she no longer remembered language at all, and it was just humming, which I still somehow found very soothing, comforting and somehow okay. The degradation from there continued; her eyes no longer opened at all, she was in a wheelchair, the humming had completely stopped and when I was 15 the only muscles that worked were reflexive ones. Even if nothing else in her body moved, she would chew food if it was put into her mouth. It took two people to move her from her wheelchair to her bed or to change her, and this situation went on like this for 10 years.

As a teenager I used to wonder constantly what it would feel like to be trapped in a body like that, wondering if that was really the same strong woman in there or not. It was 10 years of listening to hushed voices in the kitchen saying, "...but there's nothing we can do."

I do not know for sure, of course, what my grandmother would have decided for herself, but I do know for sure what I would want. For those who would decide something different for themselves, or for whom their beliefs are contrary to assisted dying, this framework provides everyone with the freedom to decide for themselves.

It is not a crime under the Criminal Code to take one's own life. It is a crime to take someone else's. The changes proposed would ensure that those people who need and who would like doctors to help them in order to end their life with dignity, at the time that they choose, can do so.

MAID is certainly one of the most challenging social issues in our society, which is made up of people with very diverse viewpoints and needs. I believe that this bill would achieve the right balance between the freedoms and rights of those who are dying and who are seeking a peaceful medically assisted death and our medical practitioners who need a clear framework for timing and consent.

I call on all members of this House to support Bill C-7.

● (1255)

**Mr. Dane Lloyd (Sturgeon River—Parkland, CPC):** Madam Speaker, when I think about this, and about the importance of choice, I am thinking about the horrible situation that has been uncovered in long-term care homes across this country. I am thinking of a gentleman named Roger Foley from London, Ontario, who has a degrading neurological condition. He is not being adequately supported by our health care system. He is not getting assisted living, and so how can people be truly given a choice when their choice is between living horribly in a health care system that does not support people or having medical assistance in dying?

Would the member not agree that we need to invest more in our health care system and more in improving the lives of our seniors and those with diseases before pushing forward and liberalizing assisted dying?

**Ms. Rachel Bendayan:** Madam Speaker, I do not disagree with him. I do believe that we need to ensure that the quality of life that is available to our elderly and the people who are living in assisted-living homes and centres across the country allows them to have

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the option of living with dignity, but I do not believe the two are mutually exclusive.

Our government has invested in health care recently. We have made numerous transfers to the provinces in order to make sure that our seniors are being cared for, and we will continue to do so, but that does not mean that medical assistance in dying should not move forward at the same time.

[*Translation*]

**Mrs. Julie Vignola (Beauport—Limoilou, BQ):** Madam Speaker, I want to thank my colleague for her speech, which was very personal and very moving. I just want to pick up on the idea of the foreseeability of death.

Alzheimer's follows a certain progression. My colleague's grandmother went through that progression, as have some other people I know. People can experience different forms of dementia with aging, and some are more difficult than others.

With that in mind, would it be good to include the possibility of advance requests for medical assistance in dying in Bill C-7, along with very specific criteria?

**Ms. Rachel Bendayan:** Madam Speaker, I thank my colleague for her question.

We need to keep this conversation going. We need to ask Canadians what they think and what they would be comfortable with. That is certainly not out of the question, but at this point in time, I think we have presented something that not only responds to the Quebec Superior Court's ruling but also meets the demands of those seeking medical assistance in dying.

I certainly think more needs to be done. I know this is a very real concern in Quebec. My constituents also ask me about this. I think we need to keep the conversation going and see how we can move forward into the future.

● (1300)

[*English*]

**Mrs. Cathay Wagantall (Yorkton—Melville, CPC):** Madam Speaker, I appreciated the words of my colleague across the floor. My father passed away in February just before COVID from Alzheimer's, after nine long years in care. However, I also do know what his desire was. The member spoke of choice. That, I think, is the issue here, right down to the choice for doctors.

The member talked about making sure safeguards are in place. What about doctors who do not feel they can go forward in participating in this? They are not being properly protected across our country. As well, the Canadian Society of Palliative Care Physicians has made it clear that euthanasia and palliative care are two very distinct things.

How does the member feel about her government's position on palliative care? Would she be willing to say that those two things are very distinct and should exist independently?

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**Ms. Rachel Bendayan:** Madam Speaker, I have spoken to a few doctors who have told me they themselves are uncomfortable with the procedure. They have a system in place that appears to be working in which they can refer to their colleagues, other practitioners, in order to perform medical assistance in dying. That appears to be working for some.

I am not aware, of course, of the situation of all medical practitioners across the country, but I certainly was comforted to hear from a number of doctors who, for different reasons, including religious beliefs, do not feel comfortable with this. There is a process in place for referrals.

I would also note that medical practitioners do have the moral obligation to—

[*Translation*]

**The Assistant Deputy Speaker (Mrs. Alexandra Mendès):** Order. The parliamentary secretary.

**Mr. Stéphane Lauzon (Parliamentary Secretary to the Minister of Seniors, Lib.):** Madam Speaker, I am so pleased to be able to speak to Bill C-7, which seeks to amend Canada's medical assistance in dying legislation.

This is officially one of the hardest decisions I have had to make since entering politics, first at the municipal level in 2009 and then at the federal level. I never used to get my family involved in my decision-making. However, on this issue, I decided to get my wife and adult daughters to sit down with me at the kitchen table for a frank and serious family discussion.

Our government has been working on this bill since 2019. We have had discussions about the future and the choices that we need to make as parents. These discussions were extremely difficult. I know that this is an issue that hits very close to home for Canadians, but we do not talk about it in public very much. However, medical assistance in dying is a very complex and very serious issue for me.

Yesterday, when I came back from my run, a neighbour was waiting on my doorstep. We had an intense discussion, a very good discussion, on medical assistance in dying. He had just been diagnosed with ALS and was very emotional, which made me very emotional. He asked me if I had voted for or against the bill the last time. Because I understood that an individual's right to choose is very important, I voted in favour of the bill. This time too, I agree with the amendments proposed by the Quebec courts.

I have deviated somewhat from my speech, but events like these give us an opportunity to reflect on the reasons we are here. This subject has not been talked about very much in the House, and some opposition members have asked why it is up to all of us here to make these decisions. It just so happens that we chose to be decision-makers and that sometimes we have to make tough choices like this one.

We immediately embarked on an inclusive process with the provinces and territories in response to recent court rulings about MAID rules. We held extensive consultations. We talked to doctors, organizations, vulnerable people and eligible individuals. The consultations were part of our government's progressive approach to

ensuring that the federal framework reflects evolving views and Canadians' needs. That is how we always make decisions here in the House. Our goal is always to improve Canadians' lives and be as fair as possible.

We were particularly focused on making sure that people with disabilities could express their views on the subject. People with disabilities are extremely important to me, given my past experience as parliamentary secretary to the minister responsible for persons with disabilities. That was an incredible experience, and we drafted the first accessibility act, which is near and dear to my heart.

Bill C-7 would amend the Criminal Code provisions respecting medical assistance in dying to provide greater autonomy and freedom of choice to eligible individuals seeking medical assistance in dying.

Protecting vulnerable individuals and respecting the right of people with disabilities to equality and dignity are essential considerations. More specifically, this bill would broaden medical assistance in dying to people with irremediable medical conditions who are in an irreversible decline but are not at the end of life.

• (1305)

The bill also proposes excluding persons whose sole underlying condition is a mental illness, introducing a host of safeguards for persons whose death is not reasonably foreseeable while maintaining and relaxing existing safeguards for persons whose death is reasonably foreseeable.

The bill also proposes permitting persons whose death is reasonably foreseeable and who were deemed eligible for medical assistance in dying to provide consent in advance of the time of the procedure even if they lose the capacity to consent prior to the day specified in the arrangement with the medical practitioner.

Supporting and advancing disability inclusion is not new for our government. From day one, we have been committed to achieving these objectives and have improved our programs to better respond to the needs of persons with disabilities. It should be noted that the Government of Canada fully respects the equality rights of Canadians with disabilities. That is why we have been working hard since 2015 to advance the accessibility and inclusion of persons with disabilities.

For example, in 2018, we acceded to the optional protocol to the Convention on the Rights of Persons with Disabilities. This means that Canadians have additional recourse for filing a complaint with the UN Committee on the Rights of Persons with Disabilities if they believe their rights under the convention have been violated.

In July 2019, we passed the Accessible Canada Act, which we are in the process of bringing into force. This legislation is considered one of the most important advances in federal legislation on human rights for persons with disabilities in more than 30 years.

In 2019, we also launched the accessibility strategy for the public service of Canada, in order to make the public service more accessible and inclusive. In addition, we improved data collection, in particular regarding indigenous people with disabilities. We recognize that integrating people with disabilities is about more than simply passing a law, and we are working with these people and other stakeholders to combat stigmas and prejudices. The culture needs to change so that the significant contributions made by Canadians with disabilities are recognized and valued as much as those of other Canadians.

Bill C-7 gives vulnerable people new, concrete safeguards against pressure and coercion, to ensure that MAID remains an informed, voluntary decision.

Today, as Parliamentary Secretary to the Minister of Seniors, I see that this has once again become a hot topic in my riding and in our discussions. I see how important it is to give people the right to make their own end-of-life choices. Fundamentally, we hope to strike a fair balance between respecting the individual autonomy of people who request MAID and protecting vulnerable people. We want this measure to be as compassionate as possible.

● (1310)

**Mrs. Claude DeBellefeuille (Salaberry—Suroît, BQ):** I want my colleague to know that I really appreciated his speech.

In the bill and in practice, there has been a lot of talk about importance of the role doctors play when someone makes the final decision to request medical assistance in dying. However, we must not overlook the caring presence of the social workers who support these individuals throughout the process, allowing them, as my colleague said, to make an informed decision and fully and knowingly consent. The presence of a social worker is an important part of the support provided to individuals and families, as this decision is often made as a family.

I would like to hear my colleague's thoughts on the arguments raised since this morning in favour of an individual's right to express their wishes in advance when they are diagnosed, know that death is inevitable and want to plan how they will leave this world. Would my colleague support including a way to express one's wishes in advance in this legislation?

**Mr. Stéphane Lauzon:** Madam Speaker, I would like to thank my colleague for her question.

It is an excellent question. Any avenue for helping vulnerable people and helping those who want to support access to MAID is appropriate. All we want is to have federal legislation that provides a framework for all the regulations to ensure that there is a system in place in every province and territory of Canada so that people have the fairest opportunity to make a decision.

However, if the provinces want to implement any measures, given that health is a provincial jurisdiction and that Quebec asked for the legislation to be amended, we will always be there to support the best outcome for the vulnerable.

[English]

**Mr. Arnold Viersen (Peace River—Westlock, CPC):** Madam Speaker, I am concerned that this bill would create two classes of

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Canadians. In one case, able-bodied persons suffering from mental illness would be provided with suicide prevention; in the other case, persons who happen to be in wheelchairs would be eligible for MAID.

Is the member not concerned that this bill would create two classes of Canadians?

[Translation]

**Mr. Stéphane Lauzon:** Madam Speaker, what we are saying is that we want to make the fairest decisions for each group of people.

People dealing with mental health issues are just as important as people with disabilities and people who are terminally ill and highly vulnerable.

This is a very sensitive debate, and people with mental health problems who are not capable of making decisions are excluded from this law.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Madam Speaker, I want to begin by saying that I was very touched to join my colleague in attending the commemoration of the great sacrifice of Canadian soldiers during the Second World War, in Caen, France.

[English]

I will put that aside for a moment.

I listened with interest to my colleague talk about the rights of handicapped people and how much the government cares for them. However, we saw complete indifference toward the crisis faced by handicapped people during the pandemic. We had to work hard and push the government to give a measly \$600 to the most impoverished people when it was not going to give it. Handicapped people suffer extraordinary levels of poverty because they are marginalized from the workforce.

Given the fact that the Human Rights Commission had to call out the government on its lack of action and interest in supporting handicapped people during the pandemic, I would expect my colleague to recognize that the government needs to do a better job in addressing the rights of handicapped people so they can get through this unprecedented economic and medical catastrophe.

● (1315)

[Translation]

**Mr. Stéphane Lauzon:** Madam Speaker, it is a pleasure to rise to respond to my colleague who was also a travel companion in Normandy.

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My colleague may be referring to the Speech from the Throne in which the Prime Minister put forward some very important decisions for persons with disabilities. We provided \$600, but that has nothing to do with medical assistance in dying. However, I am pleased to inform him that we were there for persons with disabilities—

**The Assistant Deputy Speaker (Mrs. Alexandra Mendès):** Resuming debate.

The hon. member for Shefford.

**Ms. Andr anne Larouche (Shefford, BQ):** Madam Speaker, I would first like to mention that I will be sharing my time with the hon. member for Beauport—Limoilou.

I am speaking here in the House of Commons today about Bill C-7, an act to amend the Criminal Code with respect to medical assistance in dying.

Many people here have had unique experiences involving the end of a loved one's life. Personally, my most recent experience was last year, when I held my father-in-law's hand until we were sure that he could die without suffering. I realized then that not everyone is that lucky. I thought about my grandmother, who fought a long and painful battle with cancer for many years.

Naturally, as the Bloc qu b cois critic for the status of women and seniors, I was contacted by a number of groups about this bill. I will therefore recap all of the work my party did on this important issue, while emphasizing the great sensitivity of Quebecers when it comes to medical assistance in dying. I will conclude with the position of some seniors' and women's groups who have made extremely useful recommendations.

First, let us talk about the reason for this debate. In September 2019, the Superior Court of Quebec ruled in favour of Nicole Gladu and Jean Truchon, both suffering from incurable degenerative diseases, stating that one of the eligibility criteria for medical assistance in dying was too restrictive, both in the federal legislation covering MAID and in Quebec's act respecting end-of-life care.

Two brave individuals, and I know people who knew them personally, simply asked to be able to die with dignity, without uselessly prolonging their pain. Suffering from cerebral palsy, Mr. Truchon lost the use of all four limbs and had difficulty speaking. Pain killers are no longer working for Ms. Gladu, who suffers from post polio syndrome, and she cannot remain in one position very long because of the constant pain. She said that she loves life too much to settle for mere existence.

What we are talking about here is the "reasonable foreseeability of natural death" requirement. Justice Christine Baudouin said it well in her ruling when she wrote that "The court has no hesitation in concluding that the reasonably foreseeable natural death requirement infringes Mr. Truchon and Mrs. Gladu's rights to liberty and security, protected by section 7 of the Charter." That is the crux of this debate.

The defendants were challenging the fact that they had been denied access to medical assistance in dying because their death was not reasonably foreseeable, even though they had legitimately demonstrated their desire to stop suffering. Jean Truchon had cho-

sen to die in June 2020, but he moved up the date of his death as a result of the pandemic. Nicole Gladu is still living, and I commend her courage and determination.

The Bloc Qu b cois' position on this ethical question is clear. I thank the member for Montcalm for his excellent work and co-operation on this matter. I remind members that, as many have already pointed out, legislators did not do their job properly with Bill C-14. As a result, issues of a social and political nature are being brought before the courts.

We need to make sure that people who have serious, irreversible illnesses are not forced to go to court to access MAID. Do we really want to inflict more suffering on people who are already suffering greatly by forcing them to go to court for the right to make the very personal decision about their end of life? This will inevitably happen if we cannot figure out a way to cover cognitive degenerative diseases.

Obviously, we agree that we need to proceed with caution before including mental health issues, but that is not the issue today. The exclusion from the bill of eligibility for medical assistance in dying for individuals suffering solely from a mental illness requires further reflection, study and consultation, which will be completed at the Standing Committee on Health as soon as the motion that has already been moved by my colleague from Montcalm is adopted.

I would like to remind members of the important role Quebec played on this issue. Quebec was the first jurisdiction in Canada to pass legislation on this issue.

• (1320)

Wanda Morris, a representative of a B.C. group that advocates for the right to die with dignity, pointed out that the committee studying the issue had the unanimous support of all the parties in the National Assembly. This should be a model for the rest of Canada. Ms. Morris said she felt confident after seeing how it would work in Quebec and seeing that people were pleased to have the option of dying with dignity. The Quebec legislation, which was spearheaded by V ronique Hivon, was the result of years of research and consultation with physicians, ethicists, patients and the public. It has been reported that 79% of Quebecers support medical assistance in dying, compared to 68% in the rest of Canada. That is important to point out.

In 2015, when the political parties in the National Assembly unanimously applauded the Supreme Court ruling on MAID, V ronique Hivon stated:

Today is truly a great day for people who are ill, for people who are at the end of their lives, for Quebec and for all Quebecers who participated in...this profoundly democratic debate that the National Assembly had the courage to initiate in 2009. I believe that, collectively, Quebec has really paved the way, and we have done so in the best possible way, in a non-partisan, totally democratic way.

In this time of crisis, we must work together constructively to put people's well-being first. This is not about which has greater merit: palliative care or medical assistance in dying. This is about being able to offer both, to offer a choice. That is why I would like to remind the House that health transfers must be increased to 35% because Quebec and the provinces are the ones who know their regions' needs best and are in the best position to minimize disparity among the regions.

I would now like to tell the House about a meeting I had with the Association féminine d'éducation et d'action sociale, or AFEAS, in my role as critic for seniors and status of women. During the meeting, the AFEAS shared its concerns about this issue with me. I will quote the AFEAS 2018-19 issue guide:

Is medical assistance in dying a quality of life issue? For those individuals who can no longer endure life and who meet the many criteria for obtaining this assistance, the opportunity to express their last wishes is undoubtedly welcome. This glimmer of autonomy can be reassuring and make it possible to face death more calmly....

As the process for obtaining medical assistance in dying is very restrictive, those who use it probably do so for a very simple reason: they have lost all hope....

This procedure cannot be accessed by individuals who are not at the end of life....People with degenerative diseases, who are suffering physically and mentally, do not have access to medical assistance in dying.

That meeting took place last January. Last week I received a call from the president, reminding me how important this bill is, not only to her members but to all Quebecers and Canadians. Work on this bill must continue in committee so the necessary improvements can be made.

Before being elected, I was a project manager responsible for raising awareness about elder abuse and bullying. I used to teach that violating people's rights is a form of abuse, that any attack on rights and freedoms, including the failure to recognize an individual's capacity to consent and to accept or refuse medical treatment, is a form of abuse. In 2020, a focus on proper treatment is long overdue.

Let me conclude by saying that I hope all of these comments and all of Quebec's lived experiences, in terms of respecting people who request and choose to die with dignity, will encourage all members of the House of Commons to give their unanimous support to Bill C-7 and to medical assistance in dying. Let's show some empathy for everyone who is suffering. Let's give them the choice. It is said that we do not choose to be born, but once we are, the cycle of life begins. Let's ensure that we ourselves have the choice to die with dignity in accordance with our own final wishes. This bill is long overdue. We need to act.

• (1325)

**Mr. Arif Virani (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.):** Madam Speaker, I thank the hon. member for Shefford for her speech and her very analytical and honest comments.

I have two simple questions for her since she took part in today's debate. It was said that consultations on Bill C-7 were inadequate. In my opinion that is absolutely not true, given that we have already heard from 300,000 people. I would like her thoughts on that.

### *Government Orders*

The other question I want to ask her has to do with the dignity and autonomy of the person who wants to receive medical assistance in dying. Will changing the number of witnesses from two to just one independent witness and eliminating the 10-day waiting period improve or diminish the dignity of a person who has opted for medical assistance in dying?

**Ms. Andréanne Larouche:** Madam Speaker, I thank my colleague for the question.

Eliminating the 10 days is a matter of dignity. This will allow some people to avoid suffering for days unnecessarily. As far as the committee work is concerned, we are aware that there is a world of difference between Bill C-14 and Bill C-7.

It is already planned, but the committee will have to address the issues of advance requests, which is something many seniors' groups are calling for, particularly for some people with degenerative diseases. There is also the issue of mental health and that of minors.

There are more issues that need to be studied, and I know that the committee will do the most exceptional work possible with input from all parties.

[*English*]

**Mrs. Cathay Wagantall (Yorkton—Melville, CPC):** Madam Speaker, the Canadian Society of Palliative Care Physicians has put out a statement, indicating that euthanasia-assisted suicide is distinct from palliative care. We talk about choice and opportunity here, knowing that 70% of Canadians have absolutely no access to palliative care, yet it is part of this conglomerate of other options that are presented within the bill on euthanasia.

What is the member's perspective on the need for palliative care in Canada and should it be considered distinct from euthanasia?

[*Translation*]

**Ms. Andréanne Larouche:** Madam Speaker, I thank my colleague for her question.

I already addressed this in my speech. We must remember that it is important that we not pit palliative care against medical assistance in dying. We must continue to ensure that Quebec and the provinces receive the money they need for their health care systems through health transfers. Palliative care just like medical assistance in dying are part of a continuum of care. It is truly important to provide choice. I have already mentioned that.

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** Madam Speaker, I thank my colleague for her speech.

We agree on the fact that people must be given the choice. They must be able to leave this life with dignity and avoid useless suffering. However, there is a provision in the bill that concerns us a little, and that is the fact that the physician must have expertise or specific knowledge of the person's illness.

*Government Orders*

In the case of people living in rural or remote areas, there may not be a physician with knowledge of a rare illness. Would that not be an obstacle to accessing this right?

**Ms. Andr anne Larouche:** Madam Speaker, that is one more reason to ensure that health care systems across Quebec and Canada have adequate funding through health transfers, as we have pointed out. This would give people access to specialists who could weigh in. That is why the government must increase health transfers and ensure that people everywhere have better access to care.

[*English*]

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Madam Speaker, I agree entirely with my hon. colleague from the Bloc Qu b cois.

I wonder if there could be a response to an earlier question posed in the debate, which suggested that this legislation would open the door to seeing the possibility of medical assistance in dying for those who were not facing death but who were facing mental illness. As I read the legislation, that is specifically not contemplated here.

• (1330)

[*Translation*]

**Ms. Andr anne Larouche:** Madam Speaker, I thank my colleague for her question.

I remind members that the notion of mental health is not addressed in this bill because my colleague, the member for Montcalm, pointed out the need to be careful when dealing with such a sensitive issue as mental health.

**Mrs. Julie Vignola (Beauport—Limoilou, BQ):** Madam Speaker, no one likes to talk about death. It reminds us that we are mortal, as are the people we love and the people we are emotionally attached to. We do not like to feel negative emotions. Our brain reacts negatively to these emotions by releasing hormones that make us panic.

Death is such a difficult subject that most people worry when a loved one starts talking about wills, last wishes or funeral plans. They worry about the person's health, when that person is only trying to plan for the future. This may sound ghoulish, but life always ends in death. Our entire lives are planned, starting with our parents planning our education and then us planning our careers, moves, children, and so on. We can plan for death and funeral arrangements the same way, even if we do not have suicidal tendencies.

For there to be death, there has to have been life. We have a short time on this planet, so we need to act responsibly, not only for ourselves, but also for the generations to come. We are only borrowing this planet. The place where we live is temporary.

I listened to my colleagues' arguments last week, and I also read a lot about medical assistance in dying. I even discussed it with my father. I love my father. I hope that he will be with us for a very long time. I am a daddy's girl. Unfortunately, my father's wishes are currently impossible. He told me that, if he were to be diagnosed with a degenerative disease and told what was going to happen, he would like to be able to tell his doctor, at a certain point in

the progression of the disease, that he wanted medical assistance in dying and that he did not want to linger.

For now, that is impossible. It is something to think about.

Even if these discussions about our loved ones' final moments are difficult, we need to have them. They are important. They ensure that we can respect the person's wishes to the very end. It does not mean that the person will necessarily opt for medical assistance in dying. It means that we will know what the person really wants at the end. It can also prevent families from being torn apart.

One of the points raised by my colleagues was the fear expressed by several disability advocacy organizations that people with disabilities will be urged to get medical assistance in dying. I must admit that I, too, was concerned before I read the bill.

Once I read the bill, I saw that the request for medical assistance in dying must be made in writing by the person in question, and that it can be withdrawn at any time. When the substance is being administered, if the person gestures or speaks in a way that appears to be expressing a change of heart, everything stops there. That is the case not only for people with disabilities, but also for people whose death is foreseeable.

The Canadian Charter of Rights and Freedoms states that people with disabilities have the same rights as people without disabilities. This implies that they have the right to life, and that they are entitled to receive the treatments appropriate to their condition. Why would they not also have the right to medical assistance in dying if they meet the criteria clearly indicated in the bill? Do people with disabilities not have the right to decide for themselves simply because they have a disability? I find that unacceptable. I reject the idea. People with disabilities are capable of making their own decisions. They are rational beings. This has nothing to do with making decisions for other people.

• (1335)

It has to do with allowing people the right to make their own decisions concerning their own death.

I would add that other safeguards have been put in place, namely the three-month wait time with support services. My colleagues talked about that. It is not always easy to get in touch with a doctor or social worker, for example. I used to live in the regions. My doctor was a general practitioner. However, I do not think anyone ever had a better doctor because, when the time came to pick up the phone and call a specialist, he was the first to do so. Nothing could stop him. I wish everyone had that kind of doctor.

All of this makes me think that people with disabilities are not at risk. They will decide for themselves, they will have the same rights and responsibilities as people who do not have disabilities and for whom death is foreseeable.



*Government Orders*

I read that people are concerned that doctors will suggest medical assistance in dying based simply on a person's disability. The very idea is repulsive, since doctors would not encourage patients to die. They would first try to relieve their pain and make suggestions for how to live with their condition. Beyond that, according to the bill, it is not up to the doctor to decide, but the patient. Doctors assess the situation and the request. Their role is not to suggest but to inform. It is the patient's role to request and suggest.

I also read that some people believe that opening up medical assistance in dying to people with disabilities might suggest that their lives are not worth living. I have read and re-read the bill, and nowhere does it say that the life of a person with a disability is not worth living. Did anyone here tell Stephen Hawking that his life was not worth living? Did anyone tell any of our Paralympic athletes that their life was not worth living?

I am getting worked up because I have a little cousin who suffers from severe cerebral palsy. She barely speaks, but when she wants something, she knows how to make herself clear. She will never be able to request medical assistance in dying. Given her personality, I am convinced that, even if she could speak, she would not request it, because she is a ray of sunshine, because she is the person in our family who always believes that everything is good, everything is right and, at the end of the day, we can get through whatever life throws at us. I love her. She makes us see the beauty of laughter and closeness.

Although her life is complicated, it is certainly worth living. Therefore, saying that the bill is suggesting that the lives of people with disabilities are not worth living is yet another despicable point that was made.

The bill's preamble states that life and the dignity of seniors and people with disabilities must be respected and that suicide must be prevented. I agree. To deny people with disabilities who are capable of making the choice the right to decide whether to receive medical assistance in dying is to deny them their dignity. Are we prepared to do that?

That amounts to treating these people as if they were less important, as if they were incapable of making decisions because of their disability. The very idea is repulsive to me.

Not everyone with a disability will request medical assistance in dying, just as not everyone without a disability will request it. Medical assistance in dying is an exceptional measure. It is not the rule. It is a choice that is fundamentally personal and that should not in any way be imposed by another person.

Some called in particular for the withdrawal of the 10-day wait period for people whose death is foreseeable.

Once again, I have very personal reasons for supporting that withdrawal.

• (1340)

I had an aunt who was quite the character. She spent five years fighting cancer and receiving treatments, some of them experimental. At some point, she could no longer stand it, and asked for medical assistance in dying. Because of the 10-day wait period, she died the day before she was to receive the drug to help her die—

**The Assistant Deputy Speaker (Mrs. Alexandra Mendès):** I am sorry, but the time has expired.

The Parliamentary Secretary to the Minister of Justice.

**Mr. Arif Virani (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.):** Madam Speaker, I thank the member for Beauport—Limoilou for her speech, and I would like to congratulate her for highlighting the autonomy of people with disabilities.

I would just like to add that the two people at the centre of the Truchon and Gladu ruling that we are discussing today had disabilities themselves, and the judge recognized their autonomy in making choices.

We have heard several times that our government made a mistake by not appealing the Truchon and Gladu ruling to the Supreme Court. When a provincial superior court decision is well developed, carefully analyzed, rigorous and clearly articulated, should we appeal the ruling to the Supreme Court, or should we take action, as our government is doing, to protect the dignity and autonomy of vulnerable people?

**Mrs. Julie Vignola:** Madam Speaker, I thank my colleague for his question.

I am not a lawyer. However, in this case, a superior court handed down a ruling to address an unfair and unjust situation, where a right was taken away from people who were supposed to be treated equally. In my humble opinion, continuing the legal proceedings would only have added to the impression that these people are separate and different. They are full citizens, and they are entitled to be given our consideration and included in our reflections.

[*English*]

**Mr. Arnold Viersen (Peace River—Westlock, CPC):** Madam Speaker, the member mentioned that, in her opinion, there does not seem to be two classes of Canadians coming out of this. In the previous bill, there were two requirements: grievous and irremediable suffering, and reasonably foreseeable death. This bill would remove the reasonably foreseeable death requirement, therefore creating two classes of citizens. An individual who is suicidal and has no grievous and irremediable suffering would be given the host of services Canada provides to prevent suicide. A person who has a grievous and irremediable issue would be eligible for MAID.

Does the member not see that this bill would create two classes of citizens?

[*Translation*]

**Mrs. Julie Vignola:** Madam Speaker, I thank my colleague for his question.

*Government Orders*

Nowhere in the bill does it say that someone who is suicidal can access MAID. On the contrary, the bill states that someone with a degenerative disability would have 90 days to reflect on their decision and would have the necessary support to ensure that they are not in a state of distress. The necessary safeguards are there to ensure that someone in a state of distress would get the help they need. Furthermore, the request may be denied if the assessment indicates that the problem lies elsewhere.

These are the same reasons for which mental health is not covered. We must start by providing support for mental health problems without giving people with mental illness access to MAID. A good assessment and good support are the safeguards in this bill.

• (1345)

[English]

**Mr. Dane Lloyd (Sturgeon River—Parkland, CPC):** Madam Speaker, my hon. colleague said that there is no way that a handicapped or disabled person could be given medical assistance in dying without their consent because, of course, they would write it on a piece of paper. Would the member not agree that there could be a number of factors put in there, from being put under pressure to feeling like they are a burden on society? Would the member not agree that there need to be protections to ensure that people are not being affected by other factors to ask for medical assistance in dying?

[Translation]

**Mrs. Julie Vignola:** Madam Speaker, I have said it once and I will say it again: Yes, it is important to ensure that individuals make a free, informed decision and that they not be coerced. That is why the bill calls for a 90-day waiting period and support from a social worker.

[English]

**Mr. Lloyd Longfield (Guelph, Lib.):** Madam Speaker, before I get started, I will let you know I am splitting my time with the member for Markham—Stouffville.

Today, I have the opportunity to participate in this debate on Bill C-7 from my riding in Guelph. Before I get going on the debate, I would like to recognize that Guelph is situated on the ancestral homelands of the Anishinabe people, specifically the traditional territories of the Mississaugas of the Credit First Nation.

I am proud our government has brought forward a bill that proposes changes that respond to the Superior Court of Quebec's September 2019 Truchon ruling. The proposed changes were informed by concerns and issues raised during consultations earlier this year in discussions with provincial, territorial and indigenous partners. As a result, we have had careful consideration of past experience with MAID in Canada.

I recognize medical assistance in dying is a deeply personal and complex issue. I have heard extensive feedback from my constituents on this topic as recently as this morning. During today's debate, we are hearing very personal stories from MPs that are very similar to what we heard when we first brought forward the legislation in Bill C-14. There are arguments for and against, which we need to recognize and look at.

Some of my constituents who have shared their support for these amendments and the swift passage of this bill have noted to me the importance of dying with dignity, as well as consistent and equal accessibility for all Canadians, as part of what our legislation needs to provide.

Earlier this year, I had a constituent reach out to me and share her personal story regarding medical assistance in dying. She told me that she felt very strongly about this issue because her husband of 56 years, John, had passed last December after four years of battling an illness and how appreciative she was that we had taken some first steps toward addressing these issues. She told me about the vibrant man John was, with a big heart, a successful career and an impressive education. She told me they had conversations about getting old together and how they would deal with aging, but these discussions did not include suffering or what might happen if the pain became too great. As John's illness progressed, he was moved into a long-term care facility where he spent the rest of his life. It was there that she saw so many others who were unable to be independent. She was saddened to see there was no dignity for these people, or for her husband John, as they were no longer able to look after their own personal needs. I saw this myself with my mother as she went through care in her last 10 years of life. The story of my constituent was one that conveys the importance of providing a diverse end-of-life option for Canadians that will help them provide the right decisions to be able to end their days with dignity, comfort and peace of mind.

Of course, there are two sides to this debate. I have heard from other people and received a lot of feedback that they understand we are coming at this as a deeply personal and sensitive topic for everyone, but are concerned these new amendments may impact the disability community, something we have discussed in the debate today, and the conscience rights of medical practitioners or our work toward improving palliative care. They all really do stitch together. While I am sympathetic to these concerns, I am also pleased to see our new legislation strikes the right balance of autonomy and protection of vulnerable people. This is thanks to many disability advocates who have participated actively throughout the consultation process, including specific round tables that focused on issues faced by the disability community. As was mentioned earlier in the debate, 300,000 people had input throughout the month of January 2020 to help us get to where we are today.

Additionally, our law specifically acknowledges the conscience rights of health care providers and the role they play in providing medical assistance in dying. These new amendments do not make changes to these rights and I know we will continue to work with provinces and territories to support access to medical assistance in dying while also respecting the personal convictions of health care providers.

However, the most common concern I have heard from my constituents is the need to prioritize palliative care over medical assistance in dying.

*Government Orders*

• (1350)

It is really the end-of-life care that we are talking about in both cases. In palliative care, Canadians are approaching the end of their life, and they deserve to receive care in the setting of their choice and to live out their days in comfort and dignity. They also deserve the freedom to make this fundamental decision about life and death without fear of their personal choice being obstructed by politics or government.

In Guelph, we are very blessed to have a wonderful palliative care facility that has been growing over the years as people recognize this as an option towards the end-of-life care that they are looking for.

However, 70% of Canadians are left without access to adequate palliative care. We have the responsibility to act in the interests of patients and their families, which is why our government supports access to both palliative care and medical assistance in dying. End-of-life issues are as diverse as Canadians themselves, and these issues also change throughout the course of medical needs and procedures that are available.

It is our responsibility as a government to provide as many options as possible for Canadians, so that they can take these deeply personal choices and make them on their own. That is why our government has worked collaboratively with partners, such as the provinces and territories, to develop a framework on palliative care. To support this framework, our government is implementing a targeted action plan that will help to improve access to palliative care for underserved populations; support families, health care providers and communities; and look at the funding that is needed to be able to execute our plans.

I would like to take this opportunity to thank Hospice Wellington and its executive director, Pat Stuart for the amazing work they do to support our most vulnerable citizens, including through palliative care.

I would also like to thank the constituents of Guelph who have personally reached out to me over the last several months to share their feedback, suggestions and personal stories around medical assistance in dying. I look forward to continuing to engage with my colleagues on this important subject and with my constituents, so that we can work to create a system that is responsive to the needs of patients, and creates an environment that can create comfort and reassurance for patients and their families.

**Mr. Dave Epp (Chatham-Kent—Leamington, CPC):** Madam Speaker, I wish to thank my hon. colleague for his perspective on this issue. Indeed, I want to thank all of the members from both sides of the aisle who have shared on this deeply important topic.

My concern, and the member raised it, as did several of the previous speakers, is about the concerns expressed by the most vulnerable in our society, the disabled. They wrote, one month after the Truchon decision, to the Attorney General, 72 groups of them, pleading that this case be appealed to the Supreme Court for several reasons, that would buy time for a proper consultation process as part of the review, and that their voices would be further heard.

Could my hon. colleague please comment on why this process has been chosen superior over the voices and wishes of 72 representatives of the disabled community?

• (1355)

**Mr. Lloyd Longfield:** Madam Speaker, I thank the hon. member for Chatham-Kent—Leamington, where we also have family members. As we have these discussions, we do see the cross-ties across Canada as we look at these issues.

The disability community is involved with the consultation process and will continue to be involved. We are reacting to the Superior Court ruling from Quebec, where we do need to look at some amendments. When we can get those in place, we will do the further review of Bill C-14, which will include the broader issues the member has mentioned.

**Mr. Arnold Viersen (Peace River—Westlock, CPC):** Madam Speaker, I will continue on in this vein.

I am concerned that the bill creates two classes of Canadian citizens: one, where if they are attempting suicide, suicide prevention measures will be given to them; and, two, another class of citizens who have a grievous and irremediable condition and who will be offered MAID.

Is the member not concerned with the two classes of Canadian citizens?

**Mr. Lloyd Longfield:** Madam Speaker, similar to colleagues on both sides of the aisle, I do not see this as an issue of dividing Canadians, I see this as an issue to be able to reach all types of Canadians, coming from different experiences and different health needs. We will be addressing the needs of all Canadians through this bill, as well as through ongoing legislative review of this legislation.

**Mr. Dane Lloyd (Sturgeon River—Parkland, CPC):** Madam Speaker, I know that my hon. colleague is a sincere man. That is why I was very disturbed by something I thought I heard him say, about some people at the end stage of their lives, that their lives were simply not dignified. Who is he to say that their lives were not dignified?

Would the member state unequivocally that all human lives, regardless of what condition or how they are at the end of their lives, are always dignified?

**Mr. Lloyd Longfield:** Madam Speaker, I apologize if I left that impression with the hon. member. All life is dignified in Canada.

When my mother was passing away in Winnipeg I spent her last few days with her. Family members were looking at the question of how long to keep the machine going. My mom, in a moment of lucidity, came back to me when my brothers and sisters were out of the room and she said to me, "It's part of my decision as well, dear."

The people who make those decisions have to be dignified and respected, so that their decisions are included in the legislation. In fact, this legislation is central to their decisions and not the decisions of family members or others.

*Statements by Members*

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Madam Speaker, what concerns me is that I have been in the House for many years, and twice now we have had to respond to court decisions in regard to end-of-life legislation.

I brought forward, in the previous Parliament, a motion for a palliative care strategy that received support from every member of Parliament. I heard many of my Liberal colleagues get up to say great things about it and then we never saw any action on it. The concern I have is that, in all of the work I have done with palliative care groups across the country and with people I knew very closely who have died, the will to live is so incredibly strong.

What we do not have ever, it seems, at the federal level is the willingness to make sure that we have standards in place to ensure the dignity of people in their final days and months, to ensure there are proper pain medications, supports and strategies in place. Here we are once again talking about amending the right-to-die legislation, but we have never ever gotten serious about responding to Parliament's call for support for people who want to die with dignity at their own time through palliative care.

**Mr. Lloyd Longfield:** Madam Speaker, I do not mean to talk down to the hon. member across the way because I would not do that.

The courts make decisions that then come back to Parliament so that we can review the decisions we have made on legislation to see whether further amendments are needed. This is a case where a court is telling us that there are further amendments needed. We agree with the court and are going forward with Bill C-7, so that we can make the amendments to try to satisfy the needs of the—

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## STATEMENTS BY MEMBERS

● (1400)

[English]

### SUPPORT FOR LOCAL ARTISTS

**Mr. Jaime Battiste (Sydney—Victoria, Lib.):** Madam Speaker, during this time of COVID crisis, when many of us have been doing our part to socially distance, we have found solace and comfort in the arts. Music, poetry, television and literature have all become more meaningful in this challenging time, offering escape and relief.

Artists have and will always be the first to stand up and volunteer their talents for a good cause, but now as many artists struggle, we need to step up and give them our support.

On that note, I would like to highlight the amazing performances of the Celtic Colours International Festival, which celebrates Cape Breton's living Celtic culture and artistic partnerships. The Celtic tradition of music, dance and storytelling lives on through this festival, which has come to be a celebration of Cape Breton Island's living culture.

This year, the festival was made free to stream by all Canadians. Celtic Colours speaks to the resilience of our musicians, of their love of the craft in difficult times and their willingness to support their communities even when they are facing their own hardships. I

would like to commend them and ask all Canadians to do their part to support their local artists whenever and wherever they can.

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### SMALL BUSINESS WEEK

**Mr. Tako Van Popta (Langley—Aldergrove, CPC):** Madam Speaker, this week is Small Business Week in Canada. This is a time to highlight and celebrate what small businesses and entrepreneurs are doing for our country to make our lives better and our economy stronger. The year 2020 has been a real challenge for small businesses, with COVID-19 proving to be as much a financial crisis as a health crisis.

Despite all those challenges, entrepreneurs across the country are stepping up to the challenge, including people in my riding, whom I had the honour of visiting recently. I am thinking of Amy at Wildflowers Style & Co., Samantha at Oxygen Yoga and Fitness, Julia at the Bone & Biscuit and Stephanie at Mattu's Coffee & Tea. These people are standing up to the challenge.

I thank them for their courage. I thank them for their determination, and I ask them to please keep leading the charge.

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### DONATION TO UNIVERSITY OF TORONTO

**Mr. Yvan Baker (Etobicoke Centre, Lib.):** Madam Speaker, Winston Churchill said that we make a living by what we get, but we make a life by what we give.

Today I rise to honour two Canadians for what they have given. Recently, James and Louise Temerty donated \$250 million to the University of Toronto faculty of medicine through their foundation. This donation is the largest ever to a Canadian university.

The Temerty Foundation gift will support advances in machine learning in medicine and biomedical research, commercialization and entrepreneurship, equity and accessibility in medical education, the creation of a new state-of-the-art faculty of medicine building and much more.

James Temerty was born in Ukraine and came to Canada as a child after World War II. From humble beginnings, he has built a very successful entrepreneurial and business career. James and Louise have been generous philanthropists for many years, giving to a range of causes including the Royal Ontario Museum, the Royal Conservatory of Music, SickKids hospital, Sunnybrook Foundation and much more.

On behalf of our community and all Canadians, I would like to thank James and Louise for the difference they have made in the lives of countless Canadians and people around the world. I thank them for what they have given.

*Statements by Members***WOMEN'S HISTORY MONTH***[Translation]***CANADIAN MINING COMPANIES**

**Mr. Alexis Brunelle-Duceppe (Lac-Saint-Jean, BQ):** Madam Speaker, I recently had the opportunity to participate in a webinar about Canadian mining companies' shameful treatment of people in the Cordillera region of the Philippines and of the activists fighting for them.

I was there to explain what kind of work a parliamentarian can do in such situations. It was abundantly clear to the other participants and me that, thanks to COVID-19, regimes and corporations around the world are working hand in hand, quite happy that nobody is talking about their abuses, and that Canada is turning a blind eye. Never has it been more urgent for Parliament to do more to hold mining companies to account and punish them.

Canada can no longer knowingly serve as a port of convenience for these multinationals. As parliamentarians, we must all stand and condemn abuses perpetrated behind the facade of the maple leaf. It is unacceptable. It is unworthy of the people we represent.

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*[English]***TRAVELLERS TO CANADA**

**Ms. Yasmin Ratansi (Don Valley East, Lib.):** Mr. Speaker, I would like to thank the Minister of Immigration for taking the input of MPs and bringing the necessary changes to expand the categories of travellers allowed into Canada.

In my riding of Don Valley East, I had numerous requests during the pandemic for compassionate and family reunification. The minister has listened and is enabling spouses and fiancés to be reunited, people to visit their dying relatives and international students to come. With the safeguards that have been in place, we know that the importation of COVID-19 cases is less than 3%.

I urge my constituents and everyone to check out the changes and note that we are not easing restrictions, but are being compassionate. We are doing that in co-operation with the provinces and territories and keeping Canadians safe.

\* \* \*

● (1405)

**FESTIVALS IN HALDIMAND—NORFOLK**

**Hon. Diane Finley (Haldimand—Norfolk, CPC):** Mr. Speaker, for the past 16 years, I have had the honour of representing one of the best places to live in Canada and, boy, do we know how to celebrate. Haldimand—Norfolk hosts dozens of festivals, parades and fall fairs, and multiple community suppers, fish fries and barbecues. We even boast a Canada Day parade that has happened every year since Confederation, that is, until this year, when organizers of these events were forced to make the difficult decision to either cancel or move to a virtual format.

While we could not see familiar faces at the fall fairs this year, I am looking forward to the future when we can come together, enjoy a Dixie dog and, personally, get to see an entire parade from start to finish for the first time in 16 years.

**Hon. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, October is Women's History Month in Canada, a time to learn about the lives of our great-grandmothers, grandmothers, mothers and sisters, and their contributions to our communities and country.

We should know the women who built our country. We should learn about their history and achievements. When history has erased women's contributions, we need to uncover them, share women's stories and name unnamed women in archives and family photos, because they have shaped Canada's history. We must tell the stories of women through school, post-secondary education and beyond to ensure that they inspire this generation and the ones that follow.

Let us recognize all women's contributions and celebrate every woman pioneer, trailblazer and rule-breaker who fought to take her rightful place, who fought for each hard-won right and who continues to fight for a better today and tomorrow. We stand on the shoulders of giants.

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*[Translation]***FOREIGN AFFAIRS**

**Mr. Alain Rayes (Richmond—Arthabaska, CPC):** Mr. Speaker, the Liberals are great at preaching to others, but not so good at taking action themselves.

From the day he took office, the Prime Minister has done anything and everything to avoid talking about China. However, the threat is real. Whether it is about Huawei, the illegal detention of the two Michaels or the aggressive statement by the Chinese ambassador regarding people fleeing Hong Kong, the Prime Minister does nothing. Worse yet, he said he admired the Chinese dictatorship. It is not surprising, then, that the Prime Minister is using Canadians' money to support infrastructure projects in China instead of promoting projects here in Canada.

It is high time we took a stand. Backing down from China will only weaken Canada and our economy at this time of pandemic. Failing to deal with China sends a signal to the international community that Canada is weak and vulnerable. Canadians deserve better.

*Statements by Members**[English]***BIRTHDAY CONGRATULATIONS**

**Ms. Kate Young (London West, Lib.):** Mr. Speaker, recently I had the pleasure to join in the celebration of one of my oldest constituents, Mr. George Beardshaw, who turned 97 last month. Because of the pandemic, traditional festivities had to be changed, but the warmth, generosity and love inspired by George was abundantly clear. A classic car tribute five blocks long had been organized by his loved ones, while the drivers honked a happy birthday.

George has led an amazing life. At the age of 18, he joined the Queens Own Rifles to fight in the Second World War to help liberate Europe. He was also part of the home child program, where orphaned and impoverished children from the U.K. were sent to Canada. As we know now, the children were often used as cheap labour on farms and in private homes. The 115,000 home children who came to Canada, like George, have given so much to their adopted country.

I know my colleagues will join me in wishing George, a veteran of so much, the happiest of birthdays in these most difficult of times.

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● (1410)

**STATUS OF WOMEN**

**Ms. Jag Sahota (Calgary Skyview, CPC):** Mr. Speaker, women are the majority of those unemployed as a result of the COVID-19 pandemic, an issue that has not gone unnoticed by the status of women committee.

Recently the committee learned of the numerous negative impacts women have faced because of the Liberal government's failure to follow through with its commitment that all programs and funding would go through a gender-based analysis. Unfortunately, because of the Prime Minister's latest ethical lapse in judgment, we were not able to present our report and recommendations to the government to help address and alleviate their concerns and to find ways to help get women back into the workforce.

Canadians are looking for stability and leadership. Women cannot afford to wait while the Liberals continue to play political games. Canadians can be assured that under a Conservative government, we will continue to put forward constructive ideas and solutions in addressing the impacts of COVID-19 on women in Canada.

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**LIBERAL CANDIDATE FOR TORONTO CENTRE**

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Mr. Speaker, in this age of heightened tension, it is more important than ever that leaders stick to the facts and do not peddle misinformation. Conspiracy theories undermine confidence in democratic institutions and in the ability of people to influence the direction of our politics.

While it is fair to disagree with authority figures, believing that those authority figures are controlled by a global cabal of lizard people undermines the possibility of effective democratic discourse. Frankly, anyone who has seen government up close knows

that conspiracy theories vastly overestimate the competence of government.

That is why I was so disturbed to hear that the Prime Minister's hand-picked Liberal candidate in Toronto Centre had tweeted about "what really happened on September 11, 2001". Bill Morneau must be rolling in his political grave. The 9/11 attacks were carried out by al Qaeda and not by the U.S. government, Elvis or the people who faked the moon landing.

At a time when our relationship with the United States is becoming increasingly challenging, this is not going to make matters any better. The Prime Minister has to explain why he thought it was appropriate, especially at a time like this, to appoint a candidate who has a history of using her public platform to lend credence to conspiracy theories.

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**FISCAL STABILIZATION PROGRAM**

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, the fiscal stabilization program must be overhauled to get money to provinces like Newfoundland and Labrador suffering from serious loss of revenue.

Becoming a have province has been great for Newfoundland and Labrador. We became so because of the oil revenues and royalties, and the many thousands of workers and their families earning good incomes and living better lives because of it. It also meant that we no longer qualified or required payments under the equalization, the constitutionally-mandated program to address inequities between the provinces.

However, equalization does not help the sharp dip in revenues experienced by oil producing provinces like Newfoundland and Labrador, Alberta and Saskatchewan recently exacerbated by the downturn in markets due to the pandemic. The fiscal stabilization program is aimed at that, but it needs to be retooled and upgraded with funding sufficient to address the serious financial crisis facing these provinces.

The Liberal government needs to step up now and fix the fiscal stabilization program to provide the needed help.

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● (1415)

*[Translation]***LOCAL CHARITABLE ORGANIZATION**

**Mrs. Marilène Gill (Manicouagan, BQ):** Mr. Speaker, back home on the North Shore, there is a unique and essential organization that is celebrating its 15th anniversary this year: Cancer Ferme.

Cancer Fermont helps cancer patients and their families by providing welcome monetary or personal support in order to reduce daily stress in the families' lives as much as possible.

Under the leadership of the organization's founder, Denis Grenier, the entire team at Cancer Fermont volunteers year round and in the past 15 years has raised nearly \$1 million for and by the Fermont community, bringing people together and fulfilling their dreams.

As the member for Manicouagan, I am happy to have an organization as important as Cancer Fermont operating on the North Shore, in Quebec, for the well-being of our people.

I wish Denis, Marlène, Caroline, Angèle and all those who contribute from near or far to the success of Cancer Fermont a happy 15th anniversary and much success for the next 15 years. I thank them from the bottom of my heart.

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#### WENDAKE TRAGEDY

**Mr. Gérard Deltell (Louis-Saint-Laurent, CPC):** Mr. Speaker, yesterday there were hundreds of us marching in the streets of Wendake. We all marched together in memory of the two young boys who died a week ago.

These two brothers, aged three and five, were on this earth for less time than it will take for them to be forgotten. We were there to show support for their mother and their family, who will never experience the joy of watching these two angels grow up, come into their own and live their lives.

As always, the people of Wendake stand together in their pain and in their courage, because this tragedy is not unique to Wendake. Similar tragedies have happened in Saint-Apollinaire and Granby. We are all human beings, and this speaks to all of us. Episodes of psychiatric distress can affect absolutely anyone, which is why it is important for us to try, as much as possible, to be aware of and responsive to the suffering of others.

Investigations are under way and a murder charge has been laid. Justice will take its course, but it will never bring back these two little angels.

A loved one said yesterday that we must ensure that a tragedy like this never happens again. We sincerely hope that it never will.

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[English]

#### AMERICA'S GOT TALENT

**Ms. Ruby Sahota (Brampton North, Lib.):** Mr. Speaker, last month, Canadians across Canada and especially in my riding of Brampton North were blown away by 11-year-old Roberta Battaglia's powerful voice and even more powerful message.

Competing in *America's Got Talent*, Roberta inspired us all as she spoke out against bullying in schools while performing a song incredible enough to receive judge Sofia Vergara's only golden buzzer.

#### Oral Questions

This recognition of talent sent Roberta straight to the finals where our Brampton star won fourth place, impressing both judges and the audience. To make her performance even more meaningful, Roberta chose to sing a song by Alessia Cara, who is not only Canadian but from Brampton as well.

These are just two examples of the magnitude of talent that exists within Brampton. I applaud every person who is working hard to achieve their dreams.

Roberta is an inspiration to us all, and I wish her the best of luck in her musical career.

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[Translation]

#### RAYMOND PITRE

**Mr. Greg Fergus (Hull—Aylmer, Lib.):** Mr. Speaker, I am very pleased to recognize the contribution of Raymond Pitre, a resident of Hull—Aylmer who has been volunteering and helping out in the community for over 51 years.

Raymond is retiring this month at the age of 89 after having been the president of the Optimist Club of Aylmer for the past several years. Before he took on this role in 2016, the club's future was uncertain, but he believed in the club's mission, which is to help bring out the best in our youth. Thanks to his hard work, leadership and management skills, the future of the club is now secure.

On a more personal note, having frequently rubbed shoulders with Raymond, I would like to add that he is always in a good mood and a very persuasive person, which make him a practically unstoppable force.

I would like to thank Raymond for all these years of work and for his dedication to young people and the community.

We wish you a happy and well-deserved retirement, Raymond.

## ORAL QUESTIONS

[English]

#### PUBLIC SAFETY

**Hon. Erin O'Toole (Leader of the Opposition, CPC):** Mr. Speaker, for a month, the Conservatives have been warning the government about rising tensions in Nova Scotia. This morning, the Minister of Public Safety compared the current situation to a war zone in need of peacekeeping. The government has ignored this issue. The Minister of Fisheries has refused to take her responsibility to indigenous and commercial fishermen seriously, and now, instead of sending in negotiators a month ago, the government has to send in police officers.

When will the minister finally do her job before more people get hurt?

**Hon. Chrystia Freeland (Deputy Prime Minister and Minister of Finance, Lib.):** Mr. Speaker, let me join the leader of the official opposition, all members of this House and indeed the vast majority of Canadians in condemning the appalling violence that has taken place.

### Oral Questions

Federal and provincial ministers are working together on solutions to maintain the peace and avoid any further violence. I am sure we all agree on the need for all parties to engage in respectful dialogue aimed at upholding the Marshall decision and the Mi'kmaq treaty right to fish while ensuring conservation and sustainability of the fishery.

• (1420)

**Hon. Erin O'Toole (Leader of the Opposition, CPC):** Mr. Speaker, leadership means acting before people get hurt.

[Translation]

This government always goes with the worst possible option when it comes to leadership: it waits.

The situation in Nova Scotia is getting worse and worse because this Prime Minister and this minister are slow to act. The Conservatives have been calling for mediation for months. Today, the police are on the ground.

Will the fisheries minister show some leadership in resolving this problem or do we have to continue to wait?

**Hon. Chrystia Freeland (Deputy Prime Minister and Minister of Finance, Lib.):** Mr. Speaker, we condemn the appalling violence that has taken place. Federal and provincial ministers are working together on solutions to maintain the peace and avoid any further violence. We agree on the need for all parties to engage in respectful dialogue aimed at upholding the Marshall decision and the Mi'kmaq treaty right to fish, while ensuring the conservation and sustainability of the fishery.

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### FOREIGN AFFAIRS

**Hon. Erin O'Toole (Leader of the Opposition, CPC):** Mr. Speaker, another week, another provocation from China. As always, this Liberal government maintains the status quo. The Chinese ambassador threatened the 300,000 Canadians living in Hong Kong. Worse still, today the Chinese government called on Canada to apologize.

Will the Prime Minister finally protect Canadians and stand up to China?

**Hon. Chrystia Freeland (Deputy Prime Minister and Minister of Finance, Lib.):** Mr. Speaker, our stance on human rights and freedom of expression is very clear. That is why we have been clear on issues like the situation in Hong Kong and the treatment of the Uighurs. Obviously the Minister of Foreign Affairs has taken steps to clarify and officially convey Canada's point of view on the ambassador's comments. I want to emphasize that the government's decisions when it comes to immigration or any other domestic matter are made by Canada and Canada alone.

[English]

**Hon. Erin O'Toole (Leader of the Opposition, CPC):** Mr. Speaker, what is clear is that the government is too timid to act. Last week, the Chinese ambassador threatened 300,000 Canadians currently living in Hong Kong. He has offered no public apology and the government has not demanded one. This morning, we

learned that the Chinese government has doubled down and is complaining about our reaction to its threat.

Will the government finally demand that the Chinese ambassador apologize to Canadians publicly in the same way that he publicly threatened them?

**Hon. Chrystia Freeland (Deputy Prime Minister and Minister of Finance, Lib.):** Mr. Speaker, let me be very clear. Our government is clear and outspoken in our defence of human rights and free speech in Canada and around the world. That is why we have been steadfast in defending the protests in Hong Kong and the 300,000 Canadians who live there, and in protesting the treatment of the Uighurs.

Let me just say that the recent comments by the Chinese ambassador are not in any way in keeping with the spirit of appropriate diplomatic relations between two countries. Let me also add that Canada's decisions will be made by Canadians.

**Hon. Erin O'Toole (Leader of the Opposition, CPC):** Mr. Speaker, the only thing that remains clear is the Prime Minister's continued admiration for the basic dictatorship in China.

This morning the Chinese ambassador took his comments a step further. He has issued another vague threat against Canada if Parliament dares to condemn the ethnic cleansing against Muslim Uighurs in western China.

Canadians in Hong Kong have been threatened. This House has now been threatened. Who else has to be threatened by the ambassador before the Prime Minister is willing to pull his credentials?

**Hon. Chrystia Freeland (Deputy Prime Minister and Minister of Finance, Lib.):** Mr. Speaker, let me be very clear. I am well aware of the character of authoritarian communist regimes. I have lived in one and reported on it. Let me also be clear that when it comes to the treatment of the Uighurs, an ethnic Muslim minority that is being persecuted, Canada will always speak out clearly and without any reservation. Let me assure the 300,000 Canadians in Hong Kong that a Canadian is a Canadian is a Canadian, and we will stand with them.

\* \* \*

• (1425)

[Translation]

### ETHICS

**Mr. Alain Therrien (La Prairie, BQ):** Mr. Speaker, the government is so intent on covering up the We Charity scandal that it would let the government fall if we were to vote on having a special committee that would shed light on this issue.

In the midst of a pandemic, in the midst of a second wave, it is telling the opposition that it will trigger an election because it wants us to stop talking about We Charity. This summer, the Liberals shut down Parliament so we would stop talking about We Charity. Today, they are threatening to trigger an election because they do not want to talk about We Charity. That is very worrisome.

My question is simple. What do they have to hide?



*Oral Questions*

**Hon. Chrystia Freeland (Deputy Prime Minister and Minister of Finance, Lib.):** Mr. Speaker, we are dealing with a global pandemic that has created the most serious economic crisis since the Second World War. We agree that it is appropriate for members to examine government spending. That is why the Leader of the Government in the House of Commons presented a reasonable proposal to his counterparts in order to start this work.

I hope that opposition MPs and the leadership of each party will work together to find a reasonable way forward.

**Mr. Alain Therrien (La Prairie, BQ):** Mr. Speaker, the Liberals want to create a committee to study \$300 billion in COVID-related spending. We think that is a fine idea and have no objection.

However, they offered \$912 million to an organization that took off as soon as it lost the contract. We are entitled to ask questions about that. We can do both at the same time.

Rather than threaten opposition parties, how about the Liberals just agree to creating a committee that will shed light on WE Charity?

**Hon. Chrystia Freeland (Deputy Prime Minister and Minister of Finance, Lib.):** Mr. Speaker, let me review the facts for you.

Officials turned over more than 5,000 pages of documents to the Standing Committee on Finance. Today, the Prime Minister released his speaking fees and expenses. The Prime Minister, his chief of staff and other officials appeared before committees to testify about this matter. That is transparency.

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**INDIGENOUS AFFAIRS**

**Mr. Jagmeet Singh (Burnaby South, NDP):** Mr. Speaker, the Liberal and Conservative governments have failed the Mi'kmaq people, and as a result, the Mi'kmaq are now the victims of violence, crime and intimidation. Meanwhile, the Prime Minister is standing idly by.

When will the Prime Minister protect the Mi'kmaq people and their constitutional rights and end the violence?

**Hon. Chrystia Freeland (Deputy Prime Minister and Minister of Finance, Lib.):** Mr. Speaker, I thank my colleague for his very important question.

Our government strongly condemns the recent acts of violence in Nova Scotia. We have approved a request for assistance from the province to increase the RCMP presence as needed. These acts of violence will be thoroughly investigated, and the perpetrators will be held to account.

[English]

**Mr. Jagmeet Singh (Burnaby South, NDP):** Mr. Speaker, this is not a new problem. The government has known about this problem for decades. Both Conservative and Liberal governments have failed the Mi'kmaq people, and as a result we have all seen the horrible images of fires being set to facilities, traps being cut, intimidation and assaults. While all this has happened, the Prime Minister has stood by idly and not acted. Leadership is stepping up.

When will the Prime Minister step up, protect the Mi'kmaq people and their constitutional rights, and end the violence?

**Hon. Chrystia Freeland (Deputy Prime Minister and Minister of Finance, Lib.):** Mr. Speaker, I very much agree with the member opposite that Canada has for decades and centuries failed the indigenous people in Canada, and it is time for us to put this right.

We condemn the appalling violence that has taken place, and let me say I believe the vast majority of Canadians feel exactly that way. I think we all also agree on the need for all parties to engage in respectful dialogue in upholding the Marshall decision and the Mi'kmaq treaty right to fish while ensuring the conservation and sustainability of the fishery. Let us work for that.

• (1430)

**Mrs. Shannon Stubbs (Lakeland, CPC):** Mr. Speaker, more than a month ago the Conservatives asked the Prime Minister to de-escalate the Nova Scotia fisheries crisis. The Minister of Indigenous Services even said police are being overwhelmed, but still no action, just tweets. In fact, the Minister of Public Safety said it was the province's problem. Things literally burned to the ground before the minister looked into sending additional police resources to Nova Scotia. Chief Mike Sack said, "Do your job....protect us, and don't just tweet about it."

My question for the minister is simple. Why did he wait so long?

**Hon. Bill Blair (Minister of Public Safety and Emergency Preparedness, Lib.):** Mr. Speaker, first of all, let me begin by reiterating that our government absolutely condemns the recent acts of violence and criminality that have been taking place in Nova Scotia.

The RCMP have continued to increase their presence with each passing day. They are investigating and laying charges for the unacceptable assault on Chief Sack, and for the damages and the arson that have taken place.

We did respond to a request for assistance from the Province of Nova Scotia. We are working very closely with the provincial authorities there, on the ground, to ensure that all acts of violence will be thoroughly investigated, that perpetrators will be held to account, and that peace will be maintained.

**Mrs. Shannon Stubbs (Lakeland, CPC):** Mr. Speaker, right, so it did finally act by responding to that request, even after he first said the government could not possibly do anything about it and actually respond.

### Oral Questions

More than 200 people overwhelmed police last Tuesday. Vehicles and boats were lit on fire as early as the week before. The situation did not suddenly spiral out of control. It has been going on for more than a month.

Colin Sproul of the Bay of Fundy Inshore Fishermen's Association said that this Liberal government is "hiding under a desk."

The reality is the public safety minister dithered while livelihoods and decades of relationship-building went up in flames. Here are more words tonight. The potential debate is too little, too late.

Why is it that waiting for the worst to happen is the minister's approach to protecting Canadians?

**Hon. Bill Blair (Minister of Public Safety and Emergency Preparedness, Lib.):** Mr. Speaker, it is very important to understand that the responsibility of the police of jurisdiction, and in this case the RCMP, is to maintain the peace. They have deployed officers from the very first day, both on land and on the water. They have been working with the Canadian Coast Guard, responding to an escalating conflict in that area.

We have continued to increase resources and, at the request of the Nova Scotia government, we have now significantly enhanced those resources. The police have an important job to do in maintaining the peace and, where acts of criminality take place, to thoroughly investigate them and hold those individuals responsible to account. They are doing that job, and we have ensured that they have the resources to do it effectively.

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### PUBLIC SAFETY

**Mrs. Shannon Stubbs (Lakeland, CPC):** Mr. Speaker, the minister actually has an important job to do. Maybe instead of waiting, and blaming others and not doing anything about it, he should actually get on it.

It seems that his usual practice is to ignore an issue and hope it goes away until he is forced to actually do something. He waited until people were assaulted and buildings were set on fire to give the RCMP additional resources in Nova Scotia. Of course, that is his pattern. Even in their grief and their horrible loss, loved ones and families of the Nova Scotia mass murder had to fight and beg him to have a public inquiry.

Why does the minister always wait until things escalate so far before doing something?

**Hon. Bill Blair (Minister of Public Safety and Emergency Preparedness, Lib.):** Mr. Speaker, let me be very clear that the police of jurisdiction in this case have been present right from the very first day. They have been working with both sides of the conflict. There are divisional liaison teams in place, which include Mi'kmaq officers, who have been working with that situation to try to resolve it.

When incidents of criminality take place, the police immediately begin investigations. They have gathered the evidence, and they have done their job.

Our government's responsibility is to ensure, working with the provincial authority, that they have the necessary resources in place

to keep that situation peaceable and under control, and to uphold the laws. We have done that.

**Mrs. Shannon Stubbs (Lakeland, CPC):** Mr. Speaker, I asked about the public inquiry into the horrible mass murder in Nova Scotia on behalf of the victims' families and their loved ones.

It is six months today since that mass murder occurred. The minister made families of the victims fight before he agreed to a public inquiry, but it still has not begun. It is ridiculous. There are many experts out there who could sit as commissioners. These guys do not need to wait for another Liberal to replace Anne McLellan.

When will the public inquiry start so that families and communities in Nova Scotia can get the answers they deserve? Why on Earth is the minister waiting so frigging long?

**Hon. Bill Blair (Minister of Public Safety and Emergency Preparedness, Lib.):** Mr. Speaker, in fact, in the hours after the terrible tragedy on April 18 and 19 in Nova Scotia, I reached out to the Nova Scotia government, and we began doing the work that was necessary together to ensure that Nova Scotians, and particularly the families of those victims, got the answers they needed.

We have put in place the structure of a public inquiry and appointed commissioners. We have established the secretariat and resourced it. That work is already under way, and we will have more to say about it as the week unfolds. We are absolutely committed to ensuring that the families receive all of the answers to the concerns that they legitimately have.

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● (1435)

### COVID-19 EMERGENCY RESPONSE

**Mrs. Shannon Stubbs (Lakeland, CPC):** Mr. Speaker, I am sorry for my language, but the whole lives of loved ones and families of murder victims are impacted forever.

On August 25, U.S. business executives came to Canada on a private jet and were granted quarantine exemption, which the minister said was a one-time mistake that should not have happened. However, it was just found out that on the exact same day, other big-shot U.S. executives came to Canada on their private jets and were permitted to travel the country freely.

Canadians face restrictions and quarantines in their own country, but the Liberals just keep granting exemptions to American billionaires. Why is there always one set of rules for connected elites and another set for everyday working Canadians?

**Hon. Bill Blair (Minister of Public Safety and Emergency Preparedness, Lib.):** Mr. Speaker, our government has taken unprecedented action over the past several months to prevent the introduction and spread of COVID-19 through non-essential travel restrictions.

Just to correct the mistake that the member has made repeatedly in the House, there were no ministerial exemptions provided, and no ministerial involvement in the decisions pertaining to these executives or the one reported yesterday. In fact, following that decision and on the same day, I raised the concerns expressed with the president of CBSA and he instantly implemented additional measures. That updated guidance is working. The agency has denied cases of entry by executives intending to enter Canada for discretionary travel. We will continue to do the work of keeping Canadians safe.

[Translation]

**Hon. Steven Blaney (Bellechasse—Les Etchemins—Lévis, CPC):** Mr. Speaker, we know that the Liberals' border management is a big disaster, but that is how the virus is getting into the country. American millionaires in private jets are being allowed to enter the country's three hot spots.

Why the double standard?

Why do Canadians have to quarantine while American millionaires do not?

[English]

**Hon. Bill Blair (Minister of Public Safety and Emergency Preparedness, Lib.):** Mr. Speaker, I would like to take the opportunity, if I may, to announce to the House that we have today extended the non-essential travel restrictions until November 21. I am sure that is welcome news.

I would also reiterate, once again for the member opposite, that the decision of admissibility by border services officers was based on the information that was provided to them. As a direct result, I have spoken to the president of CBSA. The agency has implemented additional measures to prevent future incidents of this type, and the guidance that has been provided by the president of CBSA is working.

The agency continues to deny access to entry for executives intending to travel for discretionary purposes.

\* \* \*

[Translation]

## HEALTH

**Mr. Luc Thériault (Montcalm, BQ):** Mr. Speaker, the Prime Minister himself acknowledged that the federal government does not have the expertise to run long-term care facilities. He is right: our health care professionals are the ones with that expertise. His job is to restore adequate transfers to pay for health care in Quebec, but the federal government has been chipping away at transfers for 25 years. What happened in the long-term care facilities is a direct consequence of 25 years of federal negligence.

Why is the federal government not boosting transfers, rather than trying to run the whole show after 25 years of negligence?

[English]

**Hon. Patty Hajdu (Minister of Health, Lib.):** Mr. Speaker, I thank my hon. colleague for such an important question about the role of the federal government to support provinces and territories, in particular during the COVID-19 outbreak.

## Oral Questions

I will remind the member opposite that we negotiated \$19 billion of support for provinces and territories, of which \$700 million was to bolster supports for long-term care homes to protect seniors from what we saw happen in the spring surge. I will also remind the member opposite that we did not hesitate to offer support through direct service, through the Canadian Red Cross, one of our important partners, and certainly through the Canadian military to protect seniors. We will continue to do that no matter in which province those seniors reside.

[Translation]

**Ms. Andréanne Larouche (Shefford, BQ):** Mr. Speaker, apparently the government needs a little reminder. Does it know who looks after seniors in Quebec's health care system? Orderlies, nurses and doctors do. National standards do not look after Quebecers. People who work for money and need to be supplied with the necessary resources do. Our health professionals know how to do their job. They want to be equipped to do it with dignity. Quebec and the provinces are asking for money, not a lecture.

Why is the government refusing to increase health transfers right now, no strings attached?

**Hon. Pablo Rodriguez (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, once again, the Bloc Québécois is making seniors the crux of the debate; they should not be the subject of debate. As I have often said, seniors are not a jurisdictional issue or a line written into our Constitution. They are flesh and blood human beings, and they have suffered more than anyone else during this pandemic.

What the Canadian government wants to do is help improve the situation, not tell Quebec what to do or how to do it. It wants to work with Quebec and all the provinces to ensure that this never happens again.

● (1440)

**Mr. Stéphane Bergeron (Montarville, BQ):** Mr. Speaker, the Prime Minister said last week that the tragedy that played out in long-term care facilities is an opportunity for the federal government; he called it an opportunity. Indeed, it is an opportunity for the federal government to interfere in Quebec and provincial jurisdictions. Caring for seniors during a pandemic is not an opportunity, it is a duty, and this government is not fulfilling its duty. Its duty is to restore health transfers to a level that would allow for seniors to be cared for with dignity.

Why is it not seizing that opportunity and actually doing the right thing?

**Hon. Pablo Rodriguez (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, a day without a constitutional squabble is not a good day for the Bloc Québécois.

### Oral Questions

What we want to do here is to work with all the provinces. How can we work together to improve the situation for seniors? We are talking about saving lives and improving the health of people who have suffered too much. I think everyone can agree on that.

Again, seniors should never be the subject of constitutional debates. They should be seen for who they are, human beings who gave us society as we know it. We must be there for them.

\* \* \*

[English]

### ETHICS

**Hon. Pierre Poilievre (Carleton, CPC):** Mr. Speaker, with Canada having the highest unemployment in the G7 and the highest deficit in the G20, one would think Liberal finance committee members would be rushing to work on fixing the economic wreckage. Instead, they spent 20 hours filibustering to cover up the WE scandal, rambling on about Greek philosophers and cartoon characters just to pass the time.

The Conservatives have a solution. Let us take the WE scandal out of the finance committee into a special purpose anti-corruption committee so that finance can get back to its job.

Will Liberals support us so that we can get back to our work?

**Hon. Pablo Rodriguez (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, last night I sent a motion to my colleagues in the other parties. This morning I sent a letter talking about the creation of a committee to look at all of the expenses made by the government, because we have made a lot of effort to be there and support Canadians.

I think that is the responsible approach, not that of the ultra-partisan motion that has been put forward to please only the Conservative Party and does nothing for Canadians.

[Translation]

**Hon. Pierre Poilievre (Carleton, CPC):** Mr. Speaker, more threats. We remember this summer, when the Prime Minister said that if we asked questions about the WE scandal, he would shut down Parliament. A few months later, we are back, and now he is saying that if we continue to ask questions, he will trigger an election because he wants to prevent Canadians from finding out about the scandal at any cost.

What is this secret that is so serious and so dangerous that the Prime Minister is willing to trigger an election to hide it?

**Hon. Pablo Rodriguez (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, we are in the midst of a pandemic. It is a very difficult situation with respect to health and public finances, issues on which the government must focus all of its energy.

The government suggested to the opposition that a committee be established where we could all work together and where members could ask whatever questions they want. That is very different than a completely irresponsible, ultra-partisan committee that would seek to completely stall the government. That is irresponsible. The opposition should join us, ask the right questions and work on behalf of all Canadians.

[English]

**Mr. Michael Barrett (Leeds—Grenville—Thousand Islands and Rideau Lakes, CPC):** Mr. Speaker, the Prime Minister has shown that he will stop at nothing to protect his secrets. That is why we had the cover-up prorogation. That is why we have had days and days of filibustering, with Liberal members reading newspapers and PCO memos into the record, trying to put us to sleep. The filibuster continues. The secrets must be damning.

What we need to know is when will the Prime Minister release the documents and end the cover-up?

**Hon. Pablo Rodriguez (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, if they want to have a committee and ask all the questions they want, we have a solution for them. I sent a note to their House leader last night and a letter in more detail this morning. There is an option for all of us to work together.

They can ask all the questions they want, but in the meantime the government has to keep working for Canadians. The government will keep working for Canadians in spite of what they want to do.

\* \* \*

• (1445)

### AVIATION INDUSTRY

**Ms. Niki Ashton (Churchill—Keewatinook Aski, NDP):** Mr. Speaker, COVID-19 has had a devastating impact on the airline industry with routes cut, massive layoffs and customers being ripped off. Countries around the world facing these same challenges have shown leadership and put in place solutions, including taking on an equity stake to protect the public interest, but not Canada.

It is not about helping CEOs. It is about protecting Canadian jobs and making sure passengers get their money back. When will the government stop dithering and commit to a rescue package of public equity, job protection and consumer protection, which the NDP has been calling for?

**Hon. Marc Garneau (Minister of Transport, Lib.):** Mr. Speaker, I want to assure my colleague and, indeed, all Canadians that we are working very hard. We recognize that there have been great difficulties in the air sector, including airlines and airports, and we are working on solutions that will ensure Canadians are able to have safe, reliable and efficient travel when we pull out of this pandemic.

## POST-SECONDARY EDUCATION

**Ms. Lindsay Mathyssen (London—Fanshawe, NDP):** Mr. Speaker, the Liberals are hoping their scandal will go away quickly. Instead, it is the help they promised for students that has disappeared. They promised close to a billion dollars to help students pay for their tuition fees, rent and groceries, but after seven months of broken promises and scandal, students have gotten nothing. The Liberals have denied Canadians access to the truth, and they are denying students access to post-secondary education.

Do students also need to hire a family member of the Prime Minister to get the help they need from the government?

**Hon. Bardish Chagger (Minister of Diversity and Inclusion and Youth, Lib.):** Mr. Speaker, our government will continue to be here for students, and that is why we have a full voice at the cabinet table. Since the pandemic hit, over 700,000 students have been supported through the Canada emergency student benefit. We doubled the amount of Canada student grants for full- and part-time students, and we instituted a six-month moratorium on Canada student loans, which includes the payment as well as interest. There is a new investment of \$186 million in the student work placement program to help more post-secondary students across the government get paid work experience related to their field of study. We have increased funding for first nations, Inuit and Métis students for post-secondary funding. Our government will—

**The Speaker:** The hon. member for Lac-Saint-Louis has the floor.

\* \* \*

## THE ENVIRONMENT

**Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.):** Mr. Speaker, the Speech from the Throne reiterated the government's commitment to creating a Canada water agency to help protect our most precious resource. Last week I had the opportunity to be a panellist on a webinar designed to gather input from the water stakeholder community for the design of the agency. We know the agency will be a work in progress informed by the ongoing advice of water experts and other stakeholders.

Can the Minister of Environment inform the House of the steps he is currently undertaking to lay the foundation for the Canada water agency?

**Hon. Jonathan Wilkinson (Minister of Environment and Climate Change, Lib.):** Mr. Speaker, with 20% of the world's fresh water, including two million lakes and rivers, Canada has a great responsibility to manage its water sustainably and ensure that it will be available for generations to come. The Canada water agency can play a key role in keeping our water safe, clean and resilient to the impacts of climate change.

It is critical that a Canada water agency is developed in close collaboration with the provinces, territories, indigenous peoples, stakeholder organizations and the public. Together, these consultations will help us define the role and the mandate of the Canada water agency, and I look forward to sharing our next steps on this important initiative in the near future.

## Oral Questions

### HEALTH

**Hon. Michelle Rempel Garner (Calgary Nose Hill, CPC):** Mr. Speaker, I would like to know why the Liberals chose to shut down Canada's early pandemic warning system and what impact it had on the spread of COVID-19 in Canada. I would like to know why rapid testing for COVID will not be widely available in Canada until well into next year.

We have been trying to get secret documents related to these issues for 10 days now, and the government has blocked us at every turn. At a time when Canadians are suffering the effects of the Liberals' failure to prepare for the second wave, why are the Liberals more interested in covering their rears than in protecting Canadians?

**Hon. Patty Hajdu (Minister of Health, Lib.):** Mr. Speaker, I would like to let the member opposite know that any time she wants to receive a briefing from the department on where we are with COVID-19, and learn a little more about Canada's response and the support we have been providing to provinces and territories as we work through this together, I can make that happen for her.

Ever since the beginning of the pandemic, we have worked with scientists and our public health officers to make sure that Canada is well situated to respond to COVID-19. I want to thank all of the hard-working scientists, researchers and, of course, our chief public health officer for the excellent advice and guidance they have provided to us.

**Hon. Michelle Rempel Garner (Calgary Nose Hill, CPC):** Mr. Speaker, that was a patronizing answer.

I have had that briefing, and it was less than illuminating. I have been standing here for days asking the minister questions and there are no answers. I am convinced she does not know. I am doing my job. I am trying to get these documents and bring them to light so the public has answers. What do the Liberals do? They block us at every turn.

We need this information so we can find out how to move forward, keep things open and keep Canadians safe. When is the government going to get out of our way and let us get these documents?

● (1450)

**Hon. Patty Hajdu (Minister of Health, Lib.):** Mr. Speaker, I will reiterate that every step of the way we have worked with partners at all levels. We have worked with municipalities, provinces, territories and, in fact, private sector partners, to make sure that Canada is well poised to deal with the second wave and whatever else COVID-19 throws at us.

*Oral Questions*

I reiterate to the member opposite that, if she wants to learn a little bit more about the COVID-19 response, she take us up on the offer of those briefings.

\* \* \*

[Translation]

**FOREIGN AFFAIRS**

**Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC):** Mr. Speaker, 12 young activists from Hong Kong were arrested while trying to leave Hong Kong and are now in prison in communist China. These young people are fighting bravely for democracy and trying to find ways to escape human rights abuses in China. Furthermore, the Chinese ambassador to Canada had the nerve to directly threaten the security of Canadians in Hong Kong.

When will the minister release a clear plan to help Hong Kong's pro-democracy refugees and the 300,000 Canadians living in Hong Kong?

[English]

**Hon. Marco Mendicino (Minister of Immigration, Refugees and Citizenship, Lib.):** Mr. Speaker, Canada stands shoulder to shoulder with the people of Hong Kong. As we have repeatedly said, we are gravely concerned about China's passage of the national security law.

We have an asylum system that is the envy of the world. We will continue to defend those who are seeking safe haven in Canada by offering them the opportunity to make that case in Canada. We will continue to examine all options to stand with the people of Hong Kong.

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Mr. Speaker, the reality is that the government has discovered that its appeasement to the People's Republic of China is deeply unpopular with Canadians, so now it is trying to sound tougher while changing absolutely nothing.

This minister has real power. It is not about how he feels; it is about what he will do. The government could implement a real lifeboat scheme. It could hold diplomats accountable for foreign interference. It could impose Magnitsky sanctions on those who were involved in gross violations of human rights in Hong Kong, Xinjiang and elsewhere.

Verbal machismo will not fool Canadians, and it will not help people in Hong Kong. Words are not enough. When will the minister act?

**Hon. Marco Mendicino (Minister of Immigration, Refugees and Citizenship, Lib.):** Mr. Speaker, this government has already taken action by suspending our extradition treaty with Hong Kong, by imposing other sanctions and by continuing to stand shoulder to shoulder with the people of Hong Kong, which includes standing up for Canadians who are there.

We will continue to defend human rights around the world. We have an asylum system that ensures that those who are seeking safe refuge in Canada are able to exercise that right in Canada. We stand shoulder to shoulder with the people of Hong Kong.

[Translation]

**AIR TRANSPORTATION**

**Mr. Xavier Barsalou-Duval (Pierre-Boucher—Les Patriotes—Verchères, BQ):** Mr. Speaker, seven months after closing the borders, Ottawa has just realized that passengers who bought plane tickets want refunds. The Bloc Québécois has been talking about this for seven months, and the message is finally starting to get through. Airlines need to pay, not taxpayers. We have heard that the government might be offering financial assistance to Air Canada and WestJet.

Will the government demand that airlines refund passengers before it offers the airlines anything? No refund, no money.

**Hon. Marc Garneau (Minister of Transport, Lib.):** Mr. Speaker, I want to assure my colleague and all Canadians that we are working diligently on matters relating to the airline industry, which has been hit hard by the pandemic.

At the same time, I can assure the member that our priority is to ensure that Canadians have access to safe, efficient and affordable air transportation.

**Mr. Xavier Barsalou-Duval (Pierre-Boucher—Les Patriotes—Verchères, BQ):** Mr. Speaker, the government is preparing to help Air Canada and WestJet, but Canada's entire airline industry is struggling. Will it help Air Transat, which is on the brink of bankruptcy? How will it help regional airlines? Any financial assistance from Ottawa to the airline industry must benefit the entire industry and not just Air Canada.

Will the minister provide support for everyone, or is he sacrificing competition and buying shares in Air Canada's eventual monopoly?

• (1455)

**Hon. Marc Garneau (Minister of Transport, Lib.):** Mr. Speaker, I want to assure my colleague: When I say that we are examining the airline industry, I mean the industry as a whole. This includes all major and minor airlines, large and small airports, and the service provided by Nav Canada, which is responsible for air traffic control. We are examining the industry as a whole, because the entire industry needs good solutions.

\* \* \*

[English]

**INDIGENOUS AFFAIRS**

**Mr. Gary Vidal (Desnethé—Missinippi—Churchill River, CPC):** Mr. Speaker, housing and health infrastructure on reserves across Canada leaves many first nations vulnerable to contracting and spreading COVID-19. The government likes to promote the fact that it has GeneXpert machines available, but it fails to mention that a shortage of cartridges means that only the most urgent cases can be tested in the communities. Other swabs are sent away, and it takes days for the results to be returned.

Why did the government not act quickly to procure enough test cartridges to ensure that first nations, and indeed all Canadians, had access to these rapid tests?

**Hon. Patty Hajdu (Minister of Health, Lib.):** Mr. Speaker, I have worked very closely with my counterpart, the Minister of Indigenous Services, and his expert medical adviser, Dr. Thomas Wong, who has been very focused on making sure indigenous communities have what they need to prevent the spread of COVID-19.

Very early on, as the member opposite noted, we ensured that indigenous communities had GeneXpert machines so they could do a number of tests locally. We worked with them to make sure they had the supports necessary to put into place, through the spirit of self-determination, the kinds of measures that would protect their citizens.

We will continue to work with indigenous communities, because their leadership shows it is working.

\* \* \*

[Translation]

#### OFFICIAL LANGUAGES

**Mr. Alain Rayes (Richmond—Arthabaska, CPC):** Mr. Speaker, we have been waiting for the modernization of the Official Languages Act for over two years. For over two years, the government has been talking about studies, consultations and reports.

The organizations have done their homework and so has the Commissioner of Official Languages. In his 2018-19 report, he made 18 recommendations. How many of those recommendations were implemented? None.

Why is the minister refusing to give a timeline for the modernization of the Official Languages Act?

**Hon. Mélanie Joly (Minister of Economic Development and Official Languages, Lib.):** Mr. Speaker, it goes without saying that our two official languages are extremely important for our government. That is why we took action. We protected and created Ontario's first French-language university. We helped create a historic action plan. What is more, we recently changed the census questions so that we can better protect our rights holders and access to education in the minority language.

We have taken action at every level. We are committed to modernizing the Official Languages Act. That is exactly why, in the throne speech, we said that we are going to strengthen the act, and that is what we are going to do.

\* \* \*

[English]

#### SMALL BUSINESS

**Mr. Alex Ruff (Bruce—Grey—Owen Sound, CPC):** Mr. Speaker, many small business owners and Canadian farmers are still having difficulty accessing the Canada emergency business account. The government finally committed to fixing these shortfalls on August 31, after many months of opposition members asking for these changes. However, as of this morning, the CEBA website still states, "Businesses which choose to do their banking through a personal bank account are not eligible to apply for a CEBA loan."

#### Oral Questions

After receiving no justification for being declined and then waiting on the so-called CEBA hotline for six to eight hours, business owners and farmers want answers. When will the government implement these promised changes?

**Hon. Mary Ng (Minister of Small Business, Export Promotion and International Trade, Lib.):** Mr. Speaker, nothing is more important to us than helping small businesses and farming businesses get through this very difficult time of COVID-19. I just learned that the hotline response time is within 48 hours, and many businesses are getting their answers right away, in under 48 hours but absolutely no more than 48 hours. We want to make sure the CEBA loan is getting out to all the businesses that need it.

[Translation]

**Ms. Emmanuella Lambropoulos (Saint-Laurent, Lib.):** Mr. Speaker, this being Small Business Week, I would like to talk about how important small businesses are to our country. They are the mainstay of the Canadian economy, employing millions of Canadians from coast to coast to coast.

COVID-19 is making things very difficult for most Canadian businesses, and our government knows that. From the beginning, we have created programs to help employers and small businesses.

Can the minister tell the House how we are going to once again help Canadian businesses during the second wave of the pandemic?

• (1500)

**Hon. Mary Ng (Minister of Small Business, Export Promotion and International Trade, Lib.):** Mr. Speaker, as we celebrate Small Business Week, I would like to thank the member for supporting SMEs in Saint-Laurent.

We are supporting our SMEs by extending the emergency wage subsidy that is helping SMEs with their fixed costs, as well as our new Canada emergency commercial rent assistance program, and we are expanding the emergency business account to help more businesses with an additional \$20,000.

\* \* \*

[English]

#### INFRASTRUCTURE

**Mr. Tony Baldinelli (Niagara Falls, CPC):** Mr. Speaker, on June 30, the two bridge authorities, which operate the four international border crossings in the Niagara region, sent a joint letter to multiple ministers in the Liberal government. As these bridges have been hit hard by COVID-19, they requested assistance no different from support currently being made available to airports, as a simple matter of fairness. Sixteen weeks later, none of these ministers has even acknowledged receipt of this letter despite the important role these bridges play.

### Oral Questions

Why is the government not taking this critical issue in the Niagara region seriously?

**Hon. Catherine McKenna (Minister of Infrastructure and Communities, Lib.):** Mr. Speaker, it is always great to talk about our infrastructure program.

We are building projects across the country, thousands of projects, creating jobs across the country and improving communities. We are going to continue to do that. I am certainly happy to talk to the member opposite on particular issues, but we are going to continue building our great country.

**The Speaker:** The hon. member for New Brunswick Southwest.

We seem to be having a problem. We will move on to the next member and then come back.

The hon. member for Dauphin—Swan River—Neepawa.

\* \* \*

### TELECOMMUNICATIONS

**Mr. Dan Mazier (Dauphin—Swan River—Neepawa, CPC):** Mr. Speaker, millions of rural Canadians do not have access to quality cellphone service. This is an urgent matter of public safety. Earlier this year, destructive flooding and tornadoes threatened my constituents, most notably in the communities of Minnedosa, Rapid City, Rivers and Neepawa. Many were unable to contact emergency services, putting their lives at risk.

When will the government finally prioritize rural connectivity? Will it be before or after another Canadian loses their life?

**Hon. Maryam Monsef (Minister for Women and Gender Equality and Rural Economic Development, Lib.):** Mr. Speaker, as a member of Parliament for a mixed rural and urban riding, I am too familiar to the challenges that come without access to broadband and cell service. As a member of Parliament in this House over the past five years, I am proud that we have been able to connect four times as many households as our Conservative colleagues were able to in the 10 years they were in power.

We know this is an important part of Canada's economic recovery, and we will work hard to connect every Canadian household to this essential service.

\* \* \*

### COVID-19 EMERGENCY RESPONSE

**Mr. James Maloney (Etobicoke—Lakeshore, Lib.):** Mr. Speaker, Canadians recognize that our TV and film industry is a vital driver of economic activity and jobs, including right here in Etobicoke—Lakeshore, which is home to the largest film studio in Canada and the largest equipment supplier in the country.

The industry has been hit hard by this pandemic. COVID-19 has caused the shutdown of film sets in Canada and around the world. Given the current situation, the industry fears that it will not be able to fully resume operations.

The Minister of Canadian Heritage has listened to the concerns of Canadian cultural workers and adjusted programs to ensure that

they are better suited to their needs. Can the minister tell us what the government is doing to help the audiovisual industry?

**Hon. Steven Guilbeault (Minister of Canadian Heritage, Lib.):** Mr. Speaker, our government is proud to support the Canadian film industry, as it plays an important role in the social, cultural and economic development of our country.

We are taking challenges faced by the audiovisual sector very seriously, and that is why we recently announced a short-term compensation program to remunerate the lack of insurance and allow the resumption of audiovisual production activities across the country. This program will provide \$50 million in short-term funding that will be administered by Telefilm Canada, along with the Canada Media Fund. This measure will, among other things, keep tens of thousands of workers and artisans at work and generate hundreds of millions of dollars in economic activity.

\* \* \*

• (1505)

### HEALTH

**Ms. Heather McPherson (Edmonton Strathcona, NDP):** Mr. Speaker, the governing United Conservative Party of Alberta has voted in favour of privatizing health care.

Despite a guarantee during his election campaign to maintain public health care, Jason Kenney is gutting our publicly delivered universally accessible health care. Once the Conservatives destroy public health care in Alberta, which province is next?

What is the minister doing to protect Canadians from two-tiered, American-style health care in Alberta and across Canada and what is she doing to make sure that premiers are adhering to the Canada Health Act?

**Hon. Patty Hajdu (Minister of Health, Lib.):** Mr. Speaker, I share the member opposite's deep concern about a Conservative Party that would seek to undermine a principle of our universal health care system, which is, by the way, the need for health care rather than the ability to pay.

On this side of the House, we will fight to ensure that we protect something that all Canadians treasure, which is access to health care that is there for people, regardless of their income, regardless of their ability to pay, and we will stop at nothing to do so.

\* \* \*

### PUBLIC SAFETY

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, the name Donald Marshall, Jr. will always be remembered in Canada. It is synonymous with systemic racism and injustice. He spent 11 years in prison for a crime he did not commit and then, as a free man, he fished for eels out of season, relying on his constitutional rights. That case got the Supreme Court of Canada 21 years ago finding the right of the Mi'kmaq to a fishery.



How is it in this country that there is never any shortage of well-equipped RCMP officers to arrest indigenous non-violent protestors against pipelines in British Columbia, but no one to protect the indigenous catch in a warehouse in Nova Scotia?

**Hon. Bardish Chagger (Minister of Diversity and Inclusion and Youth, Lib.):** Mr. Speaker, I want to let the member know that this matter is top of mind for our government. Our government will continue to condemn the violence we have seen. We will work with all departments and agencies. We know that the Marshall decision needs to be upheld and that is why we will ensure that it is.

We are working with a nation-to-nation relationship to ensure that we find a good way forward. As the Deputy Prime Minister has said, the majority of Canadians recognize the importance of this issue. We are working on it and will continue to do this important work.

\* \* \*

**THE ENVIRONMENT**

**Mr. John Williamson (New Brunswick Southwest, CPC):** Mr. Speaker, two weeks ago, the environment minister told me to read over his new jobs-killing plan to declare Canada's plastic manufacturers toxic. The minister should take his own advice. This important industry employs over 80,000 blue-collar workers across Canada, generating \$35 billion of economic activity. According to the World Economic Forum, 90% of global plastic pollution comes from 10 river sources. None are in Canada.

How big a hit will Canadian paycheques and our economy take on a Liberal plan that exports jobs and ignores real polluters?

**Hon. Jonathan Wilkinson (Minister of Environment and Climate Change, Lib.):** Mr. Speaker, I would again invite my hon. colleague to actually read the plan. The focus is on ensuring that we are not ending up with plastics in our landfills and plastics in our waters. It is about recycling, enhancing the recycling rate of plastics across the country. It is also about ensuring we are banning the six items that are on the list with respect to those that are harmful to the environment, those for which there are readily available alternatives and those for which recycling is not an available option.

This is really about ensuring we are protecting the environment, but it is also about growing an economy that is based on ensuring we are actually using the materials that are in our economy in a thoughtful way, moving toward circularity in everything we do.

• (1510)

**Mr. Garnett Genuis:** Mr. Speaker, in response to my question, the Minister of Immigration referred to sanctions that Canada had on China. I checked the foreign affairs website. We have no sanctions on China of any kind against any officials right now. I wonder if the minister wants to clarify his comments.

**The Speaker:** I believe that is getting into debate, but we will give the equal amount of time to the minister if he wants to clarify that.

No, that is fine.

*Government Orders*

**PESCHISOLIDO REPORT**

**The Speaker:** Pursuant to order made on Tuesday, September 29, I wish to inform the House that a communication from Joe Peschisolido was received as follows on Tuesday, October 13:

October 13, 2020

Dear Mr. Speaker,

Thank you for allowing me the opportunity as I would like to apologize to the House for reporting late: my getting married on July 7, 2018; that my law firm owed me money that I had loaned it through my shareholder's loan to the law firm; that I personally guaranteed my law firm's debt and that I was no longer an officer of my law firm.

Yours Sincerely,

Joe Peschisolido

I now lay upon the table the relevant document along with a courtesy translation for the House.

**GOVERNMENT ORDERS**

[English]

**JUDGES ACT**

The House resumed from October 8 consideration of the motion that Bill C-3, An Act to amend the Judges Act and the Criminal Code, be read the second time and referred to a committee.

**The Speaker:** It being 3:10 p.m., pursuant to order made on Wednesday, September 23, the House will now proceed with the taking of the deferred recorded division on the motion at the second reading stage of Bill C-3.

Call in the members.

*And the bells having rung:*

• (1550)

**The Speaker:** As mentioned in my statement in the House on Wednesday, September 23, 2020, and assuming that you did hear the question, if you wish to register your vote and were not able to do so, due to technical difficulties that are now resolved, use the raise hand function and the Chair will recognize you.

• (1555)

(The House divided on the motion, which was agreed to on the following division:)

*(Division No. 9)*

**YEAS**

Members

Aboultaiif	Albas
Alghabra	Alleslev
Allison	Amos
Anand	Anandasangaree
Angus	Arnold
Arseneault	Arya
Ashton	Atwin
Bachrach	Badawey
Bagnell	Bains
Baker	Baldinelli
Barlow	Barrett
Barsalou-Duval	Battiste
Beaulieu	Beech
Bendayan	Bennett

*Government Orders*

Benzen	Bergen	LeBlanc	Lebouthillier
Bergeron	Berthold	Lefebvre	Lehoux
Bérubé	Bessette	Lemire	Lewis (Essex)
Bezan	Bibeau	Liepert	Lightbound
Bittle	Blaikie	Lloyd	Lobb
Blair	Blanchette-Joncas	Long	Longfield
Blaney (North Island—Powell River)	Blaney (Bellechasse—Les Etchemins—Lévis)	Louis (Kitchener—Conestoga)	Lukiwski
Block	Blois	MacAulay (Cardigan)	MacGregor
Boudrias	Boulerice	MacKenzie	MacKinnon (Gatineau)
Bragdon	Brassard	Maguire	Maloney
Bratina	Brière	Manly	Martel
Brunelle-Duceppe	Calkins	Martinez Ferrada	Masse
Cannings	Carrie	Mathysen	May (Cambridge)
Casey	Chabot	May (Saenich—Gulf Islands)	Mazier
Chagger	Champagne	McCauley (Edmonton West)	McColeman
Champoux	Charbonneau	McCrimmon	McDonald
Chen	Chiu	McGuinty	McKay
Chong	Collins	McKenna	McKinnon (Coquitlam—Port Coquitlam)
Cooper	Cormier	McLean	McLeod (Kamloops—Thompson—Cariboo)
Cumming	Dabrusin	McLeod (Northwest Territories)	McPherson
Dalton	Damoff	Melillo	Mendès
Dancho	Davidson	Mencicino	Michaud
Davies	DeBellefeuille	Miller	Monsef
Deltell	d'Entremont	Moore	Morantz
Desbiens	Desilets	Morrison	Morrissey
Dhaliwal	Dhillon	Motz	Murray
Diotte	Doherty	Nater	Ng
Dong	Dowdall	Normandin	O'Connell
Dreeshen	Drouin	Oliphant	O'Regan
Dubourg	Duclos	O'Toole	Patzer
Duguid	Duncan (Stormont—Dundas—South Glengarry)	Paul-Hus	Pauzé
Duncan (Etobicoke North)	Duval	Perron	Petitpas Taylor
Dzerowicz	Easter	Plamondon	Poilievre
Ehsassi	El-Khoury	Powlowski	Qualtrough
Ellis	Epp	Ratansi	Rayes
Erskine-Smith	Falk (Battlefords—Lloydminster)	Redekopp	Regan
Falk (Provencher)	Fast	Reid	Rempel Garner
Fergus	Fillmore	Richards	Robillard
Findlay (South Surrey—White Rock)	Finley (Haldimand—Norfolk)	Rodriguez	Rogers
Finnigan	Fisher	Romanado	Rood
Fonseca	Fortier	Ruff	Sahota (Calgary Skyview)
Fortin	Fragiskatos	Sahota (Brampton North)	Saini
Fraser	Freeland	Sajjan	Samson
Fry	Gallant	Sangha	Sari
Garneau	Garrison	Saroya	Savard-Tremblay
Gaudreau	Gazan	Scarpaleggia	Scheer
Généreux	Genuis	Schiefke	Schmale
Gerretsen	Gill	Schulte	Seeback
Gladu	Godin	Serré	Sgro
Gould	Gourde	Shanahan	Sheehan
Gray	Green	Shields	Shin
Guilbeault	Hajdu	Shiple	Sidhu (Brampton East)
Hallan	Harder	Sidhu (Brampton South)	Simard
Hardie	Harris	Simms	Singh
Hoback	Holland	Soroka	Spengemann
Housefather	Hughes	Stanton	Steinley
Hussen	Hutchings	Ste-Marie	Strahl
Iacono	Jaczek	Stubbs	Sweet
Jansen	Jeneroux	Tabbara	Tassi
Johns	Joly	Thériault	Therrien
Jones	Jordan	Tochor	Trudeau
Jowhari	Julian	Trudel	Turnbull
Kelloway	Kelly	Uppal	Van Bynen
Kent	Khalid	van Koevorden	Van Popta
Khera	Kitchen	Vandal	Vandenbeld
Kmiec	Koutrakis	Vaughan	Vecchio
Kram	Kurek	Vidal	Viersen
Kusie	Kusmierczyk	Vignola	Virani
Kwan	Lake	Vis	Wagantall
Lalonde	Lambropoulos	Warkentin	Waugh
Lametti	Lamoureux	Webber	Weiler
Larouche	Lattanzio	Wilkinson	Williamson
Lauzon	Lawrence	Wilson-Raybould	Wong

Yip	Young
Yurdiga	Zahid
Zann	Zimmer
Zuberi—327	

NAYS

Nil

PAIRED

Nil

**The Speaker:** I declare the motion carried. Accordingly, the bill stands referred to the Standing Committee on Justice and Human Rights.

(Bill read the second time and referred to a committee)

**The Speaker:** I want to draw attention to our Clerk, Jean-Philippe Brochu, for his first vote. I think he did a pretty good job. Congratulations.

Before we go on, I want to remind hon. members the rules that apply in the House also apply when voting remotely. To the men who wore a jacket or a blazer for the vote, which is all except for two, I want to thank them for following the rules of the House.

I want to remind hon. members that we are not to be eating in the House, so not eating when voting either. Also, it is up to individual members to make sure they have sufficient bandwidth to get their message across. It just makes it so much easier for everyone.

## ROUTINE PROCEEDINGS

[English]

### EXPORT DEVELOPMENT CANADA

**Hon. Mary Ng (Minister of Small Business, Export Promotion and International Trade, Lib.):** Mr. Speaker, pursuant to Standing Order 32(2), I have the pleasure to table, in both official languages, the annual report of the 2018-19 Canada account, as prepared by Export Development Canada.

\* \* \*

### COMMITTEES OF THE HOUSE

#### CANADA-CHINA RELATIONS

**Hon. Geoff Regan (Halifax West, Lib.):** Mr. Speaker, I have the honour to table, in both official languages, the first report of the Special Committee on Canada-China Relations.

#### PROCEDURE AND HOUSE AFFAIRS

**Ms. Ruby Sahota (Brampton North, Lib.):** Mr. Speaker, pursuant to Standing Order 114 and the order of the House of September 23, 2020, I have the honour to present, in both official languages, the first report of the Standing Committee on Procedure and House Affairs regarding the membership of committees of the House and I should like to move concurrence at this time.

**The Speaker:** This being a hybrid sitting of the House, for the sake of clarity, I will only ask for those who are opposed to the request to express their disagreement.

### Routine Proceedings

Accordingly, all those opposed to moving the motion please say nay. Hearing none, it is agreed.

The House has heard the terms of the motions. All those opposed to the motion will please say nay. Hearing no dissenting voice, I declare the motion carried.

(Motion agreed to)

**Ms. Lindsay Mathyssen (London—Fanshawe, NDP):** Mr. Speaker, there have been discussions among the parties and if you seek it, you would find unanimous consent for the following motion. I move:

That the membership of the Standing Committee on Procedure and House Affairs be amended as follows: Mr. Daniel Blaikie, Elmwood—Transcona, for Ms. Rachel Blaney, North Island—Powell River, and that the name of Ms. Blaney, North Island—Powell River, be added to the list of associate members of the said committee.

• (1600)

**The Speaker:** This being a hybrid sitting of the House, for the sake of clarity, I will only ask those who are opposed to moving the motion to express their disagreement.

Accordingly, all those opposed to moving the motion please say nay. Hearing none, it is agreed.

The House has heard the terms of the motions. All those opposed to the motion will please say nay. There being no dissenting voice, I declare the motion carried.

(Motion agreed to)

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### PETITIONS

#### RAIL TRANSPORTATION SAFETY

**Mr. Adam van Koeverden (Milton, Lib.):** Mr. Speaker, it is a privilege to rise on behalf of over 4,000 of my neighbours who are signatories to petition e-2731, which calls on the Government of Canada to refuse the approval of the proposed CN logistics hub in Milton.

The findings of the environmental assessment panel concluded inevitable and unprecedented adverse effects on human health and an increase in three no-threshold pollutants, unsafe at any level. The site has no direct highway access and it is a bad location for CN and Miltonians.

Within one kilometre of the proposed site, there are 34,000 residents, 12 schools, a hospital, two long-term care facilities, as well as a future college, a university campus. Milton recognizes the importance of economic development, but this is an industrial project and industrial projects belong in industrial areas, not residential ones. The health and safety of Halton residents should matter most.

**The Speaker:** I want to remind hon. members to keep it as concise as possible and just give the bare bones of the petition. It is a reminder for those who are standing now.

The hon. member for Mission—Matsqui—Fraser Canyon.

*Routine Proceedings*

## TELECOMMUNICATIONS

**Mr. Brad Vis (Mission—Matsqui—Fraser Canyon, CPC):** Mr. Speaker, today I am presenting three petitions.

The first one is on rural broadband. The petitioners in my riding acknowledge that the federal government has failed to improve rural broadband Internet services, especially in rural and indigenous communities. COVID-19 has only exacerbated the challenges these constituents face and they cannot wait until 2030, the government's timeline to get timely access to Internet services.

The petitioners in my riding are calling on the Government of Canada to get the money out today to support them and their livelihoods.

## AFGHAN MINORITY COMMUNITIES

**Mr. Brad Vis (Mission—Matsqui—Fraser Canyon, CPC):** Mr. Speaker, the second petition I am presenting relates to the Sikh and Hindu minorities in Afghanistan.

The petitioners call upon the government to allow them to sponsor refugees privately, to support those minorities in Afghanistan who are suffering.

## HUMAN RIGHTS

**Mr. Brad Vis (Mission—Matsqui—Fraser Canyon, CPC):** Mr. Speaker, the third petition is from my constituents on the ongoing challenges Uighur Muslims face in China.

The petitioners call upon the Government of Canada to call out the Chinese Communist Party on its human rights abuses in China.

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Mr. Speaker, I am also tabling three petitions today.

The first petition is with respect to the horrific human rights abuses being inflicted on Uighur Muslims in China.

The petitioners are very specific about calling for action in response to those events. They want to see the government use Magnitsky sanctions to hold those involved in these crimes responsible. This echoes the ask from a letter signed by over 100 faith leaders and human rights organizations today calling for genocide recognition and the imposition of Magnitsky sanctions, among other things.

## AFGHAN MINORITY COMMUNITIES

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Mr. Speaker, the second petition is with respect to the plight of Afghanistan's Sikh and Hindu minorities, who are very hard pressed.

The petitioners ask that the Minister of Immigration, Refugees and Citizenship use the powers granted to him to create a special program to help persecuted minorities in Afghanistan receive direct sponsorship to come to Canada. I know that this is an initiative that has had the support of Conservatives, New Democrats and Greens, but so far no support from Liberal members.

The petitioners also call on the Minister of Foreign Affairs to highlight the issues of persecution with his Afghan counterparts.

## HUMAN ORGAN TRAFFICKING

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Mr. Speaker, the third and final petition is in support of Bill S-204, which would make it a criminal offence for a person to go abroad and receive an organ that had not been given voluntarily. The petitioners want to see us work together to pass this common-sense human rights legislation, which would save lives. We need to get it passed as soon as possible.

## HUMAN RIGHTS

**Mr. Eric Melillo (Kenora, CPC):** Mr. Speaker, I am pleased to present a petition today that would draw the attention of the House of Commons to the campaign of Uighur birth suppression by the Chinese Communist Party.

The signatories to this petition ask that the House of Commons formally acknowledge that Uighurs in China have been subject to genocide and to use Magnitsky sanctions in order to hold those who are committing those crimes to account.

• (1605)

**Mrs. Kelly Block (Carlton Trail—Eagle Creek, CPC):** Mr. Speaker, I too have the privilege of tabling a petition on behalf of Canadians calling on the House of Commons to formally recognize that Uighurs in China have been and are being subjected to genocide, and to use the Justice for Victims of Corrupt Foreign Officials Act (Sergei Magnitsky Law) and sanction those who are responsible for the heinous crimes being committed against the Uighur people.

## RESPONSIBLE ENTERPRISE

**Ms. Heather McPherson (Edmonton Strathcona, NDP):** Mr. Speaker, in 2018, the Liberal government announced that it would be creating an ombudsperson position with robust powers to keep companies accountable, but it never delivered on that promise. Before the office ever got off the ground, the Liberals gutted it of all of its power.

On behalf of over 6,000 Canadians who have signed this petition and the many individuals and organizations that have been fighting for over a decade, I am asking for an ombudsperson who is independent from government and big business; has the power to investigate, including the power to compel documents and testimony under oath from Canadians; and is committed to advancing human rights.

Canadians expect that Canadian corporations will play by the rules, regardless of where they work; and if they do not, the office of the ombudsperson for responsible enterprise will hold them to account. We need an ombudsperson who can do the job and we need it now.

[Translation]

TRANSPORTATION

**Mr. Xavier Barsalou-Duval (Pierre-Boucher—Les Patriotes—Verchères, BQ):** Mr. Speaker, I am pleased to present petition e-2604, which has been signed by over 32,000 people in Quebec and across Canada. The petition basically calls on the federal government to do what it should have done six or seven months ago and require airlines to refund customers for services that were not delivered. Many consumer protection groups support this. Everyone hopes the government will listen to reason and comply.

[English]

TECHNOLOGY

**Ms. Jennifer O'Connell (Pickering—Uxbridge, Lib.):** Mr. Speaker, I rise to present a petition on behalf of my constituents who are very concerned with Huawei telecommunications and the impacts if it were to be allowed approvals here in Canada. The petitioners worry about the relationship with our Five Eyes allies. They also worry about our autonomy and the Chinese government's having access or using Huawei technology for intelligence gathering. The petitioners feel that Canada needs to ban Huawei's equipment and make sure that it is prevented from building in 5G networks in Canada.

HUMAN RIGHTS

**Mr. Arnold Viersen (Peace River—Westlock, CPC):** Mr. Speaker, I have the honour and privilege of presenting two petitions today.

In the first petition, the people who have signed it are looking for the government to do something about the genocide that is being carried out against the Uighur population in China. The Chinese Communist Party is using methods such as forced sterilization and abortion to drive birth suppression in the Uighur population. The petitioners are calling for the formal recognition of that genocide and for the Canadian government to use the Magnitsky law to bring action against the Chinese.

HUMAN ORGAN TRAFFICKING

**Mr. Arnold Viersen (Peace River—Westlock, CPC):** Mr. Speaker, in the second petition people are calling for the government to work quickly to pass Bills S-240 and C-350 from a previous Parliament. The petitioners are looking forward to that bill being passed. The bill would make it illegal for Canadians to go overseas to get an organ that may have been harvested.

PUBLIC TRANSIT

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, today, I am presenting petition no. 10619053, which speaks to the urgent issue of access to public transit. The petitioners note that the 10-year transit plan will end in 2027, and that there is a need for ongoing, sustainable, predictable funding to ensure that public transit is available to all Canadians.

• (1610)

EQUALIZATION

**Mr. Tom Kmiec (Calgary Shepard, CPC):** Mr. Speaker, I am tabling a petition on behalf of residents in my riding on equalization. They are drawing the attention of the House to the fact that, net, over \$600 billion has left the province of Alberta since the

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1960s. Petitioners are asking for a fair deal for Alberta and Albertans within Confederation.

\* \* \*

QUESTIONS ON THE ORDER PAPER

**Mr. Kevin Lamoureux (Parliamentary Secretary to the President of the Queen's Privy Council for Canada and to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I would ask that all questions be allowed to stand at this time.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

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REQUEST FOR EMERGENCY DEBATE

LOBSTER FISHERY DISPUTE IN NOVA SCOTIA

**The Speaker:** The Chair has notice of a request for an emergency debate from the hon. member for Courtenay—Alberni.

**Mr. Gord Johns (Courtenay—Alberni, NDP):** Mr. Speaker, I rise today to propose an emergency debate on the urgent need for the federal government to address the domestic violence against the Mi'kmaq fishers in Nova Scotia and their constitutionally affirmed right to fish, as confirmed by the Marshall decision in 1999 to earn a moderate livelihood through fishing.

With increased incidents of domestic terrorism, I believe this meets the bar of Standing Order 52, section (6)(a) that the matter proposed be a "genuine emergency, calling for immediate and urgent consideration". The debate is urgent and must take place tonight due to the government's inadequate response to this crisis.

As parliamentarians, we must take immediate action to protect the constitutionally enshrined rights of Mi'kmaq fishers and make sure they are kept safe from ongoing threats and acts of violence. We must ensure that the federal government is taking immediate action to provide justice for the Mi'kmaq victims of violence.

Lastly, we must make sure that the government is at the table, protecting the human rights of the Mi'kmaq people and their right to fish for a moderate livelihood, as was affirmed 21 years ago. The right was already determined in the Marshall case and the 1752 treaty.

Given the urgency for a peaceful and equitable resolution to this crisis, I believe it is important to hold an emergency debate in Parliament today.

**The Speaker:** On the same issue, we also have the hon. Minister of Fisheries, Oceans and the Canadian Coast Guard.

*Government Orders*

**Hon. Bernadette Jordan (Minister of Fisheries, Oceans and the Canadian Coast Guard, Lib.):** Mr. Speaker, as you are aware, I, the Minister of Crown-Indigenous Relations, the Minister of Public Safety and the Minister of Indigenous Services submitted our notice of intention to request an emergency debate regarding the recent increase in violence around the fishery in Nova Scotia.

Canadians are concerned about safety and security, and I am indeed working with my colleagues to lower tensions and to create the space necessary for collaborative dialogue.

Reconciliation is a Canadian imperative and we all have a role to play. That means ensuring parliamentarians from all parties are part of this conversation. I support the request for an emergency debate on this very important matter.

SPEAKER'S RULING

**The Speaker:** I thank the hon. members for their interventions. I am prepared to grant an emergency debate concerning fisheries in Nova Scotia. This debate will be held later today at the ordinary hour of daily adjournment.

[*Translation*]

Before we proceed, I wish to inform the House that because of the deferred recorded division, Government Orders will be extended by 43 minutes.

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## GOVERNMENT ORDERS

[*English*]

### CRIMINAL CODE

The House resumed consideration of the motion that Bill C-7, An Act to amend the Criminal Code (medical assistance in dying), be read the second time and referred to a committee.

**Ms. Helena Jaczek (Markham—Stouffville, Lib.):** Mr. Speaker, I am pleased to rise today to discuss Bill C-7, an act to amend the Criminal Code in relation to medical assistance in dying, or MAID.

As a physician, I took a keen interest when Parliament passed federal legislation in June 2016 to allow eligible Canadian adults to request medical assistance in dying. This was subsequent to the February 2015 Supreme Court of Canada ruling that parts of the Criminal Code would need to change to satisfy the Canadian Charter of Rights and Freedoms.

At the time, I was also a member of the provincial parliament in Ontario and was involved in how that province would ensure people would have their personal choice of access to medical assistance in dying, while also ensuring the conscience rights of health care providers would be respected. The actual implementation of MAID was our responsibility and was very carefully considered.

Working with provincial organizations like the College of Physicians and Surgeons of Ontario, we established policies to ensure that, should physicians have conscientious objections to administering MAID, systems were in place to provide appropriate care options to the patient. Consistent with the expectations set out in the college's professional obligations and human rights policy, physi-

cians who decline to provide MAID due to a conscientious objection must do so in a manner that respects patient dignity and must not impede access to MAID.

They must communicate their objection to the patient directly and with sensitivity, informing the patient that the objection is due to personal and not clinical reasons. They must not express personal moral judgments about the beliefs, lifestyle, identity or characteristics of the patient. They must provide the patient with information about all options for care that may be available or appropriate to meet their clinical needs, concerns and/or wishes, and they must not withhold information about the existence of any procedure or treatment because it conflicts with their conscience or religious beliefs. They must not abandon the patient and must provide the patient with an effective referral. Physicians must make the effective referral in a timely manner and must not expose patients to adverse clinical outcomes due to a delay in making the effective referral.

While there is importance in ensuring widespread access to MAID, the law specifically acknowledges the conscience rights of health care providers and the role they may play in providing medical assistance in dying. As a physician who spent all of my time in clinical practice doing my best to preserve life, I feel this balance is working well, and the amendments proposed in Bill C-7 do not make any changes to any of this.

As a government, we remain committed to working with provinces and territories to support access to medical assistance in dying while respecting the personal convictions of health care providers.

What are the amendments that Bill C-7 proposes?

In response to the Superior Court of Quebec's Truchon decision, it repeals the MAID eligibility criterion that applies when a person's natural death is reasonably foreseeable. The criterion is the 10-day reflection period. One concern at the forefront is to ensure that measures are in place that provide safeguards for the MAID process. I believe Bill C-7 does precisely this. It proposes to create two sets of safeguards that must be respected before MAID is provided. For persons whose natural death is reasonably foreseeable, the existing safeguards, as amended by Bill C-7, would continue to apply. For persons whose natural death is not reasonably foreseeable, the existing safeguards with additional safeguards would apply.

I think we are all aware of the concern about increased risks where MAID is provided to persons who are not dying in the short term. That is why additional safeguards would apply where a person's natural death is not reasonably foreseeable. With these new safeguards, specific attention with respect to both time and expertise would be devoted to assessing requests for MAID and to ensuring those making the request are made aware of and seriously consider all other available means of relieving their suffering, including palliative care. In nearly half of the reported MAID deaths in Canada to date, the practitioner providing MAID had in fact consulted with at least one other health care professional in addition to the required second opinion from another practitioner. There is no question these practitioners are taking their responsibilities very seriously.

For those whose death is reasonably foreseeable, Bill C-7 most importantly proposes to eliminate the 10-day reflection period, which many practitioners say can prolong unbearable suffering.

• (1615)

The proposed amendments of the bill will allow waiver of final consent for persons whose natural death is reasonably foreseeable, who have been assessed and approved to receive MAID and who have made an arrangement with their practitioners for waiver of final consent because they are at risk of losing decision-making capacity before their chosen date to receive MAID.

We have heard many touching stories during the course of debate on this bill and situations like that of Audrey Parker, who chose to access MAID on November 1, 2018, despite her desire to see Christmas with her family. She feared that she would lose her capacity to give full consent before Christmas and so she requested MAID before then. Considering her case, we see the need for this amendment in real human terms. Ms. Parker, herself, stated:

I would like nothing more than to make it to Christmas, but if I become incompetent along the way, I will lose out on my choice of a beautiful, peaceful and, best of all, pain-free death.

Since the Truchon decision, our government has engaged in extensive consultations. Beginning in January of this year, over 300,000 Canadians took the time to participate in an online questionnaire on the subject. It should be noted that as part of this questionnaire, direct questions were asked about final consent for MAID. The following question was asked:

Imagine that a person makes a request for MAID, is found to be eligible, and is awaiting the procedure. A few days before the procedure, the person loses the capacity to make health care decisions, and cannot provide final consent immediately before the procedure. In your opinion, should a physician or nurse practitioner be allowed to provide MAID to a person in these circumstances?

Over 78% of participants said yes, that a person in these circumstances should be allowed to receive medical assistance in dying.

In addition to the online questionnaire, the Minister of Justice, the Minister of Health and the Minister of Employment, Workforce Development and Disability Inclusion hosted a series of 10 in-person round tables across the country, from January 13 to February 3 of this year. These round tables allowed the ministers to hear from over 125 experts and stakeholders, including doctors, nurse practitioners, health regulatory bodies, key health stakeholders, legal experts, civil organizations and, of course, the disability community.

### *Government Orders*

The ministers also hosted a separate round table focused on receiving specific feedback from indigenous practitioners and community leaders.

The importance of palliative care continues to be raised in these discussions. Our government recognizes the need for quality and appropriate palliative care, which is why it has worked collaboratively with partners, such as the provinces and territories, to develop a framework on palliative care. To support this framework, our government is implementing a targeted action plan, which will help to improve access to palliative care for underserved populations and support families, health care providers and communities. In addition, our government is providing \$6 billion in federal funding directly to provinces and territories to support better home and community care, including palliative care.

There is no question that MAID is a very important consideration for all of us. This is an issue about which all Canadians care. I know in my riding of Markham—Stouffville, it is a concern that a significant number of my constituents have shared with me. This matter is extremely complex and further discussion will be needed during a future parliamentary review of the previous Bill C-14.

There is a medical aphorism attributed to Sir William Osler, a Canadian who is considered the father of modern medicine and internationally recognized, that says that a physician's duty is to “cure sometimes, relieve often, comfort always.” Our MAID legislation provides comfort to those facing death. For now, let us move forward with Bill C-7 and provide compassionate care to those in need.

• (1620)

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Madam Speaker, if I heard right, I heard the member say that she had practised previously as a physician. She also expressed the view that the requirement in Ontario for effective referral was consistent with conscience protection. That is the view she expressed.

If the member happened to be practising medicine in a jurisdiction that allowed female genital mutilation, would she be willing to provide an effective referral for someone seeking that service?

**Ms. Helena Jaczek:** Madam Speaker, I fail to see how the example given by the member opposite relates to Bill C-7.

What I am saying is that the relationship between patients and their practitioners is one that should be based on trust and clear communication and that health care providers should always do their very best to provide that type of compassionate care to their patients, and to discuss the matter as necessary and refer individuals to specialists in the particular area. This is the normal practice of medicine.

*Government Orders*

• (1625)

[*Translation*]

**Mr. Alexis Brunelle-Duceppe (Lac-Saint-Jean, BQ):** Madam Speaker, the Bloc Québécois was the first to introduce a bill on this matter. I am thinking of two of our members, who have now passed on. One is Francine Lalonde, who introduced a bill on this topic, and the second is Father Gravel, who was bullied by certain religious lobbies, which even wrote to the Vatican to have him removed from his position and driven out of the Catholic Church. I will spare you the details, but that was not easy for him. I will think of these two, who are dear to my heart, when we vote on this bill.

I thank my colleague for her speech. Does she not think that we need to address the notion of advance consent, which is not in this bill, as quickly as possible?

[*English*]

**Ms. Helena Jaczek:** Madam Speaker, the whole issue around the advance directives, which I think my colleague opposite was referring to, is one that comes up in conversations with my constituents. A number of Canadians are very concerned about the possibility. In most of the conversations I have had people are in favour.

Bill C-7 at the moment is taking one step forward. This is a good improvement to the existing legislation. As I understand it, there may very well be a parliamentary review of the existing Bill C-14 and I have no doubt that these types of discussions will occur at that time.

**Mr. Darren Fisher (Parliamentary Secretary to the Minister of Health, Lib.):** Madam Speaker, I know the Audrey Parker situation so well and I want to thank the member for putting those words into Hansard one more time, because they are so important as it pertains to Bill C-7.

I wonder if the member could tell me her personal opinion on whether the bill provides the level of safeguards that the Canadian public will be comfortable with and need?

**Ms. Helena Jaczek:** Madam Speaker, I believe the required safeguards are there. Clearly there is a balance between individual choice and the fact that there could be perhaps some second thoughts in discussion with an individual, a change of heart in essence, as to what the individual might choose to do. There is the 90-day period of reflection. The assessment is very thorough. There is nothing in Bill C-7 that endangers those safeguards. We have them under the current legislation and they are preserved in this bill.

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Madam Speaker, it really amazes me how quickly we have gotten here. The 2015 election was five years ago today. One of the first issues we dealt with in that Parliament was a new law that legalized euthanasia. The government came up with a new term for it, calling it medical assistance in dying. At that time, the then minister of health and the then minister of justice said that it was a finely-tuned balance where there was the right mix of safeguards and opportunities. Of course, as a result of the SNC-Lavalin scandal, both of those ministers were kicked out of the Liberal cabinet and the Liberal Party, but they along with their colleagues said that this was a necessary balance that was struck.

What was built into the process as well was a legislative review five years later. However, the government jumped the gun on that legislative review. It said that before the legislative review, it would remove some of the safeguards that were thought to be vital less than four years ago and would do that ahead of any review. The fig leaf the government used to do that was the Truchon decision in Quebec. This decision dealt with a very specific issue, the question of reasonable foreseeability.

It was a political choice for the government not to appeal that decision because it did not want to. It wanted to be able to justify, ahead of the timeline set by the legislative review, moving forward with the removal of safeguards that it had said quite recently were vital. Then it packed into the legislation a number of critical changes that had absolutely nothing to do with the content of the Truchon decision.

My colleagues have spoken eloquently about the specific issues around removing reasonable foreseeability and the concerns raised by people in the disability community. I want to focus on the aspects of this legislation that have absolutely nothing to do with the court decision to which it is supposedly responding.

This legislation will bring us, for the first time, three things about which Canadians should be very concerned. First, it will bring us same-day death, the opportunity to receive death on the same day a person requests it. Second, it will bring us death without contemporaneous consent. It will bring us a situation where people will have their lives taken without being consulted in the moment. Third, it will bring death without the presence of independent witnesses.

I am opposed on all three counts. I do not think we should have same-day death. I do not think we should have death without contemporaneous consent or any kind of contemporaneous consultation. I do not think we should have death without independent witnesses present.

Let us talk about same-day death. Right now there is a 10-day reflection period. Let us be very clear that the law already allows that reflection period to be waived in certain circumstances. The waiving of that reflection period is not a long, arduous process. If the physicians involved say that because of the particular circumstances in this case that the 10-day reflection period should be waived, that 10-day reflection period can be waived, but it is a default. It says that on balance, except in exceptional circumstances, the 10-day reflection period between when a person requests death and receives it is a reasonable frame of time. I think we can all understand that people who are going through challenging circumstances and major changes in their lives will feel intense feelings of pain, suffering and angst in a moment. Those are real sincere feelings, but they might feel differently in a different space with a little time and opportunity for reflection.



I would like us to be the kind of country where if people say that they have had enough and that they want to die, instead of being told okay, let us do it right now, they are told that we have this mechanism of review of consideration, take that time and even that review process can be waived. That is eminently reasonable.

What we do not want in the country is a situation where I might go visit an elderly relative on Wednesday and seems totally fine. Then I come back on Friday and find that the person requested death yesterday and received death on the same day. We should leave in place a default of a 10-day reflection period. It is not only members on this side of the House who feel that way. I raised the question during questions and comments before prorogation. Even the member for Richmond Hill said that he supported leaving in place the 10-day reflection period.

• (1630)

I know other Liberals believe this as well, and I would challenge them to do the right thing and recognize the need for this amendment to remove same-day death. It just is not safe. It is dangerous. It is rife with abuse. It does not allow people the time and space to consider carefully in consultation with family members. The 10-day reflection period can be waived, but it is an important default to have in place.

Secondly, we have a proposal on this legislation, and it has nothing to do with the Truchon decision, for death without contemporaneous consent. What this means is that a person could say in advance, “I want you to take my life on December 31, and if I don't have capacity then go ahead and take my life anyway.” There is no requirement in this legislation, on that future date set, for there to be any kind of consultation with the patient. In other words, a person, in whatever state of mind, could not even be told. They could have something slipped in their coffee without being told in advance. They could have their life taken without being asked in the moment.

Members are giving me looks. They should look at the legislation. There is no requirement in the legislation for the patient to be told what is happening while it is happening. I would, at a minimum, propose we amend the legislation to say that if somebody has provided advance consent, that at least at the moment the action is happening the person administering it be required to tell them what is happening, and that the person is given the opportunity to, in that moment and regardless of their state of capacity, be able to offer some kind of objection if that is the way they feel. There is nothing in the legislation, as it is written right now, for a person to be told what is happening or asked their opinion in any way in the moment their life is being taken.

I do not believe that, as a matter of principle, it is consistent with the ethics of choice and autonomy for my past self to be able to bind my future self. Garnett Genuis on October 19, 2020 might want a future version of myself to behave in a certain fashion, but that future version of myself should still have autonomy to make choices that contradict something that my past self wished for, especially in cases where disease and disability are involved where people adapt to circumstances. They adapt in ways perhaps they do not expect.

### *Government Orders*

The third point I want to talk about is that this legislation would bring us death without independent witnesses. It would remove a requirement for independent witnesses to be involved. I just do not see the purpose of that. Why not leave in place a requirement for independent witnesses? It ensures there are not abuses.

When I finish my remarks, I am going to be sharing my time today with the excellent member for Peace River—Westlock.

People advancing this legislation say it is about choice. I would say, in the context of choice, let us recognize the context and the architecture in which choice is made and let us protect people's ability to make a genuinely autonomous choice. Is that fair enough? Is same-day death consistent with giving people real choice, that the moment they ask for death they receive it right away, or is it more consistent with choice that they have the time and the space to reflect?

Is it consistent with choice to remove the requirement for contemporaneous consent? I do not think so. Is it consistent with choice to remove independent witnesses who can verify what is happening?

Same-day death, death without contemporaneous consent and death without independent witnesses are moving us in a dangerous direction that will leave people vulnerable. In the government's defence of this legislation, it says it held lots of consultations and that virtually everybody it talked to agreed with it. I doubt it. We have already had over 400 physicians sign a letter raising objections to this. We have had a joint letter sent by many faith leaders from different communities across the country. We had over 70 representatives from the disability community come out against this bill.

May I say that the government runs consultations that involve loaded questions: questions that presuppose a particular result. One of my colleagues once talked about another consultation the government did as being like a dating website designed by Fidel Castro. When one asks loaded questions, there will be no meaningful result to the consultation. We are going to have what we have right now, which is hundreds of physicians and dozens of leaders from the disability community speaking out.

Finally, is it not sad that the only time we talk about palliative care in the House is when we are bringing in more euthanasia and removing vital safeguards? That is the only time the government pays lip service to palliative care. It is so eager for assisted dying but it is taking no action on assisted living, and it does not appreciate that if people do not have proper assisted living and palliative care available, then they do not have a meaningful choice. People have read the reports about what is happening with seniors care in this country.

• (1635)

People do not have a meaningful choice when they do not have access to the care that they want and need. Let us do more for assisted living, instead of removing vital safeguards that protect people around the assisted dying regime.

*Government Orders*

**Mr. Kevin Lamoureux (Parliamentary Secretary to the President of the Queen's Privy Council for Canada and to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, I must say right at the beginning that numerous members of Parliament, at least on the Liberal benches, have talked about the importance of palliative care. It has been incorporated in many ways, whether in budget issues or the throne speech.

When we talk about this particular piece of legislation, the member is upset over two or three aspects of it. I can appreciate that. I suspect the bill will eventually get to committee and in a minority situation, the member will be afforded the opportunity to bring forward ideas and changes that he would like to see with the legislation.

Would the member not agree that having this discussion, and having it go to committee, is a good thing to do? In regard to input, at the beginning of the year over 300,000 Canadians provided input on this legislation.

**Mr. Garnett Genuis:** Madam Speaker, I already spoke about the flaws in the government's consultation process. If this bill gets to committee, I certainly look forward to the opportunity to raise these amendments around removing the provisions dealing with same-day death, around removing the provisions that deal with death without contemporaneous consent, and around removing provisions that deal with death without independent witnesses. I hope government members and members of other parties will listen to those proposals, recognizing that those aspects of the bill have nothing to do with the court decision that this bill is supposedly responding to.

The member is right to say that Liberals often speak about palliative care during debates about expanding euthanasia. However, what I have failed to see is action. How about they bring forward legislation on palliative care? How about they bring forward legislation on improving access to assisted living, instead of paying lip service—

• (1640)

**The Assistant Deputy Speaker (Mrs. Alexandra Mendès):** The hon. member for Jonquière.

[*Translation*]

**Mr. Mario Beaulieu (La Pointe-de-l'Île, BQ):** Madam Speaker, I listened carefully to my colleague's speech. He shared a number of concerns, but I have to wonder what is behind them.

All members know that this bill is based on principles, and I think principles are behind his concerns. My colleague should know that our own personal principles should not violate someone else's principles. This is even more important in the case of dying with dignity. We cannot force our religious beliefs on others who may not necessarily share those beliefs.

One part of my colleague's speech about choice stood out to me. He said that people should have autonomy to make choices. I would remind the member that the word "autonomy" derives from the two Greek words "*auto*" and "*nomos*", meaning "to be ruled by one's own laws". It is up to an individual to decide whether to end their own life. It seems to me that any attempt to impede that decision would be made under false pretences.

[*English*]

**Mr. Garnett Genuis:** Madam Speaker, I would welcome the opportunity to speak with my colleague at great length, perhaps outside of the House, about our religious views and how all of our basic a priori assumptions about human dignity and human value may inform things we are talking about.

We might find ourselves agreeing on the importance of some application of autonomy. I do not think removing the requirement for contemporaneous consent is consistent with autonomy. I do not think that if a person, at a low moment, says they want to die today, removing any possibility of a reflection period is consistent with autonomy. The values of autonomy should engage people in expressing their considered judgment over time with all the information in a situation where they have alternatives.

If we tell someone their only choice is between living in a cockroach-infested facility and death, they are more likely to choose death than if they are given a real, humane, living with dignity alternative. Let us agree on the importance of autonomy, but let us recognize that the architecture of choice informs the choices that are and are not available to people. We can do better by giving them a context in which to make a life-affirming choice, if that is what they wish.

[*Translation*]

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** Madam Speaker, we are not leading the way with this bill. We are already lagging behind. Hundreds of people have been dying in needless pain for years. We have the opportunity to take a step forward and let people die with dignity. It is not about moving from a cockroach-infested room to a clean one. It is not the same thing. People are prisoners in their own bodies and suffering needlessly.

Why should they not be able to make that decision?

[*English*]

**Mr. Garnett Genuis:** Madam Speaker, the member referred to court decisions. Again, the focus of my remarks was on aspects of this legislation that have nothing to do with court decisions. I want us to remove same-day death, to remove death without contemporaneous consent, and to remove death without independent witnesses. I think all three of those are reasonable changes, and none of them would interact with a court decision that was made.

*Government Orders*

**Mr. Arnold Viersen (Peace River—Westlock, CPC):** Madam Speaker, it is my honour and privilege to join this debate today, though it is a sad one for me. I remember coming to this place. We passed Bill C-14 right off the get-go. It is where I cut my teeth in politics, I would say. At the time, we mentioned that this was a slippery slope. We had seen it in the Netherlands. Currently the government there is passing legislation to allow children under the age of 12 to be euthanized. They are working with what's called the Groningen protocol, where it is not the individual but a group of doctors making the decision as to who gets to live and who gets to die. Here, we saw that this erosion of protection began virtually as the ink was drying on the original bill. We have seen the government not uphold the wishes of this Parliament. We have seen a junior court strike down the law, calling it unconstitutional.

This is where I have some frustration. The ink was not even dry on the bill when it was being challenged in the courts. It had just passed through the House of Commons. It is incumbent upon the executive branch of government to defend the decisions of this place, whether the government agrees with a court or not, and this was a brand new law that had just been thoroughly discussed in this place. We had worked hard for the amendments. For the government to abandon all the work we had done and decide that a junior court decision stood and that it was not going to appeal it to a higher court, like the Supreme Court, was an abdication of the executive branch's responsibility, and I definitely want to acknowledge my frustration that the government did not appeal this court decision.

That said, this bill is much broader than the court decision, and I would argue that we continue down the slippery slope. When Bill C-14 was introduced, I remember talking about the slippery slope and being assured it was not a thing. Yet here we are, removing safeguards from the bill.

This bill definitely makes two classes of Canadians. Across the country, we see a big emphasis on suicide prevention. Every level of government in this country has suicide prevention strategies. We see community groups getting together to run hotlines. Facebook has a warning system to help folks who are considering suicide. Facebook will even identify them and notify people who are close to them that their friend is not feeling well. The American military has worked with Facebook as well, to identify veterans who are considering suicide. We see throughout Canadian society that there is very much a focus on preventing suicide.

Where does that come into play in this bill? It would create two levels of Canadians. In one case, there are able-bodied, otherwise healthy people suffering from mental illness who are considering suicide. All of those suicide-prevention apparatuses come to their aid. We even have bridges in this country that have nets to catch people in case they jump. All of that stuff comes to the aid of those particular people. However, for sick people who have a grievous and irremediable condition, that stuff is optional and they can request death. They can go to their doctor and say they are not feeling well and are suffering, and that their grievous and irremediable condition has affected their mental health and they are having suicidal thoughts. Then suddenly they are eligible for assisted suicide.

This creates two classes of people. If they are otherwise healthy, suicide prevention is granted to them; if they have an underlying grievous and irremediable condition, they are eligible for, as the

government likes to call it, medical assistance in dying or assisted suicide. That is what this bill would do.

• (1645)

Prior to this bill, there was a requirement that a person's death be reasonably foreseeable. I remember that when we were discussing this, we found it to be kind of nebulous. What did that mean? There was no timeline on it. I remember we said that for a death to be reasonably foreseeable, it would have to be in six months or within a year. Those were amendments we brought forward. The government did not go for them back then. Now we see the courts are taking that off and the government is not even defending it. That is definitely one of the concerns we have. We are creating two classes of citizens: one for which suicide prevention is available and one for which it is optional.

The other thing I want to talk about is an amendment we brought to the original bill, one that I think would be an improvement on this bill. It is the need for video verification. In the current rendition of the bill, the timelines have been reduced or eliminated altogether, from the time of the request to the time when MAID is administered. There is a concern that family members may not be convinced that their loved one requested MAID and that they were giving consent at the moment thereof. There has been a suggestion by some groups that there be a video recording of the administration of MAID. That is an amendment I would seek at committee. We would definitely like to see something like this.

Lastly, we would like to see the government work to enhance assistance in living. With COVID, many of our old folks in seniors care facilities are not able to see their loved ones because of restrictions on movements and not being able to travel. The military had to be called in to deal with some of the situations. We talk a lot in this place about dying with dignity, but maybe it is time that we started focusing on living with dignity, having a dignified life, taking care of our elders and being part of a family.

I have talked to folks who have been working in the old folks homes lately and it has been a rough job. They say the loneliness is a major issue in old folks homes these days. The loneliness leads to mental health issues, and if those mental health issues are not addressed, people will become suicidal and will request MAID for loneliness. Is that what we really want in this country? Assistance in living is something we have to be concerned about.

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This also deals with palliative care. Palliative care is something the government pays lip service to. We have called for national strategies on this. We have called for money to be put into it. In the absence of palliative care, there is no real choice. There is no ability for somebody to say that this is what they are choosing. Palliative care is an acknowledgement that while there is, humanly speaking, nothing more we can do, we can make a person comfortable and allow them to be surrounded by friends and family as they leave this earth. We would very much like to see the government pursue a significant improvement in palliative care, rather than allowing the elderly members of our families to vanish into an old folks home, where we are not allowed to visit them at this point, to die of loneliness and be offered MAID as the first available option.

This bill has many concerns. It is the first evidence of the slippery slope that is happening in the euthanasia debate, and I definitely wanted to raise that concern. I am also concerned that this bill creates two classes of citizens, as I clearly outlined. I am looking forward to the government making some amendments to the bill and look forward to being able to participate in those discussions at committee.

• (1650)

**Mr. Nathaniel Erskine-Smith (Beaches—East York, Lib.):** Madam Speaker, of course, no one is going to disagree with improving the lives of our seniors through better palliative care, but the soft paternalism that ran through those comments is completely fabricated, as though if we just focus on assisted living and just provide additional support, nobody in any position is going to want to end their life and exercise personal autonomy and individual rights. There are individuals who are suffering intolerably, people who are of sound capacity and mind to make decisions about their own lives. They are suffering from an effectively incurable illness and some members want to take those rights away.

My question is simple. Has the member read the Supreme Court's unanimous decision in Carter, and if he has, what about the criteria established for eligibility does he disagree with?

• (1655)

**Mr. Arnold Viersen:** Madam Speaker, I was pointing out that with Bill C-14, we entered a slippery slope, as the safeguards had been removed. Bill C-14 is the law of the land. I am merely pointing out that we are now removing the reasonably foreseeable requirement. We are not improving the safeguards at all with the bill. In fact, we are removing safeguards. In the absence of palliative care, in the absence of a true choice, that leaves folks with no choice at all.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe (Lac-Saint-Jean, BQ):** Madam Speaker, I believe that two of my hon. Conservative colleagues in a row have spoken to us about palliative care and care in long-term care facilities, such as CHSLDs in Quebec. It seems to me that they are trying to sidetrack the debate. We are talking here about medical assistance in dying. The two are not related. They seem to be saying that, if we had better palliative care services, then there would be no need for this bill. That does not make any sense.

However, if they want to go there, then I would tell my hon. colleague that his party was in office from 2006 to 2015 and the

provinces were not granted the increased health transfers that the Quebec and other provincial premiers are calling for. In fact, the Conservatives made cuts to those transfers. It seems to me that this party, which is lecturing us on palliative care, had a role to play in the fact that the provinces do not have enough money to manage their jurisdictions.

[*English*]

**Mr. Arnold Viersen:** Madam Speaker, I would say that is fake news. Under Stephen Harper, health transfers actually increased. Under Stephen Harper, the sovereignty of the provinces was improved. Under Stephen Harper, the separatist movements across this country were diminished, both in the member's province and in my province. Under the current government, divisions run deep across this country and separatist movements are growing not only in his province, but also in mine.

**Mr. Eric Melillo (Kenora, CPC):** Madam Speaker, as I mentioned earlier in this debate, unfortunately in a lot of the rural and remote communities and the many indigenous communities in my riding, and I imagine in the hon. member's riding as well, there is not an equitable access to health care services. That includes palliative care, unfortunately, in many circumstances.

I am wondering if the member could speak to how important palliative care and all these health services are for every single Canadian.

**Mr. Arnold Viersen:** Madam Speaker, across Canada palliative care is inconsistent. We are looking for some guidelines from the federal government on what palliative care should look like, with standardization across the country. We want funding to be dedicated to it. We also want the conscience rights of folks and organizations working in health care to be protected. In the Delta Hospice Society case, for example, the provincial health authority is forcing its ideology upon a hospice that is quite convinced that MAID has no place whatsoever in hospice care.

**Mr. Ron McKinnon (Coquitlam—Port Coquitlam, Lib.):** Madam Speaker, I am delighted to speak today to Bill C-7, an act to amend the Criminal Code, medical assistance in dying. Its proposed Criminal Code amendments to the medical assistance in dying regime are a true reflection of the value we as Canadians ascribe to individual autonomy.

I wish today to address a specific aspect of Bill C-7, which is the exclusion from eligibility for medical assistance in dying, or MAID, of those whose sole underlying medical condition is a mental illness. This is an aspect of the bill that has already attracted some attention, and I am grateful for the opportunity to make these remarks to provide context around the government's choice to not extend medical assistance in dying in this area at this time.

The government has heard from various sources that there are unique risks and complexities associated with medical assistance in dying on the basis of mental illness alone. These include the report of the Council of Canadian Academies' expert panel on medical assistance in dying where a mental disorder is the sole underlying medical condition, as well as the experts the ministers consulted in recent round tables on medical assistance in dying.

In this Canadian-made context, very specific concerns have been raised in relation to mental illness, those illnesses that affect how a person perceives themselves, their environment, their place within it and sometimes their future. The first main concern is that the trajectory of mental illnesses is harder to predict than that of other illnesses. Unlike some dementia and intellectual disabilities, the underlying causes of mental illness remain largely unknown. Mental illnesses can spontaneously remit or can be difficult to treat for years until one treatment or one social intervention works and improves quality of life, reducing that person's suffering.

For example, we learned from the Council of Canadian Academies' report that an important percentage of persons living with borderline personality disorder will see their symptoms go away as they age, and some people with problematic substance use disorders also spontaneously remit. Experts disagreed on whether a mental illness can ever truly be considered incurable. Indeed, the Canadian Mental Health Association has indicated, "CMHA does not believe that mental illnesses are irremediable, though they may be grievous or unbearable [and] there is always the hope of recovery."

A second main area of concern is that the desire to die can be a symptom of some mental illnesses. Here I address specifically the concerns just raised by the member for Peace River—Westlock around suicide. I acknowledge and recognize his sincere concern. Having a mental illness is, indeed, a significant risk factor for suicide.

This underscores the difficulty of assessing the voluntariness of a MAID request from a person who may be experiencing a desire to die as a symptom of mental illness. Some practitioners also raised the concern that an expanded MAID regime could negatively impact suicide prevention efforts if MAID were a legal option in response to suffering caused by mental illness alone, both at the level of public messaging and at the individual clinical level.

The Council of Canadian Academies' expert panel also noted the particularly troubling situation of suicide rates in indigenous populations. This is an issue that concerns us all deeply. It was the expert panel's view that the potential impact of MAID where a mental illness is a sole underlying condition, if any, on suicide prevention efforts must be explored more deeply with indigenous people.

By contrast, there are other conditions affecting the brain that do not raise these same concerns. For example, the trajectory of cognitive impairments such as Alzheimer's, Huntington's Disease or other neurodegenerative diseases is more easily predicted, in large part because the underlying pathology is better understood.

Intellectual disabilities are a permanent state and there are no concerns with an unpredictable illness trajectory or a person's perception of their place in the world being affected. Indeed, many do not consider such conditions to be a mental illness or mental disorder. While they may raise other concerns, these are likely more properly addressed by assessments of decision-making capacity.

• (1700)

On the other hand, those who live with mental illness can experience unimaginable suffering and even physical pain. There is no question that the suffering that some with mental illness endure can

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be intolerable. Some who suffer from both physical and mental illness have said that, if they were able to choose, they would easily choose to endure the physical pain if the mental anguish could end. It is understandable that there is no consensus on this issue.

The group of experts the Council of Canadian Academies recruited could not agree on several fundamental questions, including whether it is possible to have a valid and reliable method of distinguishing between suicide and an autonomous decision for medical assistance in dying where a mental illness is the sole underlying medical condition.

A subset of the Council of Canadian Academies' expert panel, the Halifax group, recently recommended that the MAID regime should not exclude persons whose sole underlying medical condition is a mental illness. Instead, there should be a legislative requirement that the decision to die be well considered to ensure that a MAID request is well thought out and not impulsive. Others say that to exclude those with mental illness only perpetuates stigma and discrimination.

On the other hand, another subset of the Council of Canadian Academies' experts, the expert advisory group on MAID, recommended that the MAID regime acknowledge that, at this time, it is not possible to determine that a mental illness is irremediable or that a state of decline due to a mental illness is irreversible. Therefore, persons whose sole underlying medical condition is a mental illness could not fulfill the current MAID eligibility requirements.

Given these diametrically opposed points of view from experts, it would not be prudent to permit eligibility for medical assistance in dying where a mental illness is the sole underlying medical condition at this time without more study and deliberation.

We, as legislators, are not experts in mental illness. Let us, instead, take the time to listen closely to what experts have to say on such an important topic, where the consequences of a decision are irreversible.

The parliamentary review will provide an opportunity to hear from experts and others, and allow parliamentarians to carefully consider, without the time pressure of responding to the Truchon decision, whether and how medical assistance in dying could safely be extended to persons whose sole underlying medical condition is a mental illness.

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The government understands very well that mental illnesses can and does cause intolerable suffering. By excluding persons whose sole underlying medical condition is a mental illness, we are not seeking to send a message that this suffering is lesser, that persons struggling with a mental illness cannot make decisions for themselves, or that their autonomy to choose when and how to die matters less.

Instead, we are taking a pause and acknowledging that this very complicated question needs more time, careful consideration and requires us to proceed prudently. The Province of Quebec is adopting a similar approach, though not through legislative amendments. I think this is wise, and we will be paying close attention to the consultations taking place in that province as well.

• (1705)

**Mr. Eric Melillo (Kenora, CPC):** Madam Speaker, the member mentioned mental illness quite a bit, however, he did not go into a lot of detail.

Does the member believe that if someone's sole underlying condition is mental illness, they should be able to receive MAID?

**Mr. Ron McKinnon:** Madam Speaker, I thank the member for the question, although I think that was the full focus of my speech, the contention that people whose sole medical condition is a mental illness should not be eligible for MAID at this time.

We absolutely need to consider this. It is a very complex issue. We need to consider it much more thoroughly than we have the ability or capacity to do at this time in response to the Truchon decision.

I would refer the member to my speech. We will happily consider the matter very rigorously as we go forward.

[*Translation*]

**Ms. Louise Chabot (Thérèse-De Blainville, BQ):** Madam Speaker, my Liberal colleague's position is quite fair. We in the Bloc Québécois also agree that those whose sole medical condition is a mental illness should not be included in this bill.

This is such a sensitive matter, I think it is important to send a clear message that we are capable of moving forward in our reflection.

We must not sweep this under the rug because that would be dangerous, as my colleague, the member for Montcalm, has already said. We need to be able to get ahead of this, rather than waiting for the courts to tell us what to do.

Aside from looking at what Quebec is doing, I would like to hear my colleague's thoughts on how we too can start proactively reflecting on this.

• (1710)

[*English*]

**Mr. Ron McKinnon:** Madam Speaker, we know that part of the original legislation for medical assistance in dying provided for a review at the five-year mark, and we are coming up to that time. It is very important we exercise that opportunity to look deeply into questions of this kind and canvass them very thoroughly, because it

is, as the member noted, a very serious and delicate question. It is very complex.

We need to examine all aspects of it, as well as the other aspects of medical assistance in dying, to make sure that as we move forward we can adapt and move forward correctly on this very important bill.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Madam Speaker, I found this was a very challenging speech. I appreciate the member's thoughtfulness in approaching the issue, which this bill does not touch. It is important to confirm for Canadians that, in looking at the new version and the amendments, mental illness is not to be considered an illness within the context of medical assistance in dying.

Does the member think that we will evolve our understanding of certain kinds of mental illness? It seems to me that he is suggesting that we may in fact revisit this topic in the future.

**Mr. Ron McKinnon:** Madam Speaker, yes, I absolutely believe the proper place to deal with this question is during the more full-some review that should be forthcoming. It is certainly my understanding that mental illness, as a sole underlying factor, would exclude a person from the regime of medical assistance in dying.

**Mr. Tom Kmiec (Calgary Shepard, CPC):** Madam Speaker, I was glad that the member brought up mental health conditions. He was very attentive to the language being proposed in this legislation and how we would deal with it going forward. This piece of legislation goes much further than Justice Baudouin mentioned in her judicial decision where she struck down section 241.2(2)(d) specifically on death being reasonably foreseeable. I do not have a question for the member. I just want to bring this up and hear his commentary on it.

"Reasonably foreseeable" was something I criticized in the last Parliament when this was being debated. I could foresee this exact situation in which different reasonable people could interpret it in very different ways. We already see this going on all over the country. Different provinces have interpreted it differently in their health systems. I want to hear the member's commentary on that.

In this debate so far, people have mentioned incurable diseases. The minister mentioned it as well. Three of my living kids have an incurable disease called Alport syndrome. It leads to a chronic kidney condition, and in the case of males, it will eventually require a kidney transplant. In most cases it is also associated with the underlying risk of depression and social isolation. It is incurable today. That does not mean it will be incurable tomorrow.

Diseases change and their statuses change. Things that were incurable 100 years ago and were considered lifelong conditions change over time as medical technology catches up. Our knowledge matches the necessity of the time we live in. That is my commentary on the member's speech.

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**Mr. Ron McKinnon:** Madam Speaker, my understanding on this bill regarding a trajectory for an immediately foreseeable death is that, in some cases, the requirement has been reduced, but in other cases, it remains in place. It depends on the nature of the person's underlying condition.

I certainly look forward to what I am sure will be a robust debate on medical assistance in dying when the review happens. I had the honour to participate on the Standing Committee on Justice and Human Rights when the original bill was brought forward. I certainly recognize some of the questions we are dealing with now we also dealt with then, and we did the best we could. It is very helpful that in light of experience and court decisions, we can review those decisions. It is a great opportunity, as we move forward, to embrace fully the upcoming review.

• (1715)

**Mr. Martin Shields (Bow River, CPC):** Madam Speaker, I very much appreciate the commentary that I have heard from my colleagues about this very significant issue today.

One of the things I remember doing in a past life is working with doctors on “do not resuscitate” orders. It became very difficult for doctors, whose oath it is to save lives, to have this type of discussion. They would do anything to get out of a “do not resuscitate” order. They did not want to touch it or undo it, because they were ending up with all sorts of complications with family members and relatives. All sorts of different things would happen with this type of situation.

Does my hon. colleague feel the legislation would protect mental health with what is basically a “do not resuscitate” order in a different language?

**Mr. Ron McKinnon:** Madam Speaker, I would like to first note that medical assistance in dying and a “do not resuscitate” order are fundamentally vastly different concepts.

In any event, I believe the checks and balances that are currently in the legislation around mental illness will prevail as we go forward, because this bill would not extend medical assistance in dying to people whose sole underlying condition is mental illness. That is an important distinction and it is a very important one to consider fully and robustly as we go forward. I refer all members to the opportunity that will present itself as we review the totality of the medical assistance in dying regime at its legislated juncture.

**Mr. Alistair MacGregor (Cowichan—Malahat—Langford, NDP):** Madam Speaker, it is a real pleasure for me to be joining the debate today, from my riding, on Bill C-7. I find myself in a unique position because, having given a speech on this very same bill earlier this year, I see we now find ourselves still at second reading for what, I would argue, is absolutely the most important piece of legislation we have before us at this time.

I was also one of the members of Parliament who had the honour of participating in the previous debate on Bill C-14 during the 42nd Parliament. I can remember very much the debates that went on in 2016 and the amount of attention that was given to that piece of legislation. We had an expert committee. We had a special joint committee. There were many hours spent, both in the House of Commons and at the Standing Committee on Justice and Human

Rights, on that important piece of legislation because it made a monumental amendment to the Criminal Code in recognition of a very important Supreme Court ruling that forced Parliament to finally take the necessary action.

I remember, during that time, we in the New Democratic caucus ultimately voted against Bill C-14, but we always took the time to explain to people that we were ultimately supportive of what the overall aims of the bill were. Our major problem of the time was that the bill was too restrictive. I remember very well in 2016 referencing a particular section of the bill that I knew would be challenged by the court. Lo and behold, here we are in the year 2020, and we are revisiting that problematic section and having to fix a mistake that was made very clearly four years ago.

It is good to see Bill C-7, and it is good to see that we are complying with challenges that were made before the courts, this time coming in response to the Truchon decision by the Superior Court of Quebec. I know that we are operating under quite a tight deadline. That being said, I still think Parliament has to do a full job on this bill. As parliamentarians, whether we support the legislation, have problems with it or are opposed to it, we owe it to the people of Canada to give this debate as full a discussion and time as Bill C-14 had.

At this time, in particular for the benefit of the people of Cowichan—Malahat—Langford, it is important to underline why we are here discussing this. It really centres on the Charter of Rights and Freedoms, notably sections 7 and 15.

I am increasingly seeing section 7 as probably the most important part of the charter or one of the most important parts, because so many cases seem to be coming forward that directly reference section 7. I know it is open to interpretation, but if we go along with successive court rulings, my own personal view on the subject is that it is a very important section because it is ultimately making the case that every person in Canada has the right to autonomy over their own body. That is why it is such an important section. If we truly believe in the rights of individuals to make decisions for themselves over what goes on with their own bodies, section 7 is incredibly important. It is really life, liberty and security of the person. That is the part that has to be underlined.

• (1720)

We also have to mention section 15 of the Charter of Rights and Freedoms, which guarantees equality before and under the law and makes sure people are free from discrimination. Why those two sections have such an important bearing in this case is that this bill is trying to make sure people have the right to say what goes on with their own bodies and that in making that decision they are not going to be discriminated against.

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I have been listening to the debates on Bill C-7, both from the previous week and today. I acknowledge that many members are bringing forward some concerns with the bill, and I understand and want to validate those concerns. I do not believe we have to make the debate on Bill C-7 an overly partisan issue. That is why I made the comment at the beginning that it is important that all members of Parliament, no matter what party they belong to, be given the chance to fully air their views.

I believe the bill passes muster at second reading and deserves a vote of confidence at this stage of debate, because if there are particular sections of the bill that need further attention, that work is best done at the Standing Committee on Justice and Human Rights.

I fully understand that many members have raised concerns about the removal of safeguards. I have heard many members talk about the state of palliative care in Canada, whether there is enough being done with suicide prevention and so on, and I am very sympathetic to those. I think every member of Parliament, no matter what part of the country we are fortunate enough to represent, can relate to those concerns. We can relate to the concerns that we have received through email correspondence, letters, phone calls and speaking with our constituents face to face.

I am lucky enough to have a hospice undergoing major construction right now. There is a new hospice being built in the Cowichan Valley. I am really glad to see that the level of palliative care in my home riding is going to be significantly better than it was, but of course more can always be done.

Ultimately what is guiding me in this is that it is quite impossible for me, as a member of Parliament who is lucky enough to have his health and not have a grievous and irremediable medical condition, to really understand the level of suffering some individuals in Canada go through. When we are talking about the bill, the struggle we have before us is to not subject other people to our own values, whether those are guided by religious beliefs or the way we were raised and so on. It is quite impossible for people who are healthy and lucky enough to have all of their faculties to understand what the day-to-day life existence is of people who are suffering from one of these incurable and irremediable medical conditions.

Therefore, what is guiding me and members of the New Democratic caucus is an overall goal of trying to ease that suffering, to respect those people's section 7 rights and to understand that they should have the ability to live their lives in dignity and make a determination as to how they want to exit this world. I know it is an uncomfortable debate for many people to have, but that is what is going to be guiding me through these deliberations. I hope it is something all members can take note of.

Following on the speech my colleague, the member for Esquimalt—Saanich—Sooke, gave the other day concerning the legislative review that was part of the former Bill C-14, I want to draw the attention of members to the fact that this was a requirement of Bill C-14. The member for Esquimalt—Saanich—Sooke has put forward a proposal through his private member's motion, Motion No. 51, that will establish a special committee to look at how the legislation is doing. That is something Parliament can easily do while we are deliberating the provisions of Bill C-7. The creation of

such a special committee to look at how Bill C-14 has been enacted over the last four years is really important.

• (1725)

This goes back to my first point that, yes we are operating under deadlines, yes we have had people waiting for some time, but, ultimately, it is critically important that we let Parliament deliberate this issue to the fullest extent possible.

With that, I conclude my remarks and look forward to any questions my colleagues may have.

**Mr. Kevin Lamoureux (Parliamentary Secretary to the President of the Queen's Privy Council for Canada and to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, I think it is important for us to recognize that, at times, inside the chamber some very difficult debates take place. However, the importance of this legislation cannot be underestimated. Over the last number of years, through consultation, through a court decision, we have come to this point, and I think we are on the right track.

The member made reference to palliative care, and a number of members have made reference to the importance of palliative care. I wonder if he could provide some further thoughts in terms of how the federal government's role in palliative care could make a difference in terms of quality of life for seniors across the country.

**Mr. Alistair MacGregor:** Mr. Speaker, I will first acknowledge that the delivery of health care services does fall under provincial jurisdiction, but that being said, I have always been an advocate for a strong, federal leadership role in health. After all, we do have some control over health policy through the Canada Health Act.

The real opportunity for the federal government is to make sure that every part of Canada, no matter what province someone finds themselves residing in, has access to the same kinds of standards nationwide. I think that is the real strength of the federal government. It is to make sure that someone living in Prince Edward Island can access the same level of care as someone in my beautiful province of British Columbia.

**Mrs. Cathay Wagantall (Yorkton—Melville, CPC):** Mr. Speaker, I certainly appreciated what the member had to say, and I am especially excited to hear that he has a new hospice being built in his riding. However, I am sure he is aware that 70% of Canadians have no access to palliative care right now. It is contravening in my mind to think that we are somehow saying to people that they have this choice and here is another choice, but, truthfully, one of them does not exist.



As well, I am sure the member is aware that the Delta Hospice has lost its funding and is losing the ability to run the hospice on the basis that the government has said that it must provide euthanasia along with palliative care, yet the Canadian Society for Palliative Care Physicians has indicated that these are antithetical and totally separate. I am wondering if he is aware of what is going to be happening with the hospice that he just mentioned being built in his own riding.

• (1730)

**Mr. Alistair MacGregor:** Mr. Speaker, I have been very fortunate to have a good working relationship with the team that has been behind the Cowichan Hospice over the last number of years. Of course, our community is absolutely overjoyed to see the project moving ahead and seeing that it is going to be such an important part of going forward.

In the 42nd Parliament, the House passed a motion expressing that more palliative care was needed. However, when it comes to the difficult decisions that are made over where the funding goes, I would draw the member back to the importance of individual rights as outlined under section 7. Ultimately, our focus needs to be on patients and ending unnecessary suffering, which is why I drew such importance to section 7 when it comes to these important decisions.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe (Lac-Saint-Jean, BQ):** Mr. Speaker, I want to thank my colleague for his speech. I listened closely and he was sensitive and respectful of all the ways to look at this bill and of all the MPs who might be opposed to it. I think that is the way to approach this type of issue.

We experienced that in Quebec City. The leadership of Véronique Hivon led to a multi-partisan consensus at the National Assembly, resulting in smooth passage of the bill for the good of our constituents.

We know that we are taking a step in the right direction with this bill. My hon. colleague and his party think that we should go further. How much further does he think we should go?

[*English*]

**Mr. Alistair MacGregor:** Mr. Speaker, I do not want to presuppose the work that is going to be done at committee and that is why I placed such important emphasis in my remarks about getting this bill to committee. The committee study of this bill has to be very detailed and there has to be a very broad cross-section of witnesses to inform our work as parliamentarians. I am sure there will be quite an extensive list of witnesses who wish to speak to this bill. I hope members of the committee will take note of what is heard at committee, deliberate in an appropriate manner and report the bill back, something that reflects the importance of all of the deliberations.

\* \* \*

#### BUSINESS OF THE HOUSE

**Mr. Kevin Lamoureux (Parliamentary Secretary to the President of the Queen's Privy Council for Canada and to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, there have been discussions among the parties and if you

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seek it, I believe you would find unanimous consent for the following motion. I move:

That, notwithstanding any Standing Order or usual practice of the House, during the debate tonight pursuant to Standing Order 52, no quorum calls or dilatory motions shall be received by the Chair.

**The Deputy Speaker:** Are there any objections to what the hon. member has proposed? Hearing none, I declare the motion carried.

(Motion agreed to)

\* \* \*

#### CRIMINAL CODE

The House resumed consideration of the motion that Bill C-7, An Act to amend the Criminal Code (medical assistance in dying), be read the second time and referred to a committee.

**Mr. Nathaniel Erskine-Smith (Beaches—East York, Lib.):** Mr. Speaker, I apologize in advance if there is noise in the background; it is either traffic or my kids, so I have chosen traffic.

I want to start first by speaking to what is at stake with Bill C-7 and with the medical assistance in dying framework overall. What is at stake fundamentally is, first, alleviating intolerable, cruel suffering. The Supreme Court and other courts have spoken about the cruel choice that individuals face in the circumstance where they have a sound mind, they are of capacity and can make these decisions themselves, where they are suffering from an illness that is not going to go away and when they are suffering in an intolerable way. Forcing that suffering upon individuals is cruel and we have to be cognizant of the fact that this is first and foremost about alleviating suffering, but it is about alleviating suffering within the context of empowering and respecting one's personal autonomy.

This is fundamentally about individual rights, and our job fundamentally is to respect those individual rights, to protect those individual rights, to ensure that we end suffering in the course of protecting those individual rights and to make sure that we fulfill the promise of section 7 as it has been interpreted and upheld by our courts, not only in the unanimous Carter decision by the Supreme Court, but also by other courts, like the Alberta Court of Appeal and more.

Now, this bill is important, because it addresses a long-standing concern with Bill C-14. It addresses the concern that we had not answered the call from the Supreme Court adequately. We had added an additional criterion unnecessarily. We had basically said that if people are suffering intolerably and they can absolutely make this choice for themselves, they have capacity, and they have an irremediable condition, an effectively incurable illness, they cannot access this regime if they are not near the end of life or there is not path dependency, but they know the trajectory they are on, even if they are already intolerably suffering.

That, obviously, was unconstitutional. The courts determined that to be so. The government rightly opted not to appeal that decision, and here we are.

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Importantly, we have actually gone beyond what the court has mandated in pursuit of individual rights and respect for our charter, as we have said in the case of Audrey Parker, a woman who chose to end her life earlier than she had wanted to. She wanted to get through the holiday season, but she also did not want to lose capacity and then lose the option. She did not want to lose ability to end her life and her suffering. She did not want to lose the possibility of death with dignity, so she chose to end her life before she wanted to. Thankfully, we have actually gone above and beyond what the court has mandated us to do, and we have provided one form of advance request to ensure that individuals, like in Audrey's case, do not end their life before they would like to.

This bill, on those two fronts, is positive. There are some challenges. That is not going to stop me from supporting this legislation at second reading, but it does give one pause. I think we, as parliamentarians, have to be very careful about adding additional exclusions to accessing the MAID regime. That is what this bill would do, unfortunately. I have heard others speak to the issue of mental illness, and there are reasons to proceed cautiously, but there are not good reasons for blanket exclusions. In fact, we potentially render the bill unconstitutional with blanket exclusions, just as we did with exclusions in Bill C-14.

I hope at committee there is expert testimony on this piece, and I hope we get this right. I will give an example specifically on mental illness. In 2016, there was a case at the Alberta Court of Appeal. A woman, identified as E.F., had capacity, she was suffering intolerably, it was irremediable, she had consulted with her family and she had made the decision to end her life. She was able to do so, thankfully, because of the Alberta Court of Appeal applying the Carter decision by the Supreme Court. If the federal justice department had gotten its way in that case, it would have read down Carter to mean only terminal illness. Of course, they said that is not the case. Then we saw, through Bill C-14, that our government tried to impose that kind of criteria, and the court subsequently struck it down. The justice department lost that leg of the argument.

Then, in E.F., they put forward the argument that it could not be an underlying psychiatric condition on its own, but that is exactly what E.F.'s was, an underlying psychiatric condition. The court said that this underlying psychiatric condition, which manifested itself in great significant pain in the documented evidence, did not affect her capacity to make a decision. She was of sound mind.

• (1735)

In E.F., the Alberta Court of Appeal went beyond that. As to the consideration whether MAID should be available to people with mental illness as their sole underlying condition, the Alberta Court of Appeal, in E.F., said that the Supreme Court, in Carter, had canvassed this conversation, this discussion and this concern. Unanimously, they had determined that it was not an additional exclusion. It was not a factor to exclude, and not an additional criterion for eligibility, for those with mental illnesses and those with physical illnesses, so long as they meet the specific criterion of an irremediable condition of intolerable suffering and that they have capacity. It may be that one is depressed, or it may be that one is suffering from a mental health issue such that it impinges upon one's capacity to consent, but in other cases it clearly does not. In E.F., it did not. The justice lawyers lost that case, yet here we are.

In Bill C-14, the government added an additional criterion of close-to-terminal illness and reasonably foreseeable death, and it was struck down. Here, the justice department is adding that second argument from E.F. that it already lost in the courts, and is adding a blanket exclusion for mental illness. As a matter of constitutionality, I would say that if this excludes the case of E.F., which it does, then it creates a ready constitutional challenge. I will be reading the Charter statement from the justice department very closely. I am not suggesting that we do not proceed cautiously, but a blanket exclusion on mental health, when there is a case like E.F. before the court, is likely to render this law unconstitutional, and that has to be addressed by the committee.

The second piece I want to flag is the two tracks. If one's death is reasonably foreseeable, then there is no additional track. There is not even a 10-day waiting period. That 10-day waiting period has been waived, although there was not great concern even with that 10-day waiting period. There is this dual track now, if one's death is not reasonably foreseeable, where one waits 90 days. This is what we are telling people in those circumstances. I have spoken to family members who are affected by this, and they are absolutely challenged by these circumstances when one is already intolerably suffering: They are suffering from a condition that is not going to go away, and they are making this decision themselves, having capacity. If we respect personal autonomy at all, surely a fundamental life decision like this is one that we have to respect, and we are telling these individuals that they have to wait another 90 days, and not just suffer but suffer intolerably for another 90 days. It is inexplicable that we are asking people to suffer intolerably for that length of time. Those are the two specific issues that need to be addressed at committee in a serious way in order to make this bill not only constitutional, but to make it the best bill that it can be.

I wish we had dealt with this last item, because the idea of constantly revisiting this conversation instead of just getting it right for Canadians in need is frustrating. I mentioned Audrey Parker, and we are addressing one type of advance request. However, I do wish that, in the course of this legislation, we had answered the second type of advance request, in which an individual has been diagnosed and is not yet suffering intolerably, but that future is not so far away. Those individuals should also be in a place where they can make an advance request, if we are to respect their autonomy and respect their wishes.

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I just wish politics did not get in the way. That is what this is. This bill is a cautionary step. It does not go as far as it could because of politics. I know Conservative members will say it goes too far and others will say we have to be concerned about vulnerable Canadians. We know we can protect vulnerable Canadians and respect people's individual choices at the same time, and I wish politics did not get in the way of alleviating suffering. I wish politics did not get in the way of respecting and protecting individual rights. We like to say we are the party of the Charter. I wish we carried through that promise and demanded greater respect for individual rights in the course of Bill C-7.

• (1740)

**Mr. Colin Carrie (Oshawa, CPC):** Mr. Speaker, I have been getting phone calls basically on both sides of the issue. I am having some people, as our colleague said, saying it is not going far enough. Other people are saying that it is going way too far.

I would like to talk about one of my constituents, Carol, who had a very respectful conversation with me. She totally respects the rights of physicians who do not want to participate, and people who do not want assistance in death. However, she has some concerns about advance directives, and my colleague touched on this. His comment at the end was very important. He said it is important that we get it right.

As far as advance directives, does the member actually think that this piece of legislation in front of us today addresses those, and does he feel that it is still supportable?

• (1745)

**Mr. Nathaniel Erskine-Smith:** Mr. Speaker, it is supportable, particularly at second reading. The Council of Canadian Academies identified three kinds of advance requests. One is as in the case of Audrey Parker, which I mentioned, where someone not only is diagnosed but is already suffering intolerably. This bill would address that issue, and I am glad that it would.

The second issue, which I think is easy to address and has been recommended up and down by every expert who has looked at this, is when one has already been diagnosed but is not yet subject to intolerable suffering. We ought to provide an advance request for that as well. We could address it with sunset clauses if folks are concerned.

The third issue is when someone has not yet been diagnosed. I would argue that we could probably get there, but I think, at a minimum, we should address the second advance request where someone has already been diagnosed, but is not yet suffering intolerably. That would have been a relatively straightforward one to address. Given the time period we have had, especially in the course of COVID, I wish this had been better addressed in this bill, as well.

[*Translation*]

**Mr. Sébastien Lemire (Abitibi—Témiscamingue, BQ):** Mr. Speaker, I want to begin by acknowledging my colleague's ability to focus and to find work-life balance in these difficult times. I would also like to commend the progressive values that he brings to many of his interventions, including at the Standing Committee on Industry, Science and Technology and in the current debate.

I wanted to address the end of his speech and give him a chance to elaborate.

Does my colleague agree with the possibility of granting the right to waive final consent in cases where natural death is unforeseeable? How might we further facilitate this step for the victims of this mechanism?

[*English*]

**Mr. Nathaniel Erskine-Smith:** Mr. Speaker, the advantage of any view that respects personal autonomy is that one is not tied to a decision one has made: one can always revisit it. The importance of advance requests is that people might lose capacity. If one is suffering intolerably, as in the case of Audrey Parker, but is so worried that she is not going to be able to make a decision to end her life and access death with dignity because she might lose capacity, then we, of course, need an advance request and that is exactly what this bill would provide.

As for the second category, where an individual has been diagnosed and has not yet begun to suffer intolerably, when they have made it very clear that this is what they want as a matter of personal autonomy, we have to respect that as well. Of course, if we are to respect personal autonomy, one can always withdraw when one has the capacity to do so.

**Ms. Heather McPherson (Edmonton Strathcona, NDP):** Mr. Speaker, my colleague's comments were very thoughtful and certainly resonated with me. My father-in-law is currently in a situation where he cannot give consent any longer. He is trapped in a situation that we know he would not want to be in, so a lot of the comments the member brought forward really resonate with me.

At the beginning of his comments, the member talked a lot about intolerable suffering and the need to alleviate that intolerable suffering. I am wondering if he could talk a bit about where we came up with the 90 days.

Where did the Liberal government come up with 90 days as the amount of time we should make people wait, in intolerable suffering, before they can get relief?

**Mr. Nathaniel Erskine-Smith:** Mr. Speaker, I can honestly say I have no idea, and I do not think the 90 days are justified in the end. I think the committee should examine this timeline and correct it. I hope, when this bill comes back to the House for third reading, that we have avoided the blanket exclusion for mental illness. If need be, we can add a sunset clause to that provision to give the government more time, if necessary, but I hope we avoid the blanket exclusion indefinitely. Second, I hope that we cure that 90-day period and reduce it significantly. We cannot possibly want Canadians who are still of sound mind to suffer intolerably for such an extended period of time.

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**Mr. Ted Falk (Provencher, CPC):** Mr. Speaker, it is a privilege to have this opportunity to rise and speak on Bill C-7, an act to amend the Criminal Code (medical assistance in dying).

Not long ago, we in the House debated the merits of Bill C-14. I was a member of the justice committee when the committee was seized with doing that. That opened the door to physician-assisted death in Canada.

I want to begin my speech today with the same words that I used to open my speech on that bill:

I believe in the sanctity of life, and I believe that all life, from conception right through to natural death, has value, has worth, and has purpose.

A pastor friend of mine told me a story that had happened just prior to the passing of Bill C-14 in 2016. A woman the pastor knew who had battled stage four cancer for 10 years, savouring every moment of that time with her grandbabies and family, was told by one of her care workers, “I bet you cannot wait for the assisted-suicide bill to pass.” The pastor recalled the desperation in her tears when she called to recount her story, asking, “Has my life only become a burden to society?”

After the legislation was in effect, another woman was reunited with her childhood sweetheart and engaged to get married when her fiancé discovered that he had stage four cancer. Together they mustered up every possible hope for a future together, only to have their hopes dimmed by repeated offers for medical assistance in dying.

As the House now considers an expansion of MAID, I think it remains vitally important that the worth of every person is reaffirmed and underscored. It must be our priority in this place to remind every Canadian that they have value regardless of their age. They have value regardless of their ability. Their dignity is not determined by their suffering or their autonomy. It is intrinsic. It is inherent. Their lives are worth living.

I think these statements are important, because the reality is that every time we talk about expanding access to MAID, we send a troubling message to those who may be vulnerable: the idea that, if certain conditions or factors are present, somehow a person's life has less worth; the idea that ending a person's life is a mere medical decision among any number of medical decisions.

Expanding eligibility cannot be about removing safeguards and fundamentally redefining the nature and role of assisted death. This bill intends to offer assisted dying to individuals who are not dying, whose lives are still viable. This is a contentious issue that has been raised by multiple legal voices because assisted death was previously sold as an option only when death was imminent, or reasonably foreseeable.

In just four short years, we have embarked beyond that final stage of suffering. The whole health care system is feeling the pressure for acceptance of MAID, says Nicole Scheidl. Doctors and medical staff are feeling this pressure. Scheidl adds that the most terrifying thing about MAID is how it will impact the future of medicine, as only doctors comfortable with MAID will go into medicine, unless perhaps some provision is made for conscience rights.

Cardus executive vice-president Ray Pennings warns us that Bill C-7 does not take the protection of conscience rights seriously. He writes:

Conscience rights are Charter rights...including the rights of medical professionals not to participate in MAID in any way and the rights of hospices and other institutions not to cause the deaths of people in their care.

There are other valid concerns as well: psychological suffering in combination with other permanent injuries potentially justified under MAID, the elimination of the 10-day waiting period, the requirement for only one independent witness as opposed to two, the waiving of final consent, and also that a witness cannot be a primary caregiver.

Even in its current form internationally, MAID raises flags. When the United Nations Special Rapporteur on the rights of persons with disabilities visited Canada in 2019, she noted that she was extremely concerned about the implementation of MAID from a disability perspective. She flagged that:

there is no protocol in place to demonstrate that persons with disabilities have been provided with viable alternatives when eligible for assistive dying.

She highlighted:

...claims about persons with disabilities in institutions being pressured to seek medical assistance in dying, and practitioners not formally reporting cases involving persons with disabilities.

Her advice was to:

put into place adequate safeguards to ensure that persons with disabilities do not request assistive dying simply because of the absence of community-based alternatives and palliative care.

Instead, Bill C-7 goes the opposite direction in order to expand eligibility.

● (1750)

Let us not forget that every choice we make has a ripple effect of different magnitudes. Mother Teresa once said, “I alone cannot change the world, but I can cast a stone across the waters to create many ripples.” The world can be changed for better or worse. When vulnerable people start feeling like they are only a burden to society because of our actions, we need to consider what kind of culture we are creating.

Kory Earle, the president of People First of Canada, a national organization representing people with intellectual disabilities, expresses his concern that everything is already more difficult for people with intellectual disabilities, including exclusion, isolation, housing, resources when abused, education, securing jobs, social lives and finding friends. He further adds that even their word in court is not considered credible. Mr. Earle explains, “everything, and I mean EVERYTHING, is more difficult for people with intellectual disabilities. Many, many other things should be made easier. This [assisted death] is not one of them.”

Passing Bill C-7 is sending a message that individuals with disabilities are no longer safe. This concern is echoed in a joint statement by over 140 lawyers who fear the perception this bill gives, if even unintentional, the perception that life with a disability is inferior and if ratified by law, we diminish the choice to live with dignity and exasperates systemic discrimination.

On top of this, Canada has tragic statistics around suicide. An average of 10 people die by suicide every day. Statistics reveal that nine of those 10 individuals faced a mental health problem or illness. I know and appreciate that those suffering solely from mental illnesses are not eligible for MAID under Bill C-7, but we are nonetheless sending a devastatingly mixed message.

The former Liberal member for Winnipeg Centre raised these concerns when we were first considering Bill C-14. As he observed the rash of suicides in several first nations communities at that time, he expressed concern that, “we haven’t thought out the complete ramifications that a decision like this might have on indigenous communities that seem to be suffering greatly.”

In his speech, he shared one of his memories as a six-year-old child. His family was facing serious financial hardship, forcing his mother to go off in search of work. He and his younger brother were to stay with their father, who he described as “a residential school survivor, an alcoholic, and a member of gangs” with a “terrible temper”.

The rest I will quote directly from the former member. He said:

I remember climbing a tree in the back yard and wrapping a rope around my neck at the age of six... I wrapped that rope around my neck and thought, “Should I jump off into this universe, which is before me?” It was in that back yard that somehow I made the decision to climb down out of that tree and unwind that rope from around my neck.

If in my life I had seen, or I had known, that my grandmother had somehow used physician-assisted dying or physician-assisted suicide, or others in my family had completed the irreparable act, then it would have made it much more difficult for me to continue.

We must be mindful of the messages we send through this debate and always affirm life, but we must also do more than just offer words. We need to ensure that individuals facing end of life have access to the end-of-life care they deserve.

There are important questions we need to be asking to ensure those who are suffering truly have a choice between living well and pursuing MAID. For example, how do we better love those who live in unbearable pain, whatever form that pain takes? Feeling loved gives inherent strength to those losing hope. How do we show people how their lives teach us? How do their contributions strengthen us as individuals and a society? How do we instill in all people that they are not a bother, a financial burden or a disruption

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to deal with, but that their life is treasured? We must foster this type of society that affirms life and the pursuit of well-being.

As four physicians suggested in the National Post in response to the proposed legislation, increasing health care personnel, improving our quality of care, enhancing our palliative care options and ensure quicker access to psychiatric care would all be more advisable. Instead, we are “fast-tracking death on demand and dismantling the...[earlier] safeguards that were put in place to protect the vulnerable.”

We have all heard that only 30% of Canadians have access to palliative care and disability supports, which is possibly why there were 50 religious leaders who wrote an open letter urging us to consider that. It states:

Palliative care administered with unwavering compassion, generosity and skill expresses the best of who we are. Rather than withdrawing from those who are not far from leaving us, we must embrace them even more tightly, helping them to find meaning up to the last moments of life. This is how we build compassionate communities.

● (1755)

Furthermore, the joint statement by 140 lawyers explains that singling out non-life threatening illness and disability as eligibility criteria for assisted death—

● (1800)

**The Deputy Speaker:** I am sorry, we will have to finish there. The time has expired for the member's comments. He may be able to reflect on some of those ideas when he answers questions and comments.

Questions and comments, the hon. parliamentary secretary to the government House leader.

**Mr. Kevin Lamoureux (Parliamentary Secretary to the President of the Queen’s Privy Council for Canada and to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I remember quite well the former member for Winnipeg Centre and his speech on Bill C-14. One of the things I can recall from the Bill C-14 debate was there were a lot of examples, real-life stories. I say that because it is important for us to recognize the seriousness of the legislation we are debating. Ultimately it will go to committee, where there will be opportunities to have that dialogue and who knows what it will eventually come back as.

Does the member believe the bill is moving us in the right direction?

**Mr. Ted Falk:** Mr. Speaker, I do not believe the bill is moving us in the right direction. We should be strengthening the bill by adding additional safeguards for vulnerable people. It has been clearly demonstrated that people with disabilities are very concerned the bill does not go far enough to provide them the protection they are looking for.

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I have heard from many health care providers, physicians, nurses and those who assist those health care professionals, who themselves are also health care professionals, express concerns that adequate conscience rights protections have not been built into the bill. It is something I have heard over and over in my riding and it is very important to health professionals. They want clearly articulated conscience rights protection inside the bill.

[*Translation*]

**Ms. Louise Chabot (Thérèse-De Blainville, BQ):** Mr. Speaker, I have a related question.

It is my understanding that, essentially, the member will vote against the bill for considerations that have more to do with religion and faith than with the bill before us.

When we talk about the right to life, and tell people that we have values, that dignity is intrinsic and that life is precious, does Bill C-7 not align with all that even though it is not perfect? With respect to their right to life and dignity, does a person who is suffering and who has an incurable disease not have the right to choose this solution after we have had a wide-ranging debate? Is that not a response? How is that not a response?

[*English*]

**Mr. Ted Falk:** Mr. Speaker, the member's question is one that many people ask. My response is that a lot of people would make different choices if they had access to better palliative care. We know 70% of people across Canada do not have access to the palliative care they deserve. Even people with very uncomfortable and some would say intolerable diseases and situations, with the proper amount of palliative care, would have a different opinion than when confronted with the option of medical assistance in dying.

In fact, I spoke to a doctor at a function not that long ago. He said that when it came to MAID, they already had the technology to make people comfortable so they would not experience pain. They also could give them drugs. They had access to drugs that would also take away any psychological anxiety people may experience with their intolerable diseases. He said that there was no need for MAID.

• (1805)

**Mr. Greg Fergus (Parliamentary Secretary to the President of the Treasury Board and to the Minister of Digital Government, Lib.):** Mr. Speaker, I am very pleased to speak today in support of Bill C-7, which proposes amendments to the Criminal Code's medical assistance in dying regime in response to the Superior Court of Quebec's Truchon decision.

[*Translation*]

As members know, prior to the prorogation of Parliament, we introduced former Bill C-7, which proposed amendments to the MAID legislation and made it to second reading in the House. With the opening of this new session, we are reintroducing the same proposed changes as Bill C-7.

In September 2019, the Superior Court of Quebec struck down the federal and Quebec criteria limiting MAID to end-of-life circumstances. The court suspended its declaration of invalidity for six months, until March 11, 2020. In February, the Attorney Gener-

al of Canada obtained an extension to provide enough time for Parliament to respond to the Quebec court's ruling and create a consistent MAID regime across the country.

Unfortunately, the disruptions to the parliamentary process resulting from COVID-19 made it impossible to meet this deadline. On June 29, the Superior Court of Quebec granted the request of the Attorney General of Canada for a second extension, until December 18, 2020.

[*English*]

Before I turn to the content of the bill, this legislation was informed by the Truchon decision itself, available Canadian international reports, the experience of existing international regimes and the government's consultations on medical aid in dying held in January and February earlier this year.

With respect to the consultations, the Minister of Justice, Minister of Health and Minister of Employment, Workforce Development and Disability Inclusion as well as their parliamentary secretaries hosted medical aid in dying round tables across the country. There were more than 125 stakeholders in attendance, including health regulatory bodies, legal experts, doctors, nurse practitioners, representatives of the disability community and indigenous representatives. They all shared their experiences and insights into MAID and its implementation in Canada over the last four years.

In parallel to these efforts, the government hosted an online public survey in January and received over 300,000 responses from people all across the country, an unprecedented number of responses, that reflects the significance of this issue for Canadians. A summary of the consultations was released in March as a "What We Heard Report".

[*Translation*]

I would like to speak to the two proposed Criminal Code amendments in relation to eligibility for MAID.

First, the bill would amend the list of eligibility criteria so that it would no longer be necessary for a person's natural death to be reasonably foreseeable. This change would respond directly to the Quebec Superior Court's ruling in Truchon and Gladu.

Second, the amendments proposed in this bill would make persons whose sole underlying medical condition is a mental illness ineligible for MAID. Members may recall that the Council of Canadian Academies' expert group on this issue could not come to a consensus on this question. This lack of agreement was also evident among participants at the MAID roundtables.

[*English*]

This complicated issue should be studied as part of the five-year parliamentary review of the medical aid in dying legislation.

With respect to applicable safeguards, the proposed Criminal Code amendments will create two different sets of safeguards, depending on whether the person's natural death is reasonably foreseeable or not. The first set of safeguards will continue to be tailored to the persons whose natural death is reasonably foreseeable where risks are reduced.

The second set of safeguards would be tailored to persons whose natural death is not reasonably foreseeable or who are not dying at all and would address the elevated risks associated with the diverse sources of suffering and vulnerability that could lead to a person who is not nearing death to seek access to medical aid in dying.

• (1810)

[*Translation*]

Bill C-7 proposes to use the “reasonable foreseeability of natural death” standard to determine which set of safeguards apply to a particular case.

[*English*]

In terms of those whose death is reasonably foreseeable, the bill proposes to ease some of the existing safeguards. Specifically, it would require that a medical aid in dying request be witnessed by one independent witness instead of two, and it would allow individuals who are paid to provide either health or personal care to act as an independent witness. Bill C-7 also proposes to repeal the 10-day mandatory reflection period.

With respect to the second set of safeguards that would apply to those whose deaths are not reasonably foreseeable, in addition to the same witness requirement being eased, the following new and clarified safeguards would apply.

[*Translation*]

The first new safeguard would require a minimum period of 90 days for the assessment of a person's eligibility. This safeguard reflects the need to ensure that the assessment takes the time needed to address the additional challenges and concerns that may arise in the context of assessing the MAID request of a person whose death is not foreseeable, and who may have many years or even decades left to live. These include, for example, considering whether the person's suffering is caused by factors other than the medical condition and whether there are ways to address the suffering other than MAID.

[*English*]

The second new safeguard would require that one of the two mandatory eligibility assessments be conducted by a practitioner with expertise in the condition that is causing the person's suffering. This would require that all treatment options be explored before medical aid in dying is provided, while avoiding the need for specialist involvement, which could pose a barrier in remote and rural areas.

The existing requirement for informed consent would be clarified in two ways. First, the person would have to receive information on available and appropriate services that could help address their situation. Second, the person and the practitioners would have to agree that reasonable means to alleviate the person's suffering had been seriously considered before medical aid in dying could be provided.

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These proposed safeguards reflect the seriousness of ending the life of someone who is not nearing death, the importance of protecting vulnerable individuals who may seek medical aid in dying and would support a fully informed decision in this regard.

The bill also proposes amendments that would allow people whose natural death is reasonably foreseeable and who have been assessed and approved for medical aid in dying to retain their ability to receive MAID if they lose the capacity to consent before the day of the procedure. Certain conditions would need to be met, including having a scheduled date for the procedure, that the person gives consent to receive MAID on that date even if they have lost capacity, and that the practitioner agrees to provide MAID on the patient's scheduled date or before if the capacity is lost before that time.

This bill, I believe, seeks to balance several interests and societal values, including the autonomy of persons who are eligible to receive medical aid in dying and the need to protect vulnerable persons from being induced to end their lives. It represents a significant paradigm shift, and I hope one that will meet the consensus of the members of this Parliament.

**Mr. Brad Redekopp (Saskatoon West, CPC):** Mr. Speaker, I thank my colleague for his speech, but I am a little confused. He mentioned the different groups that were consulted and the 300,000 responses that were received, but it was my understanding that there was to be a legislative review of the MAID legislation this year in June, which did not happen and still has not happened. It almost seems like the government did not want to let the normal process happen and instead wanted to control it and provide the information it wanted, or perhaps the minister wanted to pursue his own agenda or his own vision.

Why did the government not deal with the Truchon issue that needed to be dealt with and leave the rest of the changes until after the proper legislative review had been completed as required by the legislation?

• (1815)

**Mr. Greg Fergus:** Mr. Speaker, as the member will recall, back at the time the legislation was supposed to have been reviewed, Parliament had taken the extraordinary step of sitting in a reduced format in order to comply with the outbreak of COVID-19. As a result, any legislation, as had been agreed to by all House leaders, would deal uniquely with the issue of COVID-19.

That is also why the Minister of Justice sought to have an extension granted by the courts until the end of this year, knowing that when we got back in the fall we would be able to pick up where we left off in March and continue the evaluation going forward.

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I would also like to reassure the member that the legislation provides an opportunity for us to review this in five years, so that we can once again take a look, take stock of the situation in terms of how it is being used or how it is not being used appropriately, and make changes accordingly.

[*Translation*]

**Mr. Mario Simard (Jonquière, BQ):** Mr. Speaker, the Bloc Québécois shares our Liberal colleague's point of view.

I would like to ask him a question about something one of our Conservative colleagues said earlier. He tried to make a connection between suicide and medical assistance in dying. It seems to me that this kind of connection is more often made to align with a certain right-leaning and often religious way of thinking.

Knowing that Conservative Party members have already indicated they wanted a free vote on this issue, I would like to hear my colleague's thoughts on what might motivate a parliamentarian to vote against this kind of bill.

**Mr. Greg Fergus:** Mr. Speaker, I would like to thank my colleague from Jonquière for his question.

With all due respect, I have to say, this is a very difficult and very sensitive issue for many people.

This situation is intimately linked to one's personal values and religious values, which may be at odds with the values of freedom guaranteed in the Canadian charter and the Quebec charter. This is a very difficult debate for many people. I do not wish to trivialize the values he brings with him to Parliament.

I think there is a consensus. However, I want to respect all viewpoints. Our colleague from Manitoba shared his perspective and our colleague from Toronto shared a different one. We must try to balance the two and use common sense.

[*English*]

**Mr. Bob Bratina (Hamilton East—Stoney Creek, Lib.):** Mr. Speaker, I would like to bring my colleague back to the very beginning, when we began this discussion in the previous Parliament and, remarkably, got a bill through.

I know it is hard to achieve perfection, but I am encouraged by the fact that a five-year review is in place. Does the member realize that there are many opposing views on this? We have heard them all. We are not working with underlying motives. We are working toward a good result for Canadians. Would the member agree with that?

• (1820)

**Mr. Greg Fergus:** Mr. Speaker, I would agree. I must say I have grown and evolved around this issue. That is why I feel I can understand both perspectives on this issue. I have been very pleased in hearing the debate so far.

We have struck the right balance, but I understand why those who would want us to go further certainly would want us to do so. I can also appreciate the perspective of people who would want us to hold back a little.

It is not perfect, as my hon. colleague from the Hamilton area has said. However, we will not let perfection become the enemy of the good. We have a fair compromise that strikes the right balance.

**Mr. Pat Kelly (Calgary Rocky Ridge, CPC):** Mr. Speaker, I am pleased to join the debate. The last several speakers raised some excellent points. It is good to see members bring different perspectives to this debate, and I hope to achieve that as well tonight.

I would like to say broadly at the outset that, in a binary world where one must say they are either in favour or not in favour of the availability of medical assistance in dying for people who are adults, mentally competent, grievously and irremediably ill and suffering cruelly from intolerable pain and anguish, I support the availability of assistance in dying for those people.

However, this bill and few bills we would consider in the House are as simple as a binary choice between two poles. Although we have had all kinds of different perspectives on this, the nuances and the details of this bill, as well as the bill that preceded it, Bill C-14, are very important. I enjoy these types of debates where we hear these points of view and can hopefully improve a bill before it is passed, if it is indeed the will of this Parliament to pass the bill.

I have ordinarily been highly critical of the government on a host of issues. I will take advantage of this moment to say that although there was much consternation to get to the final vote that occurred on Bill C-14 in the previous Parliament, there was something in that process that brought out what is good in Parliament. At that time, we had a lot of different perspectives on that bill. We had a bill that was tabled and amended. It was amended in this chamber. It had committee amendments, many of them, that were brought back and voted on by different parties, and we saw members of the Liberals' side who did not agree with their government for a variety of reasons. There were members, including me, who ultimately at third reading did vote with the government to support it.

That is what Parliament should do. It should bring out vigorous debate that really gets to the heart of an issue in order to have good legislation. I thought Bill C-14, at the time, was a reasonable limited change to criminal law in Canada to both comply with the Carter decision and establish the availability of medical assistance in dying. Credit also should go to members who are no longer a part of the government: the member for Vancouver Granville, who was the minister of justice at the time; and Jane Philpott, who was the minister of health and who showed leadership at that time in debating Bill C-14.

The bill before us today was introduced ostensibly to deal with the Truchon decision and the Quebec superior court's striking down of the reasonable foreseeability phrase from Bill C-14. In this bill, the government has chosen to address other issues at this time. As has been pointed out, there was to be a five-year review, per the previous bill, that should have occurred this summer. I understand the crisis we are in, but let us also not forget we have a government that prorogued the House and prevented the House from examining critical legislation and issues that face Canadians.



The timing of the bill puts us up against something of a deadline looming in December over the Truchon decision, and here we are. December is not very far away when we talk about all the different stages a bill must go through to do it right, to allow all voices to be heard and to allow all members of Parliament to represent their constituents on this.

The bill introduces a few changes beyond addressing the reasonable foreseeability. I am not going to get into the details of that, because time is passing. However, like most MPs, I have received a lot of correspondence and phone calls from the disability community and concerned citizens who have real reservations about any expansion of medical assistance in dying.

• (1825)

Some have argued from the point of view of a slippery slope and are concerned: Once changes are adopted, what comes after them? I understand the sincerity of these concerns. However, we have to examine the bill for what it says and what it does rather than what people might project into it.

Prior to the adoption of Bill C-14, I had four major concerns regarding medical assistance in dying: first, the assurance that quality palliative care be available to persons considering medical assistance in dying; second, strong safeguards for vulnerable Canadians, such as minors, the mentally ill and the disabled; third, the conscience protection for medical practitioners; and fourth, any changes that would expand the availability of medical assistance in dying be well considered, well thought out, carefully drafted and not rushed.

I share many of the concerns raised by members of the disability community, but we have to deal with this issue and not forget the broader purpose of ensuring the availability of medical assistance in dying. It is not merely to comply with court rulings. We must do this out of a sense of compassion for adults who are grievously ill, intolerably suffering and are of sound mind, and who, of their own free will and volition, wish to obtain medical assistance in dying.

I would not support the bill if I thought it was a clear threat to disabled Canadians or if the bill would lead us into a path where medical assistance in dying is offered as an alternative to palliative care or an alternative to treatment. I do not see that in the bill as is. Recalling the experience of Bill C-14, I assume that the bill will be thoroughly studied and that the committee, after it hears testimony from experts and concerned Canadians, will bring amendments back to the House that may offer better assurance to the disabled community and others.

I am inclined to see the bill go forward as far as committee so that we can have a robust, thorough examination of the bill, and so that as parliamentarians, we can do our legislative jobs to ensure that the best bill possible is brought back to Parliament. I look forward to that and assume that we will have this debate.

I am still a little concerned, though. My colleague from Hull—Aylmer mentioned the five-year review and that a committee hearing would constitute that review. This is what it sounded like he was saying, and this does not seem to be in the spirit of what was passed by the House in Bill C-14. However, there is clearly much work to do in this area, and I hope we will have time for a robust,

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full and proper hearing of the bill at committee so that when the bill comes back to the chamber at third reading, it will give assurances to those who have raised concerns about medical assistance in dying, in particular to the disabled community.

• (1830)

[*Translation*]

**Mr. Maxime Blanchette-Joncas (Rimouski-Neigette—Témiscouata—Les Basques, BQ):** Mr. Speaker, I thank my hon. colleague for participating in the debate and for his speech, which is very much appreciated.

I take it that he will vote in favour of the bill. I know that some of his colleagues may be opposed to the bill. However, I will not directly mention the Conservative members who will be voting against this bill.

I learned that 52 religious groups have launched a coordinated campaign against Bill C-7.

[*English*]

It is called “Religious Leaders in Canada oppose Bill C-7”.

[*Translation*]

Fifty-two religious groups are opposed to the bill.

[*English*]

They include Canadian Assemblies of God, Canadian Conference of Catholic Bishops, Evangelical Free Church of Canada and Canadian Baptists of Western Canada.

[*Translation*]

There are 48 other groups that are also against it.

I just want to ask my colleague if he believes that the religious principles of some people should be set aside when it is a matter of respecting the choice of all Canadians.

[*English*]

**Mr. Pat Kelly:** Mr. Speaker, one of the four major concerns I have about the notion of medical assistance in dying relates to the conscience protection for practitioners. I think what the member was drilling to in the question is making sure that the conscience of professionals in the medical field is protected. I support wholeheartedly groups that have this concern. That is one of the main areas of concern I have with the bill.

I certainly recognize that there are very strong feelings on the bill all around. The responsibility of this Parliament is to try to get it right, satisfy the judgments that have already been delivered and get a bill that, broadly speaking—

**The Deputy Speaker:** Questions and comments, by video conference, the hon. member for Saanich—Gulf Islands.

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**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I want to commend my hon. colleague from Calgary Rocky Ridge for a thoughtful speech that did not fall into the trap of partisanship. This is a very difficult issue, and having been part of the debates in Parliament since the first version of medical assistance in dying came forward, I have been taken with how we as a chamber have approached the issue respectfully from all sides.

This is a comment; I am not putting a question to my hon. colleague, so he can amplify his points. I am deeply grateful that he is drawing a line where he does not see evidence of moving into an area that would put people with disabilities at risk or moving into an area that would make him uncomfortable. This does more than make sure we are within the law and respecting the rights of individuals who legitimately need medical assistance in dying.

**Mr. Pat Kelly:** Mr. Speaker, I thank the member for her comments, but I do have these concerns that members of the disability community have raised. It is critical to me, before I vote at third reading in support of the bill, that the protections for the disabled community remain, that we do not enter into scenarios where medical assistance in dying is foisted on somebody and that this will remain merely for those who seek it as a result of grievous cruelty and suffering from an irremediable condition.

• (1835)

**Mr. Martin Shields (Bow River, CPC):** Mr. Speaker, I think this has to do with the sense of a court deadline. Our Parliament is constructing legislation. We are working on it. I refuse to accept the idea of being blackmailed into not doing a full and thorough review. We did not do one with Bill C-14. I think the courts would fully understand.

Would my colleague respond to this deadline, which is really blackmailing us into a rush?

**Mr. Pat Kelly:** Mr. Speaker, the hon. member for Bow River makes a great point, and I did touch on the review in my speech.

The committee hearing on the bill is not a substitute for the full-some review that was promised in Bill C-14. I am concerned about the rushed timeline, and I identified in my remarks that for the bill to be fully supported at third reading, things must be done properly. It has to be drafted and worded carefully and thoughtfully, following a proper and robust consultation by the appropriate parliamentary committee.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, it is interesting that the last question has brought us to the issue of urgency and why this is pressing.

We had this bill before us in the spring, before we adjourned and before COVID-19 took over our parliamentary process. We now have the process, for which I am grateful to all parties, that allows us to debate controversial legislation, to have votes at a distance, to respect the threat of COVID-19 and to protect public health.

When debating this bill before we adjourned, I was getting emails in the House from one of my best friends, who was dying of ALS. She asked me if there was any chance we would make changes to the bill for advance directives in time to help her. I deeply regret that we were unable to get this bill passed last spring, when my friend, Angela Rickman, could have benefited from ac-

cess to medical assistance in dying. She died in a situation of suffering that would have been her wish to avoid. Now, as we debate this, a member of my own family is wondering whether we can get this bill through quickly enough so that they are not put in the impossible situation that Audrey Parker found herself in. I will reflect further on Audrey Parker later.

There is urgency, whether driven by courts or by compassion. We know as legislators, as our friend from Beaches—East York just commented a few speeches ago, that we have, at this point, repeatedly passed legislation that did not meet the judicial thresholds and frameworks that have been set before us in order to ensure that the legislation we pass on medical assistance in dying meets previous court decisions. I know everybody is deeply affected by their own constituents, their own personal experiences and their frameworks of religious traditions or lack thereof, but I hope we all come to this with open hearts, recognizing that this is a crucially important issue, one that I hope our Parliament will handle better than we have in the past. Let us make sure we pass legislation that does meet the constitutional requirements that have been put before us, if for no other reason than making sure we do not have to continually return to improve our legislation. Ensuring it meets the bar that was set for us by our courts has to be paramount.

I happen to come from a constituency where, overwhelmingly, constituents have wanted to see medical assistance in dying legalized for many years. My colleagues in the chamber and watching remotely will remember the name Sue Rodriguez. Sue Rodriguez was a resident in my constituency, in North Saanich. Her first effort, which was, of course, the case she brought forward, was the first time the Supreme Court of Canada ruled, by a very narrow margin, that medical assistance in dying would not be allowed in Canada. That was back in 1993, and it was by a vote of five to four that the Supreme Court denied her final wish. She was able to access illegal assistance from a doctor who remains unknown, but God bless him, and she achieved medical assistance in her own death in February 1994. It was not a situation we would want any of our loved ones to find themselves in, unable to find the help legally and choosing to find someone willing to help otherwise.

The next set of cases, of course, bring us to more recent cases, the ones we talk about in Parliament today, and particularly the one that brought us to Bill C-14 in the previous Parliament, brought forward after the 2015 election. The names of the ministers who were involved have been referenced several times: the hon. member for Vancouver Granville and, of course, the former minister of health, Jane Philpott.

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I lamented then, in this place, that the Carter decision of the Supreme Court of Canada was not being respected fully in the legislation that we were debating. I was able, in clause by clause consideration at committee, to bring forward amendments, which were rejected there, to do away with the requirement that someone be capable and competent on the day of the procedure to confirm their desire for medical assistance in dying.

● (1840)

It is that requirement that drove Audrey Parker to have to get medical assistance in dying before the moment she really wanted to, for fear that she would be unable to provide that consent through the vagaries of the disease or the pain-killing drugs. We know Audrey Parker's story. It was related to us today earlier by the current member for Markham—Stouffville and by the member for Dartmouth—Cole Harbour, who knows the Audrey Parker story well.

She died November 1, 2018, nearly two years ago, saying that this Parliament had let her down through the requirement that she be competent the day of the procedure to confirm that it was, indeed, her wish. This was impractical. Even as we worked in Parliament on Bill C-14, we knew from the language in the Carter decision of the Supreme Court of Canada that this was a violation of patients' constitutional rights.

When the bill got to the Senate, I was very pleased that the amendments I put forward in clause by clause, which had been rejected in the House, were taken up and approved by the Senate. However, as we will recall, when the bill came back from the Senate, the government rejected the amendments to deal with ensuring that people would have access to medical assistance in dying and to deny patients access to an advance directive. Predictably, here we are.

As many of us argued in Parliament in the first round of debates on Bill C-14 on medical assistance in dying, we were not, as a Parliament, passing legislation that was likely to survive a court challenge. There was not much prescience or crystal ball-gazing to know it. We knew it if we read our legislation and compared it to the reasoning in the Carter decision. Here we are now with a new decision, the Truchon decision from the Quebec Superior Court, and we are going back to amend the legislation.

What we are doing, of course, is making sure that people in a situation where they do face a terminal illness and their doctors know that they cannot survive this illness will be able to access an advance directive. Again this was the Carter decision. The Carter decision was full square about facing irremediable suffering and accessing medical assistance in dying. Clearly in this legislation, we have said mental illness is not going to be covered, that mental health issues will not be considered an illness that can be considered irremediable in the context of this legislation. We will very likely have to come back and revisit that.

Certainly, as this legislation goes forward from this vote at second reading to committee, I hope we will find a way to amend the legislation to remove the 90-day timeline around assessing someone's irremediable state of suffering. I support what the member for Beaches—East York has said on this. It does not appear at all to be a humane decision or within what the courts have already told us to insist on that 90-day period.

There are some things that have been argued today in this House that I want to draw attention to because I would hate for Canadians to think that this bill was as cavalier as some would have us believe. Some have said that this bill would allow for “death on demand”. That was one phrase used by one hon. colleague. It's important to know that the bill says quite the contrary.

One of my friends in the House said this bill does not make any effort to allow someone to change their mind the day of the procedure. I urge colleagues to look at subclause (3.1)(d). It is very clear. They should also look at subclauses (3.2), (3.4) and (3.5). Throughout the bill, there are many points at which it is very clear that people have the ability to say, and doctors have the requirement to verify that people have the ability, even on an advance directive, to subsequently change their minds. That is a very clear set of provisions in the legislation, as I said, particularly under subclause (3). To clarify again, in subclause (3.1)(d), it is very clear that one has to ensure that people have been informed that they may, at any time and in any manner, withdraw their request. That is the context throughout this bill.

● (1845)

I know my time is at an end. I just want to say that I support this bill and I hope we pass it as quickly as possible. People are suffering and they want us to act.

**Mr. Kevin Lamoureux (Parliamentary Secretary to the President of the Queen's Privy Council for Canada and to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, it is important for us to recognize that back in 2015, shortly after the election, one of the challenges we had was to come up with new legislation dealing with medical assistance in dying. There was a general feeling that, yes, here we are at this particular point, but we will have to make some changes. Today, that is exactly what we are doing, but it is primarily being driven because of a court decision in the province of Quebec.

Could the member provide further thoughts in regard to the dropping of the 10-day waiting period for people who are near death?

**Ms. Elizabeth May:** Mr. Speaker, the legislation is clear that nothing happens in the blink of an eye. A lot of consideration must be given to the situation of each individual patient. The medical experts engaged must have specific knowledge of whatever particular irremediable condition is being raised. The question of eliminating a 10-day waiting period is not to make it on demand. There are still very significant stipulations and requirements that must be assessed and considered in advance of accepting that it is a case for medical assistance in dying.

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**Mr. Brad Vis (Mission—Matsqui—Fraser Canyon, CPC):** Mr. Speaker, like a lot of members of Parliament, I consulted my constituents extensively on Bill C-7. One area of commonality everyone seemed to share was that the Government of Canada, we collectively as legislators, can do more for people to have more options when they reach a period in their life when death is foreseeable.

What would the member say about providing more supports for palliative care to give people that option? In many communities across Canada, we know that option just is not there.

**Ms. Elizabeth May:** Mr. Speaker, it is not either-or, but it is absolutely the case that we need to do far more. The provision of health care is provincial, but the federal government has responsibilities under the Canada Health Act and there is, of course, federal-provincial cost-sharing around health care.

We should make it a priority that we improve access to palliative care across Canada. I completely agree. I resist when I hear some of my hon. colleagues suggesting that the government has a preference for pushing people toward medical assistance in dying. That is not the case. That needs to be understood. We need both.

[*Translation*]

**Mr. Mario Simard (Jonquière, BQ):** Mr. Speaker, I want to come back to what was just said.

I do not know if my colleague agrees with me that there is a fundamental difference between palliative care and medical assistance in dying. Palliative care is provided through the health care system. If we want better palliative care, I think that the best way to get there is to provide the health care funding that the provinces want. We know that in the past, both the Liberals and the Conservatives slashed health care funding.

Does my colleague agree that if we want better palliative care, then we need better health care funding?

• (1850)

**Ms. Elizabeth May:** Mr. Speaker, I completely agree with my colleague from the Bloc Québécois. We must increase the level of service in the public health care system while also amending the Criminal Code to improve access to medical assistance in dying.

[*English*]

**Mr. Richard Cannings (South Okanagan—West Kootenay, NDP):** Mr. Speaker, I am glad my colleague brought up the history of Bill C-14 in the previous Parliament and the concerns that she and all of us in the NDP share. This bill did not match the findings of the court decision that brought us to deal with that.

The member did mention the 90-day period and I am wondering if she can expand on that. What does she think this is for? People are in intolerable suffering and asking them to wait another three months seems to be not right.

**Ms. Elizabeth May:** Mr. Speaker, in my analysis of Bill C-14, which may be right or wrong, it seemed to me the country's doctors were in a discussion and dispute with the country's lawyers. The lawyers were looking at it from the point of view of what the courts require of us and the doctors were saying they were not sure how they wanted to administer it. At that point, I think we let down indi-

vidual human beings across Canada. I do not think we should do it again. I think the 90-day period is an arbitrary bureaucratic response to trying to find the balance points between those competing interests. What we should always be thinking about and what should be paramount is respecting the rights of individual Canadians at the point they are in irremediable suffering as confirmed by their physicians.

**Mr. Larry Maguire (Brandon—Souris, CPC):** Mr. Speaker, this is the second time I have had the opportunity to speak to this legislation, Bill C-7, an act to amend the Criminal Code, medical assistance in dying, due to the Liberals proroguing Parliament. Unfortunately, my earlier concerns, such as the legislation going above and beyond the Superior Court of Quebec decision, have not been remedied. I was also on the justice committee when this was being dealt with before.

I have long believed the place for drafting legislation is in Parliament so I will not criticize the government for tabling this legislation. My critique of the government is it is using the Superior Court of Quebec decision to make other amendments to Bill C-14 instead of using the automatic five-year review to do so, which was spoken about here earlier.

No one better understands the reasons why this legislation is needed to respond to the Quebec Superior Court decision than the current Liberal Minister of Justice. In the previous Parliament, he voted against his own government's legislation because he foresaw that a court would strike down the previous provisions as he felt they were too rigid.

The member for Vancouver Granville, the then former minister of justice who drafted Bill C-14 at the time, was aware of this criticism and spoke directly to that issue in her opening remarks at the justice committee back in May 2016. She said, "In terms of eligibility, I am aware of the requirements that a person's natural death be 'reasonably foreseeable' has received some attention, including in terms of how it relates to the Carter decision. I would like to address these concerns."

She went on to say that, "A person can be approaching a natural death based on medical circumstances that are not directly related to a serious, incurable illness. As well, eligibility does not depend on a person having a given amount of time remaining, such as a certain number of weeks or months to live, as in the United States."

It was clear from her remarks she felt Bill C-14, the predecessor to this bill, struck the right balance.

As we are all too aware, there are always unique situations where the law cannot accurately predict every scenario. The former minister of justice understood the complexities and challenges the families, doctors and patients were going to face with this new MAID regime. She went to say at committee:

Reasonable foreseeability of death is ultimately a medical decision, and not a legal one, to be made by taking into account all of the person's medical circumstances, including the types and number of medical conditions, frailty, age, etc..... By defining the term "grievous and irremediable medical condition", the bill would ensure that all competent adults who are in an irreversible decline while on a path toward their death would be able to choose a peaceful, medically assisted death, whether or not they suffer from a fatal or terminal condition.

The word that has caused considerable consternation with both individuals seeking MAID and their doctors is "competent". As with many illnesses, the drugs needed to either treat or provide comfort can impede one's competencies. This will be an important issue as it relates to the legislation as the government is creating a process for advance requests for persons newly diagnosed with a condition that could affect their decision-making capacity in the future.

As Jane Philpott, the former health minister, said when drafting the original MAID legislation in 2016:

We faced similar challenges in considering the issue of advance directives. The Supreme Court did not deal with this issue in Carter, and the views of Canadians and stakeholders, as you know, are divided. I understand the hardship for those Canadians who fear that after being diagnosed with a disease such as dementia they may experience a decline that could compromise their dignity. This has led to pleas to allow people to make requests for medical assistance in dying well in advance of the time when the person is no longer competent to make or reaffirm a desire to accelerate their own death.

While I agree, I also agree that once this legislation is referred to the justice committee it would be prudent to revisit this issue with medical professionals who are experts on Alzheimer's and dementia-related illnesses.

• (1855)

We must bring in families and those who understand these types of illnesses so we can think through as many scenarios as possible. I would prefer Parliament get this right rather than a court striking down the legislation in the future as it could lead to the situation we find ourselves in today.

The other issue I want to touch on stems from the Truchon decision. The Superior Court of Quebec struck down Bill C-14's provision that death had to be reasonably foreseeable. One could argue the government should have appealed the superior court decision, as we have spoken about in other speeches and questions tonight. It would not be an unusual step as the Government of Canada appeals all sorts of lower court decisions.

While I was not expected to be consulted on the government's response to the Truchon case, there has been very little public discussion from the Liberals about the likelihood of prevailing at the Supreme Court. My only question would be this. If the government did appeal to the Supreme Court, could it have gotten a more limited and narrow ruling on the implications of deleting the reasonably foreseeable clause?

By completely removing this clause, even with a new set of safeguards, it will expand the list of people who might be eligible for MAID rather than just dealing with the specific concern raised in the Truchon case. The very reason the reasonably foreseeable clause was put in the original legislation was that the former ministers wanted a balance between personal autonomy and the protection of the vulnerable.

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Obviously the Superior Court of Quebec did not approve of the balance the Liberals sought in Bill C-14. However, in response, we must be mindful of the unintended consequences of this legislation. I know every member of Parliament has been contacted by their constituents about the implications of removing reasonably foreseeable criteria.

There are varying degrees of concern, ranging from moral and ethical grounds to concerns about the role of the state in sanctioning MAID for individuals who are doing so out of the lack of proper palliative care services. The government has decided in this bill to continue to allow doctors and individuals to decide what constitutes a grievous and irremediable medical condition rather than provide a prescriptive list of eligibility criteria. As someone who believes in individual rights and in the judgment of medical experts, I agree with this approach. My only concern is that we have left it too vague.

The government could have eliminated the reasonably foreseeable clause and replaced the original criteria with something that would be deemed constitutional rather than what we have before us today. There are those with apprehensions that proceeding this way will lead to situations where individuals will seek MAID and even be able to proceed for reasons no one in Parliament intended it to. I, for one, would like to see the law as written and intended by the drafters be carried out accordingly.

That is one of my concerns that must be answered fully before we pass the legislation and send it to the Senate. While the legislation explicitly states that having a mental illness is not a serious and incurable illness, disease or disability, we must be prepared to withstand that court challenge.

To refer back to the 2016 debate on MAID, Jane Philpott, at the justice committee, said, "There is no denying that mental illness can cause profound suffering. However, illnesses such as chronic depression, cognitive disorders and schizophrenia raise particular concerns with respect to the matter of informed decision making."

It goes without saying that there are deep divisions on the overall issue of MAID. What we find in this bill goes much further than deleting and replacing the phrase "reasonably foreseeable" in order to be compliant with the recent court decision. For example, the government is using safeguards which, I might add, is the actual language found within the presentation with which department officials briefed MPs. As it stands, patients must make a written request for MAID that is witnessed by two independent witnesses. In Bill C-7, this would be changed to one independent witness. I believe it is incumbent on the government to justify this change and outline the rationale why it needed to be amended.

*Government Orders*

Last, the government is also removing the mandatory 10-day period after the written request is signed. Once again, this is a significant change that goes above and beyond what was required to be in compliance with the Superior Court of Quebec decision.

I have listened closely to the concerns of constituents about the bill, I support it going to committee for scrutiny and clarity. I want government to know I am committed to working with them constructively on the legislation.

• (1900)

**Mr. Kevin Lamoureux (Parliamentary Secretary to the President of the Queen's Privy Council for Canada and to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I appreciate the comments and concerns expressed by the member opposite. On the reasonably foreseeable clause, because of the decision of the Superior Court of Quebec, we find ourselves having to bring forward this legislation. However, when we brought in Bill C-14, there was this expectation from parliamentarians that changes would be on the horizon, that the debate did not stop when the bill passed in June 2016. Ongoing dialogue had taken place and some of that dialogue is reflected equally in the feedback we received in January from some 300,000 Canadians.

Would the member not agree that if we are opening the door at this point in time, it only makes sense to look at other things that could be done to improve the legislation overall.

**Mr. Larry Maguire:** Mr. Speaker, that is exactly what I was referring to when I said I would work collaboratively to try to improve this legislation. I know there were ongoing opportunities for change in Bill C-14 when it came up and went to committee.

My colleague has also forgotten that there was a five-year review which the government could have done a lot more with this past summer. We could have looked at a lot of the issues such as the 10-day issue versus the 90-day issue that my colleague from Saanich—Gulf Islands spoke of earlier. There is a real opportunity for improvements to be made in the bill and that review process, which was more or less forgotten, was one of those opportunities.

• (1905)

[*Translation*]

**Mr. Mario Simard (Jonquière, BQ):** Mr. Speaker, I thank my colleague for his speech.

I would also like to come back to the concept of reasonably foreseeable death. I think that this concept is problematic because, according to many health specialists, there is no foreseeable death for people who suffer from a degenerative disease. However, a person with a degenerative disease eventually loses the ability to provide informed consent. Consider, for example, people with Alzheimer's and related cognitive disorders.

Does my colleague not think that we should listen to the experts so we can improve the legislative process? The ones I heard from were of the opinion that this notion of reasonably foreseeable death is problematic. Does he agree with me?

[*English*]

**Mr. Larry Maguire:** Mr. Speaker, I referred to that in my presentation. We need to get it to committee and bring experts forward,

including doctors, people in the medical field and legal professions as well, so we get the legislation right and so it will withstand any kind of court challenges, as I referred to in my speech.

In answer to the member's question, I strongly believe we need to get it right this time, and we have the opportunity here to do that. It is a good opportunity for us to look at the types of circumstances around not just the 10-day area, but also on the other sections of foreseeable issues that were looked at in the bill.

**Hon. Mike Lake (Edmonton—Wetaskiwin, CPC):** Mr. Speaker, a wise person, John Wooden, once said, "If you don't have time to do it right, when will you have time to do it over?" The debate today is a perfect example of that.

Back in 2015, we were working against time to pass legislation, and now we have heard the hon. parliamentary secretary say this on a couple of occasions, and particularly this last time, that they found themselves having to bring forward this legislation because of a court judgment, because they did not get it right the first time. Here we are again, racing against time.

What the government could have done was challenge that ruling and heard from the Supreme Court in its wisdom. In parallel with that, we could have had a parliamentary committee study it, as mandated by the previous legislation, and we would have had a shot to get this right. Maybe the hon. member could speak to the importance of due process in getting legislation right.

**Mr. Larry Maguire:** Mr. Speaker, the member's question is so pertinent to the debate we are having on Bill C-7. It is an opportunity to get improvements to Bill C-14 and we need the opportunity to do that. Due process is what Parliament is all about and we need to have that opportunity in the House.

On the issues of grievous and irremediable medical conditions, as I said in my speech, we could have had an opportunity to put more definition into some of these issues. The foreseeable issues were just another one of those areas where we could have had more definition.

**Mr. Adam van Koevorden (Parliamentary Secretary to the Minister of Diversity and Inclusion and Youth and to the Minister of Canadian Heritage (Sport), Lib.):** Mr. Speaker, it is an honour to stand in the House of Commons and participate in the second reading debate on Bill C-7, an act to amend the Criminal Code, medical assistance in dying.

In developing these amendments, Canadians were widely consulted in January 2020. During these consultations, approximately 300,000 Canadians completed an online questionnaire. In addition, the Minister of Justice and Attorney General of Canada, the Minister of Health and the Minister of Employment, Workforce Development and Disability Inclusion met with experts and stakeholders in Halifax, Montreal, Toronto, Vancouver, Calgary, Winnipeg, Ottawa and Quebec City to discuss proposed revisions to Canada's medical assistance in dying framework. These experts and stakeholders included doctors, nurses, legal experts, national indigenous organizations and representatives from the disability community.

The high level of participation in both the questionnaire and the in-person sessions is a reflection of the importance of this issue to Canadians. Moreover, the results of consultations were critically important in shaping our government's approach to medically assisted dying as it evolves to reflect the needs of Canadians.

The bill would amend the Criminal Code to allow medical assistance in dying for people who wish to access a medically assisted death whether their natural death is reasonably foreseeable or not. The bill would remove the reasonable foreseeability of natural death from the list of eligibility criteria. It would also expressly exclude people seeking medical assistance in dying solely because of mental illness.

The bill proposes a two-track approach based on whether a person's natural death is reasonably foreseeable. Existing safeguards remain and are used for people whose death is reasonably foreseeable. In addition, new and modified safeguards would be applied to eligible persons whose death is not reasonably foreseeable.

In the spirit of "nothing without us", I would like to mention that our government remains focused on addressing the concerns of the disability community around vulnerability and choice. The proposed changes to the legislation supports greater autonomy and freedom of choice for eligible persons who wish to pursue a medically assisted death. At the same time, full consideration has been

### *Government Orders*

given to the protection of vulnerable persons and to respecting the equality rights and dignity of persons with a disability.

In short, the bill maintains and strengthens safeguards to support fully informed decision-making while also respecting individual autonomy. The bill would allow people who risk losing decision-making capacity to make arrangements with their practitioners to receive medically assisted dying on their chosen date even if they lose the decision-making capacity before that date. The bill would also make advance consent invalid if the person demonstrates refusal or resistance to the administration of medically assisted dying.

In addition, the bill would allow eligible persons who choose to self-administer to provide advance consent or for a physician to administer if self-administration fails and causes them to lose capacity. This type of advance consent would be available for eligible persons regardless of their prognosis.

I would also like to take a moment to speak to the progress our government has made with respect to the rights of persons with disabilities in Canada.

Last year, we enacted the Accessible Canada Act, which aims to create a barrier-free Canada through the proactive identification, removal and prevention of barriers to accessibility wherever Canadians interact within areas under federal jurisdiction. The act is one of the most significant advancements in disability rights since the charter in 1982 and is designed to inspire a cultural transformation toward disability inclusion and accessibility in Canada.

Knowing that I do not have that much time left, I would say that members of my community as well as members of my family and members of the greater Parkinson's and Alzheimer's community have been very vociferous on this issue, and both of those diseases affect people in my family. I am strongly in favour of the bill passing as quickly as possible.

*[For continuation of proceedings, see part B]*

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HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

43rd PARLIAMENT, 2nd SESSION

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# House of Commons Debates

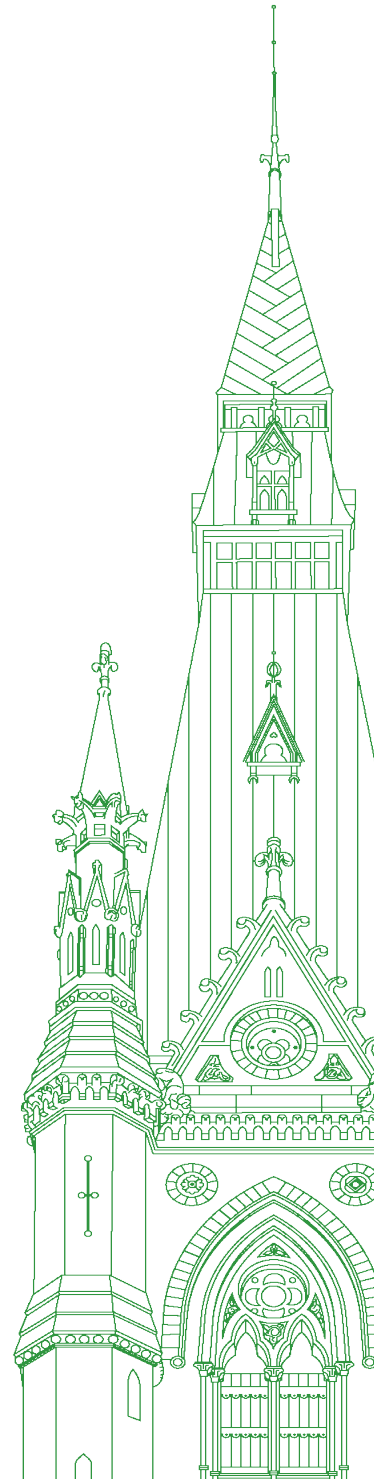
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Volume 150 No. 014  
(Part B)

Monday, October 19, 2020

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Speaker: The Honourable Anthony Rota



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# HOUSE OF COMMONS

Monday, October 19, 2020

[Continuation of proceedings from part A]

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## EMERGENCY DEBATE

• (1105)

[English]

### LOBSTER FISHERY DISPUTE IN NOVA SCOTIA

**The Deputy Speaker:** The House will now proceed to the consideration of a motion to adjourn the House for the purpose of discussing a specific and important matter requiring urgent consideration, namely the fisheries in Nova Scotia.

• (1910)

**Mr. Gord Johns (Courtenay—Alberni, NDP)** moved:

That this House do now adjourn.

He said: Mr. Speaker, thank you for honouring our request to have this very important debate tonight to address the government's lacklustre response to the crisis that is taking place in Mi'kmaq territory.

As parliamentarians we must take immediate action to keep Mi'kmaq fishers and their communities safe from the ongoing threats and acts of violence that are happening there. We must ensure the federal government is taking immediate action to provide justice for the Mi'kmaq victims of violence.

We need to make sure that they can adequately and properly exercise their inherent, treaty-protected, constitutionally protected right to safely go out, fish and earn a moderate living. Lastly, we must make sure the government is at the table, providing enough resources to accommodate their right to fish for a moderate living, as they should have 21 years ago. Given the urgency for a peaceful and equitable resolution to this crisis, I believe it is important that we have this emergency debate in Parliament today.

I want to talk about why it is so important. The Mi'kmaq fishers have established a fishery beyond millennia in Nova Scotia. As we know, their treaty rights in the 1752 treaties of peace and friendship were confirmed again by the Supreme Court of Canada in the Marshall case of 1999. The federal government has had over 21 years to accommodate and negotiate the definition of a “moderate livelihood” with the Mi'kmaq people, a definition that was confirmed but not defined in the Marshall decision.

It was not the first or only time the highest court in the land reaffirmed the constitutional rights of aboriginal people to catch and

sell fish in their territories. Whether it be the Marshall decision, the Sparrow decision, the Gladstone decision or the Ahousaht et al. decision, these are all rulings by the court reaffirming indigenous rights that were followed by years of utter disregard by the federal government of the day.

We talk about the treaty rights of the Mi'kmaq and their implementation. They are out there right now fishing to feed their families, to earn a moderate living with less than 1% of the traps and the crab pots out in St. Marys Bay. We know that the response has been acts of domestic terrorism and intimidation against the Mi'kmaq fishers, who are just exercising their inherent treaty right to fish.

In spite of domestic acts of terrorism, which included burning down a Mi'kmaq lobster fishery compound, there has been little response or action by the RCMP to protect Mi'kmaq fishers and their communities from further domestic terrorism. We have seen the assaults on Chief Sack. We have seen elders being abused.

It is horrific for us as Canadians to watch what is happening. We have been waiting for the federal government to uphold the rule of law with appropriate actions to protect this constitutionally protected, inherent treaty right of the Mi'kmaq people to fish, but instead—

• (1915)

**The Deputy Speaker:** I am just going to hold the hon. member there for a moment as I see another member is standing. I might know what this is about.

I wonder if the hon. member for Courtenay—Alberni might be intending to share his time with another hon. member.

**Mr. Gord Johns:** Mr. Speaker, I want to thank you for that. I will be sharing my time with our leader, the hon. member for Burnaby South.

**The Deputy Speaker:** That is duly noted.

I wonder if the hon. member might just also adjust his microphone outward slightly. We are getting a bit of noise on the microphone, which can be problematic for our folks at this end, particularly our interpreters. If the member could just push that out about three centimetres, that would be great.

**Mr. Gord Johns:** Mr. Speaker, I hope this sounds a lot better, and I appreciate that. This is my first speech virtually in a while, and I am thankful that all members have been accommodated so we can work together. I cannot participate from the unceded traditional territories of the Hupacasath and shishálh people. I am on Nuuchah-nulth territory.

*S. O. 52*

I talk about being from Nuuchahnulth territory. This is a region that has also been in court, the Ahousaht et al. decision. The reason I bring that forward is that they have been to court. In 2009, the Supreme Court sided with them on their right to catch and sell fish. Nine years later, after constant repeated appeals by the Conservative and Liberal governments, which did everything they could to stonewall, Judge Garson, the judge at the time, said:

Overall, however, Canada through DFO has the responsibility to represent the honour of the Crown. The lack of a mandate and Ottawa's stonewalling of suggestions for advancing the development of a right-based fishery are significant factors in the failure of the process to move forward. Ottawa failed to allow the Regional staff to engage meaningfully and wholeheartedly in the Negotiations, at least until the Supreme Court of Canada refused leave the second time. As the plaintiffs repeatedly pointed out, there is no evidence before the court of any engagement by Ottawa staff on this fishery, other than the occasional signature on a Briefing Note, and reference to one meeting with a ministerial assistant which was not coordinated with local managers.

This is what Judge Garson stated about the Ahousaht Indian Band and Nation v. Canada in 2018. That is just an example of the minister sending her negotiators to the table, knowingly empty-handed, to deal with it. Whether it be Marshall, Sparrow, Gladstone or Ahousaht, these court cases that protect treaty and aboriginal rights, the government constantly sends its negotiators to the table empty-handed. This is affirmed by Judge Garson. What we need is the government to come to the table with a mandate to negotiate so that first nations can assert their rights, and the government needs to accommodate those rights.

These indigenous communities, whether it be the Sipekne'katik, the Ahousaht or these other nations, are in these conflicts in the courts, which are costing taxpayers millions and millions of dollars fighting them, instead of getting them out on the water fishing, where they want to be, alongside the commercial fishers, so that they can feed their families. Instead, the government is fighting them every step of the way, knowingly. They need to be able to go out on the water and fish and be safe in exercising their rights.

Today, we are asking the government to provide that safety and to come to that table with a meaningful mandate for justice, so that those perpetrators of the violence that took place in Mi'kmaq territory are held to account. We have been asking for the government to provide security and safety to the people of those communities, in support of Chief Sack and his community. Instead, we keep getting lip service from the government. I am so appalled at the delays from the government in the response. It is a miracle that nobody has died as a result of the inaction.

We have heard the government say the RCMP will be enforcing and supporting with protection, but when we talk to people from the RCMP, they say that the DFO is responsible on the water. We talked to people from the Department of Fisheries and Oceans, and they say that they are not equipped and prepared to protect fishers on the water and that it is RCMP. These gaps need to be clarified tonight. We are looking for answers. These communities are looking for answers.

The indigenous services minister said that we were let down by police and threw the RCMP under the bus, but no, Canada was let down by that minister, the cabinet, the Prime Minister of Canada and the Government of Canada. He cannot absolve responsibility and just download it onto the RCMP or other departments. His res-

ponsibility is to provide federal support so that first nations have the safety to implement and exercise their constitutionally and treaty-protected rights. I am appalled.

• (1920)

This is also an issue of international concern. Article 20 of the United Nations Declaration on the Rights of Indigenous Peoples states, "1. Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities." This has not been upheld. Canada should be ashamed.

We want to know what the plan is. We have been asking for weeks. The nation has been asking for weeks. We want a commitment from the government that they will come to the table with a meaningful mandate to accommodate their right to a moderate fishery. We want to know the government is going to come to the table with a meaningful mandate for the other cases that are before the Government of Canada in all indigenous rights, so that they are not being subjected to these violations of the United Nations declaration and international law, never mind violations of the Constitution of Canada.

I hope the government comes to the table quickly so that we can heal as a country and come together and fish alongside each other and support this moderate livelihood through and through.

• (1925)

**Mr. Kevin Lamoureux (Parliamentary Secretary to the President of the Queen's Privy Council for Canada and to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I have had the opportunity to have some discussions with respect to this issue. A number of constituents of mine, via email, have expressed concerns. They want to see the government continue to build a more positive atmosphere in the hope that this matter can be resolved. The Prime Minister and ministers have been clear in condemning any sort of criminal activities.

Can the member provide his thoughts in regard to this issue? Like many other indigenous issues, this is sensitive but it is also critical that we move forward in the best way we can. At times, it can be frustrating, but we need to continue to work at it.

**Mr. Gord Johns:** Mr. Speaker, condemning mobster and terrorist type attitudes and criminal activities is not enough. This community needs to know they are safe and have the protection they deserve. All Canadians need to know they are safe. When indigenous people exercise their rights, they need to know they are protected.

My colleague's government needs to provide that safety and security. It needs to go to the table with a meaningful mandate. I cited what a judge said in another aboriginal rights case. The government is going to the table knowingly empty-handed and they are leaving these files. This is leading to unnecessary tension. It is all on the hands of the government and on his cabinet—

**The Deputy Speaker:** Resuming debate, the hon. member for Lac-Saint-Jean.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe (Lac-Saint-Jean, BQ):** Mr. Speaker, I thank my hon. colleague for his heartfelt speech.

First, we in the Bloc Québécois strongly condemn criminal acts, expressions of hatred and racism against the Mi'kmaq. Everyone in the House witnessed this, and we cannot close our eyes and bury our heads in the sand. We all saw what happened. Back home, we say that to know where we are going, we have to look at where we have been.

Second, the Bloc Québécois laments the fact that Fisheries and Oceans Canada, successive governments and the current government are unable to uphold the Marshall decision and initiate a nation-to-nation discussion.

My question for my hon. colleague is the following. Does he not believe that we are here in the House having an emergency debate on what is happening, on the tragic events taking place right now, because Ottawa has been dragging its feet?

[*English*]

**Mr. Gord Johns:** Mr. Speaker, tonight's debate is clear. We need to focus on ensuring that the fishers, that community and all communities across Canada are safe. We need to ensure that indigenous people exercising their inherent and constitutionally protected rights are safe, and that there is justice for the violence that has taken place.

We want to see more arrests to deter any more actions like this and pressure on the government to get to the negotiating table with a meaningful mandate to accommodate these rights. We want to get answers as to why it is taking so long, not just here with Marshall, but also Ahousaht and other files.

We need the government to take action. No more empty words and empty promises. Why did it take three weeks to get enough RCMP deployed to support the RCMP detachment in Nova Scotia? Why are there are no RCMP boats on the water? These are legitimate—

**The Deputy Speaker:** I will interrupt there.

We will take one more quick question, by video conference, from the hon. member for Winnipeg Centre.

**Ms. Leah Gazan (Winnipeg Centre, NDP):** Mr. Speaker, I thank my colleagues for bringing this important debate forward.

I want to go back to the whole notion and definition of a “moderate livelihood”. Currently, the Mi'kmaq fishers have less than 0.15% of the traps in St. Marys Bay, unlike the commercial fishers who currently have more than 99% of the traps.

I have heard our Liberal colleagues across the way talk about the importance of conservation. I do not think this is an issue of indigenous people not valuing conservation. I think this is an issue of willfully turning a blind eye while the fundamental human rights, inherent rights and constitutional rights of indigenous people are being violated in Mi'kmaq territory. I would like to hear more of the member's thoughts on that and I wanted to—

*S. O. 52*

• (1930)

**The Deputy Speaker:** Our time is actually expired at this point, so I am going to go back to the hon. member for Courtenay—Alberni to wrap that up, and then we will go to the next speaker.

The hon. member for Courtenay—Alberni.

**Mr. Gord Johns:** Mr. Speaker, the member is absolutely right. First, the nation cares about conservation. The people have been working for three years developing a fisheries management plan. They care more than anybody about the importance of the stocks in St. Marys Bay.

When we see commercial fishers out there cutting trawls, leaving lobster pots at the bottom of the ocean, and destroying hundreds and thousands of pounds of live lobster, that is not in the name of conservation. Getting to the table is what the government needs to do, and support the moderate livelihood and accommodation for the nation so that—

**The Deputy Speaker:** Resuming debate, the hon. member for Burnaby South.

**Mr. Jagmeet Singh (Burnaby South, NDP):** Mr. Speaker, I want to thank my colleague for his words and my colleagues for their support of this very important debate today.

We all saw the heartbreaking images, the incredibly intimidating images, and frankly, the terrorism and violence perpetrated against indigenous people. We saw the images of indigenous people, the Mi'kmaq people, being physically assaulted, bullied, intimidated and threatened. The threats were to burn the facilities, and then those facilities were burnt down.

I ask everyone in the House to consider if those same threats had been made against someone who was not indigenous, in a non-indigenous community. If someone came in, physically assaulted and threatened them, and threatened to burn down their livelihood, would there have been no action in the same way there was no action when it happened to the Mi'kmaq people?

If those types of threats were made against anyone else, would the police have stood by and let it happen? If those types of threats were made against any other community, would there be a complete lack of protection for that community? The answer is very clear.

In this circumstance, indigenous people are supported by a Supreme Court decision and a right, a constitutional, treaty-protected right, to live off the land. That right was hard won in court 21 years ago. Still, to this day, they have not had a federal government, any federal government, Liberal or Conservative, willing to do the work to ensure they have access to that right. It has been 21 years.

We have heard from ministers. The reason we are having this emergency debate is to make the Liberal government do something about it. There has been a court decision for over two decades, yet neither a Conservative government nor a Liberal government have done anything to ensure that the decision that was made is now implemented into law, or that the Mi'kmaq people were able to follow the ruling of the court.

*S. O. 52*

Neither the Conservatives nor the Liberals have done anything. We will hear from the Conservatives, while they point the finger at the Liberals, and Liberals will say they are going to do something. It has been 21 years, and nothing has been done.

We want answers today. We want commitments today. This is an emergency because, as previous speakers have said, there is a real threat that this violence will escalate and people will lose their lives. That cannot happen. We need immediate action right now. We need a clear plan. We need a plan so that the Mi'kmaq people will be protected, their livelihood will be protected and the violence will end.

We need a clear plan that lays out an immediate course of action. We heard from the chief specifically related to where this violence has occurred. The chief said that they do not want a long-drawn-out process. Those in the indigenous community have also made it very clear that what it means to be able to exercise their rights should not be a decision imposed upon them. The indigenous community should be at the table to determine that, based on the evidence and the science.

However, as previous speakers have said, there is no question here that there is any threat to conservation. The scale the Mi'kmaq fisheries operation is in no way a risk to conservation. Any suggestion that this is about conservation is wrong. It is clearly an ongoing example of systemic racism. Indigenous people have a constitutional right that has been upheld in court to earn a living. When that right is not implemented into law and is not supported, then the question of conservation comes up. This is not about conservation.

This is about indigenous people who have a right, and that right has been violated. That right has been threatened. They need protection, and they need the protection they deserve.

We need some clear answers from the government. What is the timeline? How quickly will the government act to make sure what was determined to be a constitutional right, which has been upheld in court, is now put through a clear process to move forward? How quickly can that definition be determined?

• (1935)

We need timelines. We need a clear plan of action to protect the Mi'kmaq people. We need to see a clear plan to protect them in the fisheries operations on land and in water. We need to ensure that there is no more violence or intimidation against the Mi'kmaq people. It has to end. The violence must end. The fact that anyone feels that they can in any way be emboldened to physically intimidate, threaten violence and set fire to the indigenous communities' fisheries is a responsibility that lies squarely at the feet of the Liberal government and the Conservative government.

Inaction led to this, and the only way out of this is by clear action led by the indigenous community that is impacted, in this case the Mi'kmaq. We also have to look at all of the other examples. My colleague from Courtenay—Alberni pointed out countless decisions by the Supreme Court of Canada that have affirmed the rights of indigenous communities. To this day, in some cases years, in some cases decades, there have been so many cases where the exact same scenario has unfolded, where rights have been affirmed and the Supreme Court has said yes, the indigenous community has the

right, title, claim or the ability to earn a living off of this land, yet the federal government has not done what it takes to make sure that right is translated into some meaningful action for people. This is an ongoing trend, and it has to end.

This debate is about getting answers for the people, protecting indigenous communities and changing the way things have been going on for so long. The process in the past has ignored and neglected indigenous communities. They have been failed again and again. This is another failure of the federal government toward indigenous people, and this has to end.

What New Democrats are calling for is very clear, and I hope to hear some answers at the end of this debate from the federal government, the Prime Minister and the Liberal cabinet ministers. We need a clear plan of action. The Mi'kmaq people deserve it. They deserve dignity and respect. These are the basic things that have been denied them.

We are seeing these painful images. I have heard from so many indigenous community members who are talking about the fear they live with and the threats they receive. We heard a local chief talking about the threats they get on social media, text message threats and threats from people calling anonymously. No one should have to live like that. This is the reality that Mi'kmaq people are faced with, but it is, sadly, not uncommon. This is a reality that so many indigenous communities are faced with.

We are looking for answers. We want answers and we want action. We want an action plan to protect this community, to ensure their right is upheld and there is a clear path to achieving it.

In closing, Mr. Speaker, I believe if you seek it, you would find unanimous consent for the following motion. I move that the House (a) affirm its respect for the treaty and inherent rights of the Mi'kmaq and the Maliseet people affirmed in the 1752 treaty, confirmed in the Canadian Constitution and in the Supreme Court of Canada ruling in the 1999 Marshall case; (b) recognize the Mi'kmaq nation deserves full and equal protection by the law from violence, intimidation and domestic terrorism; and (c) recognize the failure of the federal government to respect its nation-to-nation relationship to negotiate with the Mi'kmaq and Maliseet people, and to accommodate a “moderate livelihood” fishery, has led to the crisis we are facing today.

• (1940)

**The Speaker:** This being a hybrid sitting of the House, for the sake of clarity, I will only ask those who are opposed to the motion to express their disagreement. Accordingly, all those opposed to the hon. member moving the motion will please say nay.

**Some hon. members:** Nay.

**Mr. Jaime Battiste:** Mr. Speaker, on a point of order, I was just about to ask the leader of the NDP if he would mind amending that motion because the 1752 treaty is not the one recognized in the Marshall case. It was the 1760-61 treaty that was recognized in the Marshall case. Other than that, I have no problems with that statement. I just wanted to amend that. I do not know whether it passed, but I just wanted it to be clear, on the record, on some of the rights and treaties that we are passing around. From a Mi'kmaq person, and a treaty education lead in the past, I just want to be factual on certain things.

**The Speaker:** Very good. I do not believe we had unanimous consent, so we will go to questions and comments.

The hon. member for Winnipeg North.

**Mr. Kevin Lamoureux (Parliamentary Secretary to the President of the Queen's Privy Council for Canada and to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, there are parts of the comments that I take exception to. When we talk about the importance of nation-to-nation discussions and dialogues, I believe that we have a government that over the last five years has gone the extra mile. We can see that through budgets, legislation, commitments, meetings and discussions that have been taking place in indigenous communities throughout the country.

With regard to the specific issue that we are debating this evening, the Prime Minister has condemned all sorts of violent and criminal actions. I recognize that there is still more for us to do as we try to get to that point.

Would the leader of the NDP not agree that, when it comes to the issue of safety, there is an obligation for us also to look to the province, as the province also has a responsibility here?

**Mr. Jagmeet Singh:** Mr. Speaker, the member opposite talks about condemning violence. If the member opposite wants to talk about condemning violence, which we should and which most Canadians do, then we have to look at where this violence came from. What is the cause of this? The cause is that, for 21 years, a Supreme Court decision that called on the federal government to take action to defend and protect the rights of indigenous people was not acted on.

Therefore, the responsibility lies squarely at the feet of, right now, the federal Liberal government, and at the feet of the previous Conservative government. That is who is responsible for the fact that we have violence right now. This is a question that was not addressed by either government. This was a legal question that was established in law, but then the federal governments, both Liberal and Conservative, did not act.

Because of that inaction, we are now faced with this tension. This is squarely the responsibility of the federal government, and that is why we are having this emergency debate to call for the Prime Minister and the Liberal government to do something about it now: to stop neglecting and ignoring indigenous people and do something.

• (1945)

**Ms. Rachel Blaney (North Island—Powell River, NDP):** Mr. Speaker, I would like to thank our leader for that very important

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speech. I want to go back to what he kept referring to, something I think is so important, which is that this was a decision made in 1999: 21 years ago. I find it fascinating that the government is saying that this behaviour is a surprise.

I am wondering if the member could tell the House what ideas he has around preparing, and recognizing, as the Liberal government says it does, systemic racism and the impacts on local communities.

**Mr. Jagmeet Singh:** Mr. Speaker, in response to that question, I ask a question of everyone in the House and to all Canadians who are listening. Imagine working in a community and a person's livelihood, what they rely on to put food on the table for their family and kids, is threatened by somebody. Those threats were specific: someone threatened to set fire to their place of work, where they earn a living for their family. What would the police response be? How would they feel if, after receiving that type of threat, being physically intimidated and assaulted, their place of work was then set ablaze and they came to work and saw that it was destroyed?

That is what is going on here. It is absolutely an example of systemic racism in our policing. By the fact that the federal Liberal and Conservative governments have not acted to protect the Mi'kmaq people for over 21 years, they are also exhibiting the same behaviour of neglect and ignoring people who deserve respect and dignity, who fought for it and who won it in court but are not receiving it from governments.

This is a failure of the Liberal and Conservative governments, and that is why we are in this position right now.

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, I will be sharing my time with the member for South Shore—St. Margarets.

As Prime Minister, my number one priority is to keep our communities safe. I want to make it absolutely clear that our government strongly condemns any form of violence, harassment and intimidation toward the Mi'kmaq in Nova Scotia. There is no place for racism in our country. The appalling violence in Nova Scotia must stop now. It is unacceptable, it is shameful and it is criminal.

Yesterday I spoke with Premier McNeil, and we will continue working with him and the provincial government, as well as the RCMP, to make sure that everyone remains safe. The police are responsible for ensuring the protection of every single citizen in this country, including the Mi'kmaq, and preventing the escalation of violence. That is why the Minister of Public Safety and Emergency Preparedness approved a request from the province on Friday for more police resources to be deployed in order to keep the peace so the Nova Scotia RCMP can effectively do their job.

The additional officers will maintain law and order, support ongoing criminal investigations and hold to account the individuals who have perpetrated the outrageous acts of violence and destruction we have seen. There have already been arrests made and charges laid in more than one case, and there are more expected in the days ahead.

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There is a treaty right to fish, and it is a right that was affirmed by the Supreme Court in the Marshall decision 21 years ago. Above all, there is a right to live and fish in peace without being subjected to threats or racism. I know some harvesters have had a challenging commercial fishing season this year. Everyone wants to know that the stocks they depend on for their livelihood will be protected. Our government will continue to ensure conservation underpins our decisions while we continue to implement first nations' rights.

[Translation]

For many Canadians in coastal communities across the country, fishing is not only part of their everyday lives, it is also part of their identities. It is a complex and personal matter and has long been the subject of disputes.

Since 2015, our government has been taking concrete action to rebuild relations with first nations, Inuit and Métis peoples. Unfortunately, reconciliation does not happen overnight, especially when the injustices have already gone on for far too long.

On the weekend, the Minister of Crown-Indigenous Relations and the Minister of Fisheries, Oceans and the Canadian Coast Guard spoke with Chief Sack and the Minister of Indigenous Services. They also spoke with the Assembly of Nova Scotia Mi'kmaq Chiefs to reaffirm our commitment to working in partnership with them.

We are also listening to commercial fishers in Nova Scotia and elsewhere as they share their concerns. One thing is clear: Any solution will require peaceful dialogue, without violence. Perpetrators will be arrested and held accountable.

● (1950)

[English]

Twenty-one years ago the Supreme Court affirmed the indigenous peoples right to fish for a moderate livelihood. Five years ago tonight Canadians elected a government that made reconciliation a core priority for the path forward for Canada.

Since then, we have invested massively in education. We have built and renovated schools and supported better health and mental wellness. We have eliminated boil water advisories and implemented historic legislation to protect and revitalize indigenous languages and ensure indigenous children are safe in their communities. There is much more to do.

The real work of reconciliation cannot just be between the federal government and indigenous peoples. The real work of reconciliation must include all orders of government and, importantly, all Canadians. In order to right historic wrongs, we need an approach that does not just recognize inherent treaty rights, but implements their spirit and intent. That is why we will work with commercial fishers and Canadians to ensure this is done fairly. I understand this is challenging. This is not an inconvenience, but an obligation. If we are truly to be the country we like to think of ourselves as, then this is the road we must walk together.

I am glad we can be here tonight to participate in this emergency debate to address these issues with dialogue together, just like Canadians elected us to do. As we are still facing the health and economic threats of a global pandemic, the House should remain

focused on the issues that directly impact the safety of our citizens and their livelihoods. As always, our government is here to find solutions, to resolve conflicts and to build a better Canada that works for everyone.

**Hon. Erin O'Toole (Leader of the Opposition, CPC):** Mr. Speaker, I thank the Prime Minister for his remarks on a very important debate, but I am disappointed. In his remarks he said that the real work of reconciliation should be driving a solution here. I agree, but the trouble is that he has been Prime Minister for five years and he has violated the duty to consult indigenous Canadians on two separate occasions, with the cancellation of northern gateway and the Arctic exploration treaty with the United States. Not a single Inuit or indigenous community was consulted on that.

Now the Prime Minister has had five years. He talks about real work, but it has been five years. For four of those years, every member of Parliament in Atlantic Canada was a Liberal MP. There has been five years of inaction.

My question for the Prime Minister is this. When is the real work going to begin? I mentioned to the Prime Minister a month ago, before Parliament reconvened, that tensions were rising. The Liberals ignored it then. The minister from the province ignored it for a year. Therefore, why has there not been substantive mediation between the Mi'kmaq and the commercial fishermen?

At its heart, all Canadians, all fishers in Nova Scotia, indigenous and non-indigenous, want a moderate livelihood and well-being for their family to be focused on here tonight. When is the real work actually going to start?

**Right Hon. Justin Trudeau:** Mr. Speaker, it is a pleasure to hear from the leader of the official opposition. I just wish he had actually gotten his facts straight.

Over the past 21 years, since the Marshall decision, governments of all stripes, including the former Conservative government, have made progress on the question of resolving the moderate livelihood. Licences and tags have been transferred from commercial fishers to indigenous Mi'kmaq fishers. Much work has been done.

Over the past five years, we have significantly accelerated that work and moved forward even further on reconciliation, as we did in many other areas of the country. We will continue to do so.

It is interesting that yet again the examples the Leader of the Opposition brought up were focused squarely on the oil and gas issue, which is an important issue, but only one of many issues facing Canadians right now.

We will continue to work in partnership with indigenous people. We will continue to put the nation-to-nation relationship first and foremost in our engagement with indigenous peoples. We will continue to build this path forward that all Canadians of every background expect this government and all governments to walk together.

• (1955)

[*Translation*]

**Mrs. Marilène Gill (Manicouagan, BQ):** Mr. Speaker, there has been talk about a five-year period and how nothing has been done during that time.

I would like us to look back 21 years to the Marshall decision. It is really the prerogative of the Department of Fisheries and Oceans to define what a “moderate livelihood” means.

What is happening right now in Nova Scotia, and I think the opposition leader said it very well, is that both indigenous and non-indigenous people want answers. There has been a conceptual void for 21 years, and I want something to be done about it.

How can the government explain its failure to take action?

**Right Hon. Justin Trudeau:** Mr. Speaker, here in the House, we debate facts. It is disappointing to see the Conservatives, the Bloc Québécois and the NDP continue to claim that nothing has been done over the past 21 years.

On the contrary, a huge amount of work has been done over the past 21 years, especially in the past five. We were directly involved, as was the former minister of fisheries and oceans and member for Beauséjour, as treaties were signed and progress was made.

I completely agree that there is still a lot of work to be done. That is what we committed to doing today and have been committing to for weeks, and that is what we will continue to work on in partnership with indigenous people across the country.

We are not trying to find quick and easy solutions, because they do not exist. We are trying to find solutions that will work for all Canadians, particularly indigenous Canadians.

[*English*]

**Hon. Bernadette Jordan (Minister of Fisheries, Oceans and the Canadian Coast Guard, Lib.):** Mr. Speaker, I am joining the House from Mi'kma'ki, the traditional and unceded territory of the Mi'kmaq people. Today, we are discussing very important issues: the escalating violence in Nova Scotia and the Mi'kmaq treaty rights to fish in pursuit of a moderate livelihood.

I am here not only as the Minister of Fisheries, Oceans and the Canadian Coast Guard, but as a Nova Scotian and as a lifelong member of the rural coastal community. I know how important the fishery is to families and communities, to our neighbours and our friends who head out on the waters to make a living. It is a way of life here. It is part of our culture as Nova Scotians.

We have all witnessed the terrible rise of tensions and violence on the east coast. The events that have occurred over the past week with the violence, the fires, the racism are disgusting. I know that Canadians across the country feel this way too and that the current situation in Nova Scotia cannot continue. There is no place for the

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threats, for the intimidation or for the vandalism that we have witnessed. I wholeheartedly condemn these actions.

The escalating tensions in southwest Nova Scotia highlight the issues around the implementation of the Mi'kmaq, Maliseet and Peskotomuhkati historical treaty rights to fish in pursuit of a moderate livelihood. They are a stark reminder that we must continue to do more and to work together. I cannot emphasize more the need for respectful dialogue and respect for treaty rights as we work toward a peaceful resolution. I would also note that procedurally we are all partaking in an emergency debate in the House of Commons.

The Mi'kmaq have a right to fish, a Supreme Court-affirmed treaty right. I want to be clear that we are not here to debate that tonight. We are here because our country operated for centuries without considerations of first nations' rights. We built up whole systems, institutions and structures without considering them. I want all parliamentarians who participate in this discussion and those at home watching and listening to know that we have an opportunity to change this. There are people out there who are committing criminal acts, and that is deplorable, but today's discussion is not even about them. It is about how we can all be part of the solution and work to help support a sustainable and productive fishery for all harvesters, first nations and commercial fishers alike. I truly believe that a fully realized, fully implemented right to fish for a moderate livelihood will only serve to strengthen our fishery.

We must also continue our efforts to de-escalate the situation by engaging all parties in constructive dialogue. On that front, my hon. colleagues and I have met regularly with both indigenous leadership and the fishing industry. We will continue to do so even once this crisis has passed.

During these discussions we have heard from both parties. We have heard frustration that the negotiations have taken too long and that there is a lack of real progress to implement this right. From non-indigenous harvesters, we have heard their concerns about the future of the fishery and their livelihood.

Over the past few months, we have, without a doubt, all been dealing with an unprecedented health crisis on top of this. Many of the fishers have had a very challenging season. I know harvesters are worried, particularly when the opposition continues to try to pit them against others, making this a “them versus us”, saying that they should be concerned about the future of our stocks.

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Therefore, let me be clear. The conservation underpins everything we do. Lobster stocks are healthy and DFO will continue to monitor stocks and will never move forward with a plan that threatens the health of this species. I know that this approach is shared with many first nations leaders with whom I speak on a regular basis. I will continue to make every effort with the industry to increase transparency, formalize the lines of communication and ensure that the industry has meaningful opportunities to share its concerns and to express its views.

This government unequivocally recognizes the right of the Mi'kmaq, the Maliseet and the Peskotomuhkati to fish in pursuit of a moderate livelihood. This right stems from the Peace and Friendship Treaties of 1760 and 1761, and was confirmed over 20 years ago through the landmark Supreme Court Marshall decision in 1999. Since then, successive governments, both Liberal and Conservative, have launched programs and initiatives in an effort to accommodate what the court found to be a communal right to pursue a moderate livelihood from hunting, gathering and fishing.

Programs over the past 20 years have provided support to purchase licences, vessels and gear and training in order to increase and diversify the participation in the commercial fishery and to contribute to the pursuit of a moderate livelihood for members. While there has been progress, more definitely needs to be done. We recognize that there are still income gaps between indigenous and non-indigenous communities in Atlantic Canada. The violence that we have seen over the past week is a reminder that there is still more work to be done, work that we can do together as part of reconciliation.

• (2000)

Indeed, it is under the leadership of the Prime Minister who made reconciliation a top priority for our government. We have multiple ministers and departments working on this matter. Reconciliation is a whole-of-government mandate for us, and that work is led by the Prime Minister. Myself, my department and the government remain committed to working with first nations leaders to implement their treaty right.

I want to stress, once again, that our government's priority remains, first and foremost, the safety of everyone involved. This has to be a common objective for all. RCMP presence in southwestern Nova Scotia has been increased, and investigations are under way related to the events over the last few days.

As minister and as a government, we have the responsibility to ensure the safety of all Canadians and to see that those living in Canada are protected. This past September marked 21 years since the anniversary of the Marshall decision. It is time we made real progress forward on implementing the Mi'kmaq treaty right, and I am committed to making sure that we get this right.

We can all agree that reconciliation is a Canadian imperative. Each and every one of us has a role to play. It is only by working together that we can achieve that goal. We are here. We have an opportunity to bridge the divisions in our community, to have first nations and commercial harvesters fishing alongside each other, and this is achievable. This will strengthen our fishery.

[*Translation*]

**Mrs. Marilène Gill (Manicouagan, BQ):** Mr. Speaker, I would like the minister to clarify something.

Earlier today, I was at a meeting of the Standing Committee on Fisheries and Oceans. I was talking to one of my Nova Scotia colleagues about the communities affected by the Marshall decision, the Mi'kmaq and the Maliseet. She mentioned another band, and someone from her government who was attending the meeting said that band was not part of the discussion. The minister immediately intervened to set the record straight and said that the community was indeed part of the discussion.

I would just like her to clarify the situation. I think this proves that there are communication problems and that we need more information so we can make informed, thoughtful decisions about actions that will help our communities.

• (2005)

[*English*]

**Hon. Bernadette Jordan:** Mr. Speaker, I would like to thank my hon. colleague for her work on the fisheries committee.

I will say that the Marshall decision was a decision that affirmed the treaty right of the Mi'kmaq, the Maliseet and the Peskotomuhkati. We recognize this is something that needs to be implemented. We are working diligently right now to make sure that we are implementing that treaty right. We have been very active on this file since we were elected. We have seen agreements signed with some communities, and with others there have been ongoing discussions for quite some time now.

With regard to the Mi'kmaq in Nova Scotia, particularly the band in Sipekne'katik, we are working with them diligently right now through the negotiation process to make sure that we implement their treaty right.

**Mr. John Williamson (New Brunswick Southwest, CPC):** Mr. Speaker, I note the debate is entitled "Fisheries in Nova Scotia", but, of course, this issue is gripping all of Atlantic Canada. The fisheries are important, not just in one part of Nova Scotia, but throughout the region. All eyes are fixed on this.

The minister talked about law enforcement. Where is DFO? DFO has been virtually absent on this. The minister will say her department is negotiating with first nations, and that is well and good, but what about also negotiating with traditional fishing families who have been fishing in these waters, in some cases since before Canada was founded?

**Hon. Bernadette Jordan:** Mr. Speaker, DFO has been actively engaged with a number of commercial harvesters and commercial harvester groups. I have met with them directly myself over the past number of weeks, actually over the past number of years since before I was the Minister of Fisheries.



We recognize that the commercial harvesters have had a very challenging season this year. We know that they are concerned with “moderate livelihood”. We want to make sure that we are listening to them, that we are listening to their concerns. That is one of the things we are absolutely very well apprised of, but we recognize also that the negotiations we are having right now with the Mi’kmaq are on a nation-to-nation basis, and that means they are the people at the table.

We will make sure that we continue to discuss with the commercial harvesters what their concerns are. We will make sure that we are listening to all sides in this, but we are looking forward to making sure that we implement the rights that were affirmed by the Supreme Court of Canada to the Mi’kmaq people.

**Mr. Gord Johns (Courtenay—Alberni, NDP):** Mr. Speaker, it has been three weeks since Chief Sack identified that he did not feel safe, nor did the fishers in his community. There have been assaults and intimidation. They have been calling for more support and it took a lobster pound to burn down and an assault to take place and more and more intimidation. Why is it taking so long for the minister to call on the federal government and Ottawa to get involved and help support the Nova Scotia RCMP? Who is responsible? We are still trying to get clarity.

Andrew Joyce, the public information officer for the RCMP in Nova Scotia, stated that the RCMP is responsible for a presence in the community, but DFO is more appropriate on the water. DFO is saying that it is the RCMP that is responsible for public safety on the water. Will you clarify and give assurance and certainty to the community that they will have protection while they are out on the water exercising their right? They need—

• (2010)

**The Speaker:** I just want to clarify that when hon. members are posing questions, to ask them through the Speaker and not directly to the member.

The hon. minister in 30 seconds or less, please.

**Hon. Bernadette Jordan:** Mr. Speaker, I will say we are all very much condemning the violence, intimidation and threats we have seen coming out of south-west Nova Scotia. Nobody wants to see this happening. Nobody wants to feel unsafe as they go to work. That is one of the reasons that we have agreed to increase resources to the province of Nova Scotia in order to make sure there are more resources available to the RCMP so they can bring more members from other provinces to help deal with this situation.

We recognize it needs to be addressed. I will say the DFO has been engaged primarily since the very beginning of this, both on the water and on land. We will continue to—

**The Speaker:** Resuming debate, the hon. Leader of the Opposition.

**Hon. Erin O’Toole (Leader of the Opposition, CPC):** Mr. Speaker, I will be dividing my time with the member for West Nova who has been thoughtfully raising this issue for months. It could have helped avoid an emergency debate if we had had a government that was more seized with this issue.

Let me be clear off the top about two distinct issues. Burning down buildings is always a crime. Destroying property is always a

crime. Whoever commits crimes should be held accountable under the law.

There is a second point I would like to make. The very fact that the government joined an opposition party that was going to raise this emergency debate is a sign. They are calling for an emergency after five years of their own inaction on this issue. It is quite unusual for a government to call for an emergency debate on a domestic issue that it has had carriage of for five years. In fact, we tried to get research done on this point and I think, but I cannot be sure, it has never happened. Usually emergency debates would be called with respect to international issues the government is not able to lead on. However, with the Liberal government, there is rarely leadership.

There are two Marshall decisions from the Supreme Court of Canada, but many Canadians may not know that and many members of this House may not know that. The decisions affirmed the right of first nations communities to earn a moderate livelihood from the fishery, but they also affirmed the Canadian rules related to conservation and the system around regulation were to be respected, as well.

The aboriginal right is paramount. In our Constitution, in our duty to reconciliation, it is critical. In the 21 years since Marshall, there have been governments of many stripes that have not been able to get this right. When fishing is happening out of season or when we do not have a properly regulated season and regulatory process for a fishery, that can deteriorate the stocks and deteriorate the economic potential of the region, non-indigenous and indigenous.

What is interesting right now is that the sides of this debate, the indigenous community and non-indigenous community, both agree on one thing: The inaction of the Liberal government is unacceptable. We have had some suggesting that a peacekeeping operation is needed and that should tell members that the situation is troubling. Everyone involved in this issue deserves the respect and attention of the government and it is the Liberals’ inaction on this that has led to escalating tension and violence.

[*Translation*]

Unfortunately, the tensions in Nova Scotia illustrate the danger of a government that is afraid of making decisions, a government that hopes problems will solve themselves, a government that waits. However, the conflict between the Mi’kmaq community and commercial fishers in Nova Scotia is not new. This conflict will not go away on its own.

This debate calls for the courage to bring both communities to the table because finding a way to compromise is a Canadian value.

*S. O. 52*

[English]

Before Parliament even met, before I had the honour of taking my seat as the leader of Canada's founding party, over a month ago, on September 18, I raised this issue personally with the Prime Minister, because for months my colleague from West Nova, other Canadians, indigenous leaders, the commercial fishery, and union leaders have been raising concerns about rising tensions. That is why I raised this directly with the Prime Minister.

I asked the fisheries minister to mediate and exercise political courage. Tonight, she asked for an emergency debate for a dispute that is happening in her own province under her watch that she has done nothing about for a year. No wonder there is frustration in all of Canada, but particularly in Atlantic Canada.

• (2015)

For weeks, members on this side of the House have been sounding notice and caution, asking the Liberal government to act. We have asked questions more than seven times in the House and dozens of times in the media. We had to do that because for months the government has preferred to sit back and wait, hoping the problem might go away by itself. Sadly, much as we are seeing now with the second wave of the pandemic, these things do not go away. They require leadership, and we have a government that prefers photo ops over follow-ups, hashtags over real work. Hoping that problems will go away is not leadership.

The Minister of Fisheries let this situation escalate, and that has led to the tensions we have seen in recent days. Today, her inaction led to a press conference where not one but two of four ministers were present to acknowledge that they let the situation spiral out of control. Rather than getting people to the table, they were agreeing with another opposition party that there is an emergency they helped create, a sad expression of leadership by a government.

As we heard from the Prime Minister tonight, the Liberals have also preferred to brand this dispute as an entirely racial conflict. The truth is that there are some unacceptable examples of racism, but there are also unresolved negotiations because of a personal debate over livelihood: indigenous livelihood and the well-being of those Canadians and their families, and the livelihood of many commercial fishers. As the minister herself said, in her province of Nova Scotia it is part of the culture. She seems to have allowed this to drag on to a point where we are now seeing violence, and Canadians are concerned about that. This is less about the way they are described and more about a failure to mediate and come to an agreement.

That is where leadership is needed. It is hard, but that is what the Conservatives have been asking for months. It is made worse by the fact that in this pandemic, all families, indigenous and non-indigenous, are worried about providing for their family. The government should have known that these tensions were rising. It could have shown leadership, but instead it framed this as tension brought on purely by racial elements. That is not truly the case.

This is a dispute where constitutional fishery rights must be upheld for our indigenous Canadians. However, there is also concern from commercial fishers, their union leaders and their community and civic leaders that if this is not done right and conservation is

not respected, then the fishery that has been taking place for centuries, which is, as the minister said, part of the culture, could disappear, along with the well-being and livelihoods of many people.

That is why we need to find a solution. That is why I raised this with the Prime Minister. That is why the member for West Nova has been raising it time and time again. We need both sides to negotiate to find common ground, with a mediated solution and long-term plan for the well-being of all Canadians, indigenous and non-indigenous. Rather than recognizing the impacts of inaction, the minister prefers to throw up her hands and agree with another political party that it is an emergency happening under her watch. The Liberals would rather have a debate here than to have brought people to the table months ago. That is why Nova Scotians are watching, including my own family, which is from Fall River, Nova Scotia. This has gripped the entire region and country.

It is harder to show leadership by showing a path to a mediated long-term outcome, so instead the government prefers more talk, press conferences with ministers and calling this an emergency when it had five years. For four of those years, every single MP in that region was a Liberal MP. Instead of making this a priority, the Liberals were taking away the Atlantic Supreme Court justice, for example, until we stood up to that.

• (2020)

Let us go back in our history. As I have said to the Prime Minister before, who shows condescension every time I raise the issue of reconciliation, all governments in our history have not lived up to what we owe our Constitution and indigenous Canadians. We are here to work on a solution if we can. We need less talk, fewer photo ops and fewer hashtags. We need real leadership that brings all communities together to find a solution.

**Mr. Jaime Battiste (Sydney—Victoria, Lib.):** Mr. Speaker, I understand that the Leader of the Opposition went to law school and graduated in 2003. I graduated in 2004 from the same law school. While I was there, I was taught that there are three laws in Canada: the English common law, the French civil law and indigenous law.

I have heard some say that there cannot be more than one law in Canada in the fisheries. I am wondering if the Leader of the Opposition believes in legal pluralism or whether there can be more than one law in the fisheries.

S. O. 52

**Hon. Erin O'Toole:** Mr. Speaker, I did not know that the member for Sydney—Victoria went to Dalhousie law school. I am very proud to have gone there and to be a graduate.

It is interesting that Donald Marshall himself, a victim of a miscarriage of our justice system, was failed by lawyers, judges and the attorney general at the time in Nova Scotia, all of them Dalhousie law graduates. I know the member knows that. It is why we study not only the Marshall wrongful conviction but the two Marshall decisions related afterwards.

Donald Marshall was caught fishing eels, doing so for a moderate livelihood. His case went all the way to the Supreme Court. The first decision of the Supreme Court was with respect to the aboriginal right, a constitutional treaty in origin. It said we must respect that; it is important. The second decision said that the government can regulate for conservation and for regulatory structure. That is why for five years the government could have been finding a solution that would have respected our Constitution, would have respected the indigenous right, would have respected the local community and impact on the long-term viability on the fishery, and would have respected the legacy of Donald Marshall, which all Atlantic Canadians and all Dalhousie law graduates certainly know and remember.

[Translation]

**Mrs. Marilène Gill (Manicouagan, BQ):** Mr. Speaker, I will not remind the hon. leader of the official opposition that the Marshall decision was not handed down five years ago, but 21 years ago. It is worth noting that the Harper government was in office for much of that time.

Approximately 15% of the people in my riding are indigenous. There are also many Innu and Naskapi communities back home, and they are very interested in what is happening at present. They have a host of questions, including one that Martial Pinette of Kawawachikamach and Arnaud McKenzie Volant of Uashat mak Mani-utenam asked me to answer: Why would the minister want to send the RCMP to Nova Scotia instead of just simply going there and negotiating? The first nations themselves are asking this question. I would like my hon. colleague to comment on this.

• (2025)

**Hon. Erin O'Toole:** Mr. Speaker, I thank the member from Manicouagan for her question.

Twenty-one years have passed since the Marshall decision was handed down. As I stated in my speech, a number of Liberal and Conservative government made mistakes in the past. Now, five years later, we still do not have a solution to offer to the indigenous peoples and rural communities of Nova Scotia.

We must show leadership to find a solution and present a plan for the indigenous and non-indigenous communities of Nova Scotia. Five years have passed and we are still waiting. That is also the case for all the important issues. The government still waits, and that is unacceptable.

**Mr. Chris d'Entremont (West Nova, CPC):** Mr. Speaker, I want to start by denouncing the violence happening in my region, in southwestern Nova Scotia, in the Clare and St. Marys Bay areas.

[English]

Everything we have been seeing to date is happening in the riding of West Nova. I wish I were not here talking about this tonight. I wish there were a solution at hand that was brought forward days, months or years ago to solve the issue of moderate livelihood for indigenous people. During that process, I would have thought there would have been some consultation along the way with the people of West Nova whose lobster fishery is being affected by this.

This has been happening for weeks. This has been happening for months. At least two months ago, I wrote my first letter to the minister underlining the issue that is before us. I have asked questions in the House. I brought it up in my debate to the address in reply.

Finally, now that these threats have been thrown around and the violence has become too much, people seem interested in what is happening in West Nova. Where were the other MPs? One would have thought that at some point I would have received a phone call from someone asking what the situation really means.

What is causing the problem we are seeing in West Nova? I can tell the House that the people I represent are scared and worried about what is happening in their communities. They are wondering what is going to happen next in their communities.

Before I get to the current situation, I want to ask the minister and the people who are speaking here today to please not paint my area as racist. There are probably a few, as in many of our ridings. It is true there is systemic racism in Canada, but my area is not racist by default. That does not represent the majority of my citizens.

Let us talk about where this starts. I know I do not have enough time to talk about all the things I really want to talk about regarding where the current situation is going, but the concern of an illegal fishery in St. Marys Bay has been known by the DFO for many years, with some natives and non-natives involved.

We just need to look at the recent case of Sheng Ren Zheng of China, who was charged in Nova Scotia back in August for selling indigenous lobsters. Residents in the community of Clare tell me that this is still going on. The DFO and the RCMP need to continue these investigations and make public the information from them.

That extra illegal activity has been affecting the local lobster stock by about 60%. The people of Clare are very worried about retaliation. To date they have been very quiet about this, but it is one of many points of discussion that is not about the current situation of moderate livelihood.

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The Marshall decision and the treaty rights are accepted by local fishers in the area, but, as it will affect their livelihood, they should be consulted, and it should be discussed with them at the base. Marshall 2 and subsequent fisheries committee, the FOPO committee, led by the member for Malpeque at the time, was very expressive in including all participants in discussions to define what a moderate livelihood fishery actually is.

I guess the DFO needs to learn that consultation requires listening, not just talking, which is all it seems to do. I have heard it from the minister a number of times already. I have talked to fishers. She has made a couple of phone calls. She does not really understand what their concerns are, or at least it has not been shown that she knows what the core of this discussion really is.

• (2030)

I made a number of points in my letter about the Marshall decision, what the Marshall decision is and what it is not. I thought I raised probably the one point that is in here, but the letter is available on my website. First and foremost, the court claims that it did not hold that the Mi'kmaq treaty right could not be regulated, nor that the Mi'kmaq were guaranteed an open season in the fisheries. That is paragraph two of the Marshall decision. The court emphasized that the treaty right had always been subject to regulation, and the government's power to regulate the treaty right had been repeatedly affirmed in the September 17, 1999, majority judgment. That is paragraph 24 of the Marshall decision.

There are a number of suggestions of what the Marshall decision is and what it is not. Most fishers and most associations that I have talked to accept the decision of Marshall 2. They look forward to negotiation, discussion and consultation when it comes to this issue.

I also hear from the minister about the nation-to-nation negotiation, and that there is no seat for commercial fishers at the table. I am okay with that. Commercial fishermen are okay with that as well, but in most negotiations there is always a second consultation table where experts sit so they can go back and confirm what they are thinking and what they are not thinking. As a matter of fact, in the recent negotiation with the United States, nation-to-nation, on NAFTA, we know that Jerry Dias was sitting at the table with the negotiators representing workers.

The workers in the fishing community, which is the base of all of our economic activity in West Nova, just want to be able to sit at the table, to be part of that negotiation and to be able to provide a moderate livelihood for their families as well.

There are tensions on all sides. Not everyone is subject to this, but I have seen threats from all sides. Tensions need to be brought down. I spend my days talking to fishermen and telling them to stand down while negotiations are ongoing, and quite honestly, I am getting very tired of it. I ask for everyone's help to continue to bring down this pressure.

This morning at a rally in Barrington, the previous minister of fisheries in Nova Scotia Sterling Belliveau said something important that worries me. He said, "If you're not at the table, you're probably on the menu" and today my fishers are really worried that,

because they are not being consulted and they are not at the table talking about things, their industry is on the menu.

I am looking forward to getting calls from all my colleagues wondering what is going on in the fishery in Nova Scotia, but I need the minister to step up. I need her to be here on the ground. I need her to meet with fishermen, both indigenous and non-indigenous as well. As a matter of fact, I have a truck and I am more than happy to pick her up, drive her down and keep her safe while we have these discussions.

• (2035)

**Mr. Kody Blois (Kings—Hants, Lib.):** Mr. Speaker, before I get to my question, I want to highlight the fact that, although we would never condone what we have seen in terms of the violence, I would join those who have already condemned that type of behaviour. I do not think it is reflective of the entire industry, and those were important remarks to be made.

The member opposite referenced an illegal fishery. As parliamentarians may know, I represent the community of Sipekne'katik, the first nation at the heart of this issue. I do not see this as an illegal fishery. It may be unauthorized, but the Supreme Court says that the right exists. Will the member from West Nova acknowledge that the fishing activities that Sipekne'katik is conducting right now is not illegal?

**Mr. Chris d'Entremont:** Mr. Speaker, I agree with the member that it is an unauthorized fishery that is going on with Sipekne'katik, but there is an illegal fishery going on in St. Mary's Bay. In the background, underneath the ocean, there are thousands of traps. There are lots of lobsters being sold for cash. This is a well-known issue in the area of Clare, and something that DFO needs to seriously look into and rectify. The community, I think, would be more at ease if it knew that was being taken care of.

[Translation]

**Mrs. Marilène Gill (Manicouagan, BQ):** Mr. Speaker, I thank my hon. colleague from West Nova for his speech.

I have a question for him. He spoke about the notion of moderate livelihood a number of times. I must admit that I was surprised to hear him mention it, not because this is not at the very heart of what is going on right now in Nova Scotia, at the heart of all of this tension that needs to be defused and resolved. I was surprised because, as I mentioned, today I attended a meeting of the Standing Committee on Fisheries and Oceans. We try not to play politics and say that Fisheries and Oceans Canada should have defined the notion of "moderate livelihood" 21 years ago, or even back in 1761. Fisheries and Oceans Canada did not exist in 1761, and neither did Canada.

People claim to want to talk about it now, but when I moved a motion on this topic, no one agreed. No one would even tell me who was responsible. If it is not up to the Supreme Court, legislators, the government or committees, then who is responsible?

I would like to hear my hon. colleague's thoughts on why they voted against my motion? Who is supposed to define "moderate livelihood"?

**Mr. Chris d'Entremont:** Mr. Speaker, I thank my colleague for the question.

As I was not at the committee meeting, I cannot answer on behalf of my colleagues who were there. It is the government that has to negotiate and define “moderate livelihood”. A Fisheries and Oceans Canada negotiator is already working on that. Mr. Jim Jones is responsible for negotiations. The government has to define this concept.

[*English*]

**Ms. Niki Ashton (Churchill—Keewatinook Aski, NDP):** Mr. Speaker, in a statement issued on October 17, a Conservative called on the Prime Minister to keep all Nova Scotians safe and to “include commercial fish harvesters in discussions” regarding their livelihoods. This sounds like all lives matter logic, and it is unacceptable. Let us also be clear that the negotiations are between the Mi'kmaq fishers and the federal government. The federal government has a role to play in protecting their constitutional and treaty right.

Will the member not agree that the first step to ending racially motivated violence is to call out the racism that is driving it and to defend the indigenous community that is the target of this violence?

• (2040)

**Mr. Chris d'Entremont:** Mr. Speaker, I would invite the member to come visit West Nova, to visit the beautiful Acadian communities that have existed since coming back from deportation when the British kicked them out of Nova Scotia.

Does the member want to talk about racism? Let us talk about some of those very things. They are not a racist people. They are very concerned about the livelihoods of their families. Shame on her for calling them racists.

[*Translation*]

**Ms. Sylvie Bérubé (Abitibi—Baie-James—Nunavik—Eeyou, BQ):** Mr. Speaker, I am honoured to rise this evening to speak to this emergency debate on the escalating violence against indigenous fishers. I want to say that I will be sharing my time with my colleague, the hon. member for Avignon—La Mitis—Matane—Matapédia.

I cannot begin my speech without first strongly condemning the criminal acts that have been committed in Nova Scotia, and the hatred and racism levelled at the Mi'kmaq people that we have seen lately. Absolutely nothing justifies this.

On September 17, as we already know, indigenous fishers launched their lobster fishing season in St. Mary's Bay, Nova Scotia. Ever since, there has been a growing number of confrontations, acts of vandalism, assaults, fires and much more.

Fishers from the Mi'kmaq and Maliseet nations have treaty rights that were confirmed by a Supreme Court of Canada ruling in 1999. The Marshall decision recognized the right of indigenous peoples to fish in pursuit of a moderate livelihood, while abiding by federal regulations. However, the Supreme Court never defined the limits of livelihood fishing, which continues to be a source of contention with non-indigenous fishers to this day.

*S. O. 52*

It is rather unfortunate that this government's and its predecessors' negligence has caused the situation to deteriorate to the point of the present crisis. If governments had not dragged their heels on this matter, things would not have gotten this bad and we would not be here talking about it. It is deplorable that one fisheries and oceans minister after another, including the current one, has failed to act on the Marshall decision by implementing a regulatory framework negotiated nation to nation that respects constitutional treaty rights and the need to conserve the resource.

In the Marshall decision, the Supreme Court recognized the Mi'kmaq people's commercial fishing rights arising from a 1760 treaty with the British. Previous rulings affirmed that this right terminated in the 1780s, but the Supreme Court determined that the Mi'kmaq right to subsistence fishing remained a treaty right within the meaning of section 35 of the Constitution Act, 1982.

In its second decision, which was rendered in November 1999, the Supreme Court set out the terms of its first decision and found that the federal and provincial governments have the authority, within their respective legislative fields, to regulate the exercise of a treaty right where justified on conservation or other grounds.

The Marshall judgment referred to the Supreme Court's principal pronouncements on the various grounds on which the exercise of treaty rights may be regulated. The paramount regulatory objective is the conservation of the resource, and responsibility for it is placed squarely on the minister responsible and not on the indigenous or non-indigenous users of the resource. The regulatory authority extends to other compelling public objectives, which may include economic and regional fairness, and recognition of the historical reliance upon, and participation in, the fishery by non-indigenous groups.

Indigenous people are entitled to be consulted about limitations on the exercise of treaty and indigenous rights. In other words, it is up to the federal government, more specifically the Minister of Fisheries, Oceans and the Canadian Coast Guard, to implement regulations to ensure the prosperity and conservation of the resource in consultation with indigenous peoples.

The Liberals have now been in power for five years, not counting the other years they have been in power since 1999, of course. Why have they not yet created regulations? That is their responsibility. As a result of the government's inaction, we now find ourselves once again faced with a conflict between indigenous and non-indigenous peoples. Despite a Supreme Court of Canada decision, the federal government has been unable to come up with a framework for implementing it in the more than 20 years since it was handed down.

I read an interesting Radio-Canada article this morning that quoted Martin Papillon, director of the Research Centre on Public Policy and Social Development at the University of Montreal. He corroborated what I just said when he stated:

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Although the Supreme Court established the key principles, it cannot tell us what to do every time. It is up to the government, with indigenous nations, to find common ground for the implementation of the Marshall decision.

• (2045)

He added:

The implementation of indigenous rights will not happen on its own, as if by magic. Governments must intervene [and] negotiate in good faith with indigenous nations to find solutions.

This is not the only issue on which the federal government is dragging its feet. We also saw this with the rail blockades, for instance, just before the COVID-19 pandemic. Rather than coming up with a comprehensive, long-term strategy, the government has a habit of not intervening until tensions peak. This results in the kind of unfortunate events we have seen.

The article I cited earlier also quotes Jean Leclair, a professor at the University of Montreal's faculty of law, who said:

Once again, the government failed to take any action that would have prevented this kind of explosion. It always takes a piecemeal approach, acting only when a crisis erupts. Of course this was fertile ground for violence and racism.

It is important to establish a structure for the negotiations, rather than proceeding on a case-by-case basis. As we all know, every issue that sets the government and first nations at odds has its own unique features. We need to adopt some general principles to govern the negotiations.

I know that I will be repeating myself, but it is important to do so. I strongly condemn the crimes committed in Nova Scotia, as well as the hatred and racism we have seen against the Mi'kmaq people.

It is unfortunate that Fisheries and Oceans Canada, successive governments and the current government have been unable to uphold the Marshall decision and create a regulatory framework through nation-to-nation negotiations, while respecting constitutional treaty rights and conservation of the resource.

Why did Fisheries and Oceans Canada wait until 2017, 18 years after the Marshall decision, to start negotiations with the various Mi'kmaq and Maliseet communities in Quebec and the Atlantic provinces? Why has this crisis gone on for two months? What has the Minister of Fisheries, Oceans and the Canadian Coast Guard done throughout this crisis to ease tensions and resolve the situation?

A number of representatives from the Mi'kmaq community have even expressed doubts about whether the RCMP truly wants to protect them. How will the Minister of Public Safety and Emergency Preparedness work to maintain the trust of the public, especially indigenous people, in the police?

Earlier today, the Minister of Indigenous Services stated that Mi'kmaq fishers were only operating in indigenous fisheries, which represent a mere fraction of the fisheries sector. Is he correct? If he is, why is it so difficult to come to an agreement with the Mi'kmaq communities? Is the government afraid of sowing discontent in the commercial fishery?

I condemn the inaction of successive governments, including this one, which has led to the deterioration of the situation and resulted

in this current crisis. All of this could have been prevented by taking action a long time ago. The government must do its job and stop dragging its feet on this file and on many others.

[*English*]

**Ms. Laurel Collins (Victoria, NDP):** Mr. Speaker, over two decades ago, the Mi'kmaq people fought in court, and the courts ruled that they have the constitutionally upheld right to fish for a moderate livelihood. However, this is not only about their right to fish for lobster. It is about their basic human right to be free from violence. It is about justice in the face of violence and systemic racism.

The Liberal government, for all its words, has not fulfilled its obligations to uphold the treaty rights of the Mi'kmaq people. Its inaction has led to this situation, but the government has also failed to address the lack of action from the RCMP and DFO, the lack of action and the lack of justice.

When does the member think the Liberal government will stop paying lip service and actually take action to stand up for the rights of the Mi'kmaq people?

• (2050)

[*Translation*]

**Ms. Sylvie Bérubé:** Mr. Speaker, I thank my colleague for her question.

It is regrettable that the Department of Fisheries and Oceans under this and previous governments was incapable of implementing the Marshall decision and establishing regulations based on good nation-to-nation relations. I find it really unfortunate that it has taken the violence we are seeing in Nova Scotia to bring about action.

[*English*]

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, as this is my first opportunity to participate in this emergency debate, I want to thank the hon. member for Courtenay—Alberni and others for bringing this to the House.

There are other contextual elements here. One is that, over the last number of years, the Department of Fisheries and Oceans has given very large monopolistic licences for lobster harvesting to a large harvesting company, Clearwater Seafoods, which has multiple conservation violations, yet we are told that the concern of the fishery is that the indigenous people would hurt conservation. The evidence is to the contrary.

We are also told that the RCMP stood by and watched the violence, but there are other credible reports that the RCMP aided and abetted in violence. I would like to ask the hon. member if we should investigate both of these aspects.

[*Translation*]

**Ms. Sylvie Bérubé:** Mr. Speaker, I thank the hon. member. Let's negotiate and let's stop the repression. That is important. When we were talking about nation to nation earlier, we were talking about equality, but that is not the case here. Inequality is still a reality for indigenous peoples across Quebec and Canada. We must act. This government needs to do something.

**Mr. Alexis Brunelle-Duceppe (Lac-Saint-Jean, BQ):** Mr. Speaker, I thank my hon. colleague for her speech, which I listened to very carefully.

At the end of the day, from one debate to the next, from one emergency debate to the next—because we always need to have emergency debates with this government—it has become clear that this government is good at apologizing 50 or 100 years too late. It never seems to do the right thing at the right time.

At the end of the day, listening to my hon. colleague, I have to wonder if we are in this situation today because Ottawa dragged its feet on this file for decades.

**Ms. Sylvie Bérubé:** Mr. Speaker, I thank my colleague for his speech.

This once again proves that the current government is dragging its feet. The government needs to pull up its socks and move forward.

**Mr. Brad Vis (Mission—Matsqui—Fraser Canyon, CPC):** Mr. Speaker, Canadians across the country think that DFO is not directing its operations properly. Could the Bloc Québécois member give us an example of how the government could do better and find a middle ground for indigenous and non-indigenous fishers in Nova Scotia?

**Ms. Sylvie Bérubé:** Mr. Speaker, I have a one-word answer: negotiation. It is through negotiation that an agreement will be reached with indigenous communities.

**Ms. Kristina Michaud (Avignon—La Mitis—Matane—Matapédia, BQ):** Mr. Speaker, I am always pleased to participate in emergency debates, even though an urgent need to act does not usually signal good news.

This is the second time that the members of the House have come together to talk about violent disputes and the federal government's failures when it comes to first nations. The first time was the rail crisis. Today, it is the uncertainty surrounding livelihood fisheries.

It is rather ironic that the Liberals were the ones who requested this emergency debate and yet there is only one Liberal on the other side of the House. If this is so important to the Liberals, I hope that many of them are participating in the debate virtually. I really hope that is the case.

To begin—

**The Speaker:** I would remind the member for Avignon—La Mitis—Matane—Matapédia that she must not talk about the presence of members in the House, but I will allow her to continue her speech.

**Ms. Kristina Michaud:** Mr. Speaker, I must reiterate that the Bloc Québécois strongly condemns the crimes committed in Nova Scotia and the acts of hatred and racism against the Mi'kmaq that we have witnessed recently. In particular, my colleagues and I feel it is deplorable that DFO and successive governments, including the current one, have failed to uphold the Marshall decision by implementing a regulatory framework negotiated nation to nation that respects constitutional treaty rights and the need to conserve the fisheries.

*S. O. 52*

We also condemn the inaction of successive governments, including this one, which has caused the situation to deteriorate and led to the present crisis. Many things could have been accomplished long before now. I sent the Minister of Fisheries, Oceans and the Canadian Coast Guard a letter about this, urging her to finally define a moderate livelihood fishery. That could provide a concrete solution to the current conflict raging both in Nova Scotia and in various indigenous communities elsewhere in Quebec and Canada.

Despite what we are hearing from the ministers concerned about police inaction regarding the acts perpetrated, it is not just about what the police did or did not adequately do in the current situation. There has been tension between indigenous and non-indigenous fishers for more than 20 years. Yes, I recognize that the escalating violence has led to an emergency debate, but the issue of the regulation of fishing rights arising from the Marshall decision did not seem to be one of the government's most urgent concerns in its last throne speech, nor even last year or in the previous four years. Resolving this issue was not even included in the mandate letter of the Minister of Fisheries, Oceans and the Canadian Coast Guard in the last parliamentary session.

Must we wait for acts of violence such as those we have seen in Nova Scotia to take action? In my riding of Avignon—La Mitis—Matane—Matapédia there is also tension between indigenous and non-indigenous fishers, and I believe that is the case in many other places. Fortunately, there has been no violence in my riding, but we must take action now to prevent these types of incidents.

The Minister of Fisheries, Oceans and the Canadian Coast Guard tweeted this past weekend that her government would continue to work with the Mi'kmaq to implement their treaty rights. However, this crisis has been going on for over a month, and as my colleague from Manicouagan rightly pointed out, it goes back much further than that. Where has the Minister of Fisheries, Oceans and the Canadian Coast Guard been all along? What has she done to ease tensions?

This problem did not begin with the violent outbursts we have seen in southwestern Nova Scotia since the lobster fishery opened on September 17. The government is clearly having a hard time finding solutions in collaboration with the first nations, given that, as I mentioned, it has been 21 years since the Marshall decision and the situation is still not resolved. In a press conference this morning, four Liberal ministers denounced the lack of a police response to the intimidation and violence being perpetrated by non-indigenous fishers against Mi'kmaq fishers in Nova Scotia.

Rather, I think we need to take a closer look at Ottawa's tendency to drag its feet, as we have heard over the last few minutes, when it comes to first nations claims in general. Yes, the Prime Minister himself condemned the violence in Nova Scotia and added that he and his government would continue to work towards reconciliation with first nations, but essentially, we know that no real progress is being made.

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Now is the time for concrete action and clarity on the regulations. I think that is what we are really talking about here tonight. The federal government's unwillingness to resolve the matter and take responsibility for its decisions is what is preventing harmonious relations in the fishing areas shared by the indigenous and non-indigenous fishers.

This reminds me of a situation very similar to that of Nova Scotia. The lobster fishery in the community of Listigouche in the riding I represent, and where Fisheries and Oceans Canada has not been very clear on first nations' rights, remains a very contentious issue. Tensions are mounting among non-indigenous fishers because negotiations continue but nothing ever comes of them, either on the band council side or the fishers' association side. By deciding to manage its own fishing activities, the Mi'kmaq community is firmly reminding us of the impasse that indigenous and commercial fishers have been stuck in for 21 years.

I would also like to look back on recent and not-so-recent history. This evening, several parliamentarians mentioned the right of indigenous peoples to fish for a moderate livelihood. This right was confirmed by the Supreme Court of Canada, but it is still surrounded by uncertainty, creating a lot of tension.

In 1999, a little more than 21 years ago, the Supreme Court made a decision in the Marshall case. It ruled that Donald Marshall, who was charged with illegally fishing eel outside the fishing season as set out by Fisheries and Oceans Canada, had the right to fish in accordance with the Peace and Friendship Treaties signed by indigenous peoples in the 18th century. The Supreme Court affirmed the right of indigenous peoples to hunt, fish and gather in pursuit of a moderate livelihood.

- (2055)

However, the concept of moderate livelihood was never defined.

A few months later, in November 1999, following protests by commercial fishers, the Supreme Court issued a clarification, known as Marshall II. It states that the federal and provincial governments have the power to regulate the fishery that indigenous people have the right to practise where justified on conservation or other grounds.

Ever since, the first nations and DFO have been unable to agree on the definition of moderate livelihood. That is why the Mi'kmaq decided they would fish and sell their catch according to the regulations enforced by compliance officers. That is what happens when the government fails to put measures in place. The communities themselves define the measures that apply to them.

Is it not the responsibility of the federal government, more specifically the Minister of Fisheries and Oceans, to put regulations in place to ensure the prosperity and conservation of the resource, in consultation with indigenous and non-indigenous peoples? Again, my colleague from Manicouagan asked this question earlier. Why is no one able to answer? Whose responsibility is this?

Last year, Listuguj fishers also defied the federal government by going out to sea in September to fish for lobster that they planned to sell rather than just distribute in their communities. The Mi'kmaq claimed they were within their rights because of the Marshall deci-

sion, but Fisheries and Oceans Canada considered their activities to be unauthorized commercial fishing. The Listuguj band council confirmed that DFO had refused to grant it a commercial licence for the fall fishery but had not explained why. That is often what people hear when they try to contact the department. They get little in the way of explanation, and sometimes no response at all.

The first nation finally signed an agreement with the federal government last November, and that led to official negotiations on fishing rights, which are ongoing but are not actually making any headway.

If you try to please everyone, you will please no one. That is what is happening with a number of first nations issues. Just look at what is happening with moose hunting in the La Vérendrye wildlife reserve. The same is true in fishing zones in the Gaspé: Non-indigenous commercial fishers in the southern Gaspé are also angry because they feel unheard. For the past eight years, they have been calling on Fisheries and Oceans Canada to listen to them about the management of stocks, which necessarily involves the treaties negotiated with the first nations.

The Regroupement des pêcheurs professionnels du sud de la Gaspésie has been denied or simply ignored by the department. It has complained about being left out of negotiations, even though the changes made to the fishing plans affect all users of the same zone, including indigenous and non-indigenous fishers. The organization has also been critical of the agreements regarding independent fishing plans for the different communities, which it feels create inequalities. It says that two parallel fishing systems are being created.

According to the association, the government's actions go against its own lobster conservation laws, or efforts to reduce fishing to increase stocks, by increasing the number of traps allowed in certain areas and increasing the number of fishing licences, some of which are issued for the same areas fished by Gaspé fishers, in Chaleur Bay.

Indigenous and non-indigenous fishers likely do not agree, and it is the federal government's responsibility to draw the line. The government needs to clearly define livelihood fishing, invite all parties involved in managing the fishery to the table, come up with a licensing system and set out clear and transparent rules.

Once again, we find ourselves caught in a conflict with the first nations because the government did not fulfill its responsibilities. When it comes right down to it, everyone wants the same thing: clear directives.



The Department of Fisheries and Oceans is responsible for enforcing the Canadian Navigable Waters Act. It must therefore have the necessary political courage to take a stand and put an end to 21 years of uncertainty and tension between indigenous and non-indigenous fishers. That is what this government is missing on several issues: political will.

A collaborative approach is critical to formulate a comprehensive agreement like the 2002 peace of the braves agreement between Quebec and the James Bay Cree. That could be a solution.

My time is up so I will finish my remarks in my answers to my colleagues' questions, if they do not mind.

• (2100)

[English]

**Hon. Wayne Easter (Malpeque, Lib.):** Madam Speaker, I am somewhat concerned by most of the remarks I heard tonight. They have all be on the moderate livelihood side, and yes, that does need to be addressed. However, there was also another key point in terms of the Marshall decision, and that relates to conservation.

The court stressed the priority of conservation and the responsibility of the minister. I would like to quote the Marshall decision, which states, "The paramount regulatory objective is conservation and responsibility for it is placed squarely on the minister responsible and not on the aboriginal or non-aboriginal users of the resource." That is a point that is not talked about in the media and has not really been talked about tonight.

Both those issues have to be addressed: the right for a moderate livelihood and the conservation of the resource for both commercial fishermen and aboriginal fishermen. Would the member agree with that?

• (2105)

[Translation]

**Ms. Kristina Michaud:** Madam Speaker, I think those two issues go hand in hand.

What we want is for the federal government to issue clear guidelines. We saw the indigenous fishers' side and the non-indigenous fishers' side. We can understand the current tensions. The federal government is dragging its feet on defining the terms in relation to fishing in pursuit of a moderate livelihood.

We need the government to negotiate with all parties involved, to draw the line and to define moderate livelihood. That might be a solution to the current dispute.

[English]

**Mr. Eric Melillo (Kenora, CPC):** Madam Speaker, we have heard from the government and from this Prime Minister many times that no relationship is more important to the current government, supposedly, that its relationship with indigenous peoples. However, the Liberals have had an opportunity to show that, by addressing some of these long-standing issues and they have failed to do so. Now the minister has failed to take appropriate action to help keep everyone safe and to go to Nova Scotia and meet with all parties involved and have those negotiations.

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I would like to hear from my colleague from the Bloc Québécois to know whether she agrees that, if the minister were to go to Nova Scotia and have those negotiations and conversations, it would go a long way in easing the tensions.

[Translation]

**Ms. Kristina Michaud:** Madam Speaker, I thank my colleague for his question.

I think the minister absolutely needs to go to Nova Scotia and sit down with the stakeholders to negotiate an agreement. That is long overdue. The problem is that the government always waits for something really serious to happen before taking action.

As parliamentarians, we are always brought back to reality by the news showing us the atrocities happening in our own communities. As a result, we have to hold emergency debates and we are slow to act.

This time we have a chance to do something before this happens in other communities where tensions are rising, such as in Listuguj. This is the perfect opportunity for the government to take action and be more proactive in the future with respect to these kinds of negotiations.

[English]

**Mrs. Jenica Atwin (Fredericton, GP):** Madam Speaker, we are hearing a lot about a nation-to-nation relationship. We are hearing a lot about constitutionally enshrined rights from treaty negotiations. It is important to understand that a treaty is between sovereign nation and sovereign nation. I would like to ask what the member thinks about the idea of sovereignty, and whether it should be the indigenous fishers who have the right to determine their own moderate livelihood.

[Translation]

**Ms. Kristina Michaud:** Madam Speaker, I thank my colleague for her question.

When it comes to sovereignty, whether it is Quebec's sovereignty, environmental sovereignty or the territorial sovereignty of indigenous peoples, I like to take a rather positive approach.

Of course, in an ideal world, everyone would decide for themselves. Clear guidelines and benchmarks are needed. In this case, the federal government has a duty to set clear guidelines. In fact, this should have been done 21 years ago. It is time to act.

**Hon. Carolyn Bennett (Minister of Crown-Indigenous Relations, Lib.):** Madam Speaker, I will be sharing my time with the member for Sydney—Victoria.

I am speaking to the House from my Toronto home, which is located on the traditional territory of the Mississaugas of the New Credit First Nation. We honour all indigenous peoples who paddled these waters and whose moccasins walked this land.

*S. O. 52*

To begin, I would like to thank the Mi'kmaq communities that have worked very hard to keep their members safe despite the escalation of violence. All Canadians were horrified by the violence inflicted on the Mi'kmaq people in recent weeks. They have been attacked and intimidated because they exercised their right.

• (2110)

[English]

With the destruction of property and attacks on people's attempt to obtain a moderate livelihood, unfortunately this escalation of tension has exacerbated divisions. No dispute can be settled through violence, and no durable solutions are found through threats and intimidation. It has to stop. Human rights and the treaty and inherent rights of indigenous peoples must be respected. That commitment is at the very heart of our country's very identity and enshrined in our Constitution.

We have much more work to do to forward the unfinished business of Confederation. We need to accelerate the progress and we need all Canadians with us on this journey. Racist colonial policies have resulted in denied opportunity, sustained harassment and a justifiable mistrust in all of our institutions and civil society. Systemic racism is evident in all of our institutions and all Canadians need to know that it is their responsibility to end it. The Government of Canada is committed to a renewed relationship with indigenous people in Canada, nation to nation, Inuit to Crown, and government to government, built on the affirmation of rights, respect, co-operation and partnership.

It has been over 20 years since the Marshall decision reaffirmed the right of the Mi'kmaq to fish in pursuit of a moderate livelihood. The court upheld the treaty right of Donald Marshall to fish. The court found that his treaty right was protected by the section 35 of the Constitution. The Mi'kmaq people have the right to exercise their rights, free from violence, threats and racism.

Canada has reaffirmed our commitment to working in partnership with the Mi'kmaq to implement their treaty rights on the path to self-determination. Over the weekend, in our conversations with Chief Sack and the Assembly of Nova Scotia Mi'kmaq Chiefs, we reassured them that we agree with them, that the safety of their communities is the priority, the violence is unacceptable and the perpetrators will be brought to justice. We heard their frustration with respect to the implementation of their right to a moderate livelihood.

The Marshall decision was a long time ago, but is not where this story starts. In 1760-61 the Crown signed peace and friendship treaties with the Mi'kmaq people, treaties that guarantee hunting, fishing and land-use rights for the descendants of these communities. These treaties are the foundation of our relationship and remain in place today. Canada, and all Canadians, have a responsibility to understand this and ensure that these treaties are upheld and implemented. To achieve this, Canada is currently engaged in discussions on aboriginal treaty rights and self-government with 10 of the 13 Mi'kmaq nations in Nova Scotia. We are also pursuing discussions with the remaining three communities, which are not involved at the self-determination table.

Implementing the historic treaty rights recognized in the Marshall decision is a critical component of these discussions and a priority for the Government of Canada. For millennia, indigenous people have held conservation and sustainability as a core value. The Mi'kmaq nation has been working hard on its plans to exercise and implement its rights in a sustainable fishery based upon science.

I am proud of the progress we are making together to affirm the treaty and inherent rights of first nations, Inuit and Métis on their path to self-determination. Together, we and our partners have transformed how government engages with indigenous people and how we work together. The renewed relationship has been furthered by the establishment of the recognition of indigenous rights and self-determination discussion tables, which represent a new flexible way to have the discussion of how to affirm the unique rights, needs and interests that matter most to indigenous communities.

Since 2015, we have created over 90 new negotiation tables. There are currently over 150 active negotiation tables across the country to help advance the relationship with indigenous people and to support their version of self-determination. We are making significant progress at these tables, but we cannot move forward as a country without the understanding and support of all Canadians.

Part of the path forward was highlighted in the Speech from the Throne and that is the introduction and implementation of the UN Declaration on the Rights of Indigenous Peoples. UNDRIP is not scary. Implementation of the inherent and treaty rights of indigenous peoples is the way forward to a much stronger and fairer Canada.

The great challenges we have already endured in 2020 have presented us with a world that is in need of renewal. For Canadians, that renewal must begin with our longest lasting partnership. Our government is as determined to address historical injustice and racism born of colonialism, as we are determined to root out and expose racism today. Canadians have seen all too clearly during this difficult, tense time that racism, both systemic and societal, continues to be all too present in our country. The death of Joyce Echaquan has shown us this horrible truth.

Once we know the truth, we cannot unknow it. June Callwood said that if someone is an observer of an injustice, that person is indeed a participant. All of us need to identify racism in all its forms and then speak up, call it out and be part of the concrete changes that will stop it. It must not and will not be tolerated.

The Government of Canada remains fully committed to supporting the Mi'kmaq right to fish and to maintain a moderate livelihood. We will continue to engage in constructive dialogues with the Nova Scotia chiefs to implement these rights. I am working closely with my colleague, the hon. Minister of Fisheries, Oceans and the Canadian Coast Guard, toward a peaceful resolution and the advancement of Mi'kmaq rights.

The Mi'kmaq leadership is inspiring. I am confident that we will be able to find a path forward together that affirms their right to fish and creates certainty so that the Mi'kmaq people are able to live with dignity and security, free from violence. A timely and peaceful resolution will make Nova Scotia and Canada stronger and fairer. We will all win.

• (2115)

**Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC):** Madam Speaker, I would suggest that the minister is forgetting that the government has the responsibility and the ability to be out there resolving this issue. I know in past crises, ministers have hopped on planes and put their energy and focus into getting a negotiated solution, and getting it done now.

Therefore, why is the minister sitting in her home talking to Parliament tonight instead of being in Nova Scotia, saying they are not going to leave and will go through sleepless nights until they have a resolution and have de-escalated the situation?

**Hon. Carolyn Bennett:** I would like to advise the hon. member that we are in the midst of a pandemic. I have not been on a plane since March. I have been conducting my business from here and from Ottawa throughout this time. We have had very successful negotiations, including the signing of the agreement with the Wet'suwet'en, here from my home.

The member needs to understand about the Atlantic bubble and its 14 days of self-isolation. It is really ridiculous, actually, for the member to speak like that in the middle of a pandemic, when we are trying to be able to do real work at a distance, together while apart, as we fight the pandemic, put Canadians first and only do the kinds of urgent visits that do not put ourselves, our families and our communities at risk.

• (2120)

[Translation]

**Mrs. Marilène Gill (Manicouagan, BQ):** Madam Speaker, I thank the hon. minister for her presentation.

I will paint a picture because there has been a lot of talk about reconciliation and we are getting lost in the details. We agree on the fact that we are at least 150 years behind and I am not even talking about the Indian Act, which sets us back even further. That legislation is absolutely racist and when we talk about systemic racism, we are talking about the Indian Act.

That being said, I would like to ask the minister a question while we are talking about lagging behind.

Today, at the Standing Committee on Fisheries and Oceans, we were talking about the Mi'kmaq and Maliseet peoples. I agree that this is urgent, but there are 634 first nations in Canada and we are negotiating fishing rights on a case-by-case basis.

I would like to know what the minister's timeline is when it comes to all these urgent requests for all the indigenous communities in Canada.

**Hon. Carolyn Bennett:** Madam Speaker, I thank the hon. member for her extremely important question.

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The Indian Act is truly a vestige of colonial policies. It is very important to me and our government that every indigenous community is freed from the Indian Act. Currently, half of the communities are at the table and are part of the discussions on their self-determination, with their priorities, in a more flexible—

[English]

**Ms. Leah Gazan (Winnipeg Centre, NDP):** Madam Speaker, the member across the way spoke a lot about systemic racism. Unfortunately we have yet another example of the government's systemic racism: its failure to uphold its constitutional duty to ensure the rule of law was applied and to take the necessary actions to protect the Mi'kmaq fishers from experiencing acts of domestic racism.

The Mi'kmaq are experiencing their constitutionally recognized right to fish being violated, and the federal government continues to watch. The violence is a direct result of the government's failure to negotiate a definition of "moderate livelihood", which has led to the Mi'kmaq having to self-regulate a fishery that in fact honours and supports the practice of conservation. They currently have less than 1% of the traps being used to date.

Instead of talking about this nation-to-nation relationship that the current government claims is so important to it, when will it stop stalling and immediately begin to negotiate with the Mi'kmaq, give clear directions to the RCMP and Department of Fisheries and Oceans to support a swift end to these acts of violence and—

**The Assistant Deputy Speaker (Mrs. Alexandra Mendès):** The hon. minister has the floor.

**Hon. Carolyn Bennett:** Madam Speaker, I really do think the member knows the government does not direct the RCMP to do anything. This is about protecting populations and maintaining the law as peace officers, hopefully.

I want to reassure the member that the fish plants being put forward are based on science and conservation. I believe the Mi'kmaq people really do want to be able to regulate a fishery in a way that is in keeping with their customs and that they have the right to do that. The conversations going on with the assembly of Mi'kmaq chiefs is—

**The Assistant Deputy Speaker (Mrs. Alexandra Mendès):** I am sorry, but we have to resume debate.

The hon. member for Sydney—Victoria has the floor.

**Mr. Jaime Battiste (Sydney—Victoria, Lib.):** Madam Speaker, I am joining the House today from the Eskasoni community, the Mi'kmaq community, the largest Mi'kmaq first nation in the heart of Mi'kma'ki, on the unceded territory of the Mi'kmaq. I rise today as the lone Mi'kmaq MP in the House, the only MP of Mi'kmaq descent this House has ever known, but also as someone who is part of a large fishing community. I told constituents that I would always look for collaborative solutions to the challenges we face in Canada. I have spoken to many stakeholders over the past month: Mi'kmaq fishermen, Mi'kmaq leaders and fishing associations, and the RCMP. I believe in my heart that there is room for all of us, and that we, together, can move forward.

Before I address the solutions that I would like to put forward, I would like to share a little about how we have come to this escalation.

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Mi'kmaq values are ingrained in our language. *Netukulimk* tells us that in the Mi'kmaq world view, we are connected to our environment, not above it. Chief Seattle, who is not a Mi'kmaq, said it best: "Man did not weave the web of life—he is merely a strand in it. Whatever he does to the web, he does to himself."

With this in mind, I want to give a little treaty history. In 1605, our grand chief of the Mi'kmaq grand council, Henri Membertou, on the shores of Port-Royal in the southwest Nova Scotia area, welcomed French newcomers, took them under his wing and showed them how to survive in the area. This created a great friendship between the Mi'kmaq and the French. It was so great that in 1755, when the Acadians were being expelled, the Mi'kmaq hid them. The Lieutenant Governor of Nova Scotia, Arthur LeBlanc, told me a beautiful story about how his family was saved by the Mi'kmaq.

The Covenant Chain of Treaties within the Mi'kma'ki, from 1725 to 1778, began a process whereby the British Crown began negotiating with the Mi'kmaq. Early treaties between the Mi'kmaq and the Crown were based on peace, friendship and trade. The common misconception is that the Mi'kmaq gave away resources or surrendered resources. The Mi'kmaq were a fighting force. I want to quote a part of Donald Marshall's case, from 1999. It said, "It should be pointed out that the Mi'kmaq were a considerable fighting force in the 18th century. Not only were their raiding parties effective on land, Mi'kmaq were accomplished sailors."

Subsection 35(1) of the Constitution Act, 1982, says:

(1) The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.

That, together with the section 52 supremacy clause, means that aboriginal and treaty rights are the supreme law of Canada once recognized.

In 1985, the 1752 treaty was recognized in the Simon case, where it is said, "The Treaty was an exchange to solemn promises entered into to achieve and guarantee peace. It is an enforceable obligation between the Indians and the white man". That is their language, not mine.

Then we have the Marshall decision in 1999. I have heard members of the opposition quote one section of the clarification, instead of looking at all of the Mi'kmaq case law combined, and all of the case law in Canada. It is true that the Mi'kmaq were granted a moderate livelihood, not once but twice, in 1999. Today, the Mi'kmaq are asking for a right that they have always had. It was not created in 1999. In 1999, the court said that the right had existed the whole time. Mi'kmaq are not looking for reparations or revenge, but rather reconciliation, and this shows our commitment to the country and our allies. I want to remind people that the Supreme Court of Canada recognized that moderate livelihood not once but twice.

I have also heard a conversation about regulation in the fisheries. I want to be very clear that the Mi'kmaq right is constitutional in nature. That means it is the supreme law of Canada. The only way to infringe a treaty right is through conservation or safety. The 2005 Mikisew Cree First Nation case stated that before going to conservation or safety, we have to show that the honour of the Crown has been met in a negotiation or in any infringement that takes place.

Any infringement must be compensated, and that has never happened to this day.

• (2125)

Where are we today? What have we learned since 1999? Have we learned anything from the Burnt Church crisis? I remember watching the Burnt Church crisis as a young man, and I never thought that today we would have two Mi'kmaq senators appointed in the past five years, as well as a Mi'kmaq MP.

During this first escalation, which did not happen last week but in mid-September, I went to Saulnierville with the Grand Keptin of the Mi'kmaq Nation, Andrew Denny, the political spokesman of the Mi'kmaq Grand Council, which represents the seven districts of Mi'kma'ki. We talked to the Mi'kmaq fishermen, we talked to the RCMP and we talked to the community. What we saw was a perfect storm of frustration that has led us to where we are today.

We have seen 20 years of frustration through the non-implementation of the Marshall decision for sure, but we have also seen a really bad fishing season as a result of COVID, during which fishermen did not make what they usually make. Also, the Mi'kmaq who had traditionally gone down to the United States to be part of the blueberry harvest in Maine were not given the opportunity to make money there this year.

I reached out to the Mi'kmaq senators and said that I believe we have the ability, as Mi'kmaq, to talk and figure out how we can move forward to find solutions. In a thorough discussion with not only ministers of our government but also people within the fisheries association and Mi'kmaq fishermen, we heard loud and clear from the chiefs that this is not a dispute about money and jobs and it is not a right they want to sell. It is a right they want to pass down to generations. It is about culture; it is about knowledge. What we heard is that the rights are not for sale and extinguishment, at any price, is not acceptable.

Therefore, what is the way forward? The Mi'kmaq have created great success, national success in fact. They have the highest graduation rate of any nation out there, at 90%, despite having a deplorable rate of children in poverty. The reason is that they have the ability to control their own jurisdiction in education. When Mi'kmaq hold each other accountable and Mi'kmaq have jurisdiction, they succeed.

When we were looking at ways forward, the senators and I said that we needed to come up with principles moving forward. The first is sustainability for the future, or *Netukulimk*, which I talked about. We also need to look at implementation, not infringement or extinguishment of any right. We heard from the fisheries industry that there is fear out there, so we need to look at total transparency of the fisheries and work on a model that creates economic growth for Mi'kmaq and Maliseet in fisheries within the Atlantic. To me, it is hard to look those in my community in the eye when the rate of children in poverty is 75% in my community despite their having a right to earn a moderate livelihood.

We feel that these solutions are the best way forward, but I have heard questions in a lot of conversations so far: Why has this government not done more in five years? Why has this government not done it in 20 years? One of the biggest reasons is that people are not aware of the treaty rights. People are not aware of the treaty litigation that has been taking place. I was a treaty education lead for Nova Scotia before I ran for election. I remember something Nelson Mandela stated. He said, "Education is the most powerful weapon which you can use to change the world." Creating awareness of treaties and indigenous history is key to moving forward. I believed this in my prior role in treaty education lead in Nova Scotia and I believe it today, but I also believe that the failures of one generation are the opportunities of the next.

I am really proud to be standing here tonight, for the first time hearing debates about the Mi'kmaq fisheries, to join members as a Mi'kmaq member of Parliament. I am proud and thankful that members are taking part in this debate. I wanted to not only give them a chance to share in the history, but also give them opportunities to talk solutions. I know we all, at times, curse in the darkness, but I want to be the MP who tries to light the candle.

• (2130)

**Mr. Eric Melillo (Kenora, CPC):** Madam Speaker, I thank my colleague for his important insight.

We have witnessed recently the terrible acts of violence in Nova Scotia and the RCMP has been involvement. Now people are asking the military to get involved. Many members on this side of the House want to know what it is going to take for the government to get involved to ensure there is a peaceful solution right now and in the longer term as well.

• (2135)

**Mr. Jaime Battiste:** Madam Speaker, one of the things we have to understand is that the Mi'kmaq have been governing and policing themselves for a very long time. I have talked to the minister about this. We said that we would increase the police presence there. We have had this conversation.

With respect to the military, one of the things that Mi'kmaq leaders are quite afraid of is having an increased presence of military in that area. One of them jokingly said to me, "When they call in the cavalry, it is not usually good news for the Indians" or indigenous people.

We have to understand that there is systemic racism in all levels of government and while we want the RCMP and police keepers,

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what we really want to see is more Mi'kmaq police keepers, peacekeepers and RCMP people to help protect.

[*Translation*]

**Mrs. Marilène Gill (Manicouagan, BQ):** Madam Speaker, I would like to thank my hon. colleague for his speech. I have a great deal of respect for the work he does and I am also pleased that he represents the Mi'kmaq community.

I have a question for the member. After talking about Nelson Mandela, he mentioned that he wanted to be positive and light the candle for first nations. I would like to hear his thoughts on the scope of the debate we are having right now. This is an emergency debate on fishing rights, but in my humble opinion, it is about much more than that. Earlier I talked about the Indian Act and the systemic racism that is inherent in the colonial system. I would like to hear his thoughts on that.

The issue we are addressing here is perhaps a tiny part of what we should be working on, that is, all federal laws that oppress first nations to one degree or another. Of course I will leave it up to first nations to express this in their own words.

[*English*]

**Mr. Jaime Battiste:** Madam Speaker, the Truth and Reconciliation Commission was really clear. It said that what had happened in Canada had been cultural genocide. While we can say that the federal government is to blame, there is plenty of blame in Canada to go around for all levels of government in denying indigenous people their rights in Canada.

I am proud to stand with our government. It has said that that it will take the steps forward to implement UNDRIP and ensure that legislation is brought in before the end of the year. As my father was one of the co-writers of UNDRIP, I look forward to that being a building block in moving forward, instead of the colonial policies of the past.

**Mr. Gord Johns (Courtenay—Alberni, NDP):** Madam Speaker, I thank my colleague for his work at committee.

In light of what we have seen, the assaults, the attack on property, the intimidation, the dangers that the Mi'kmaq fishers have endured and the Sipekne'katik First Nation and its people have endured, was the member horrified by the delay in the response from the federal government and its inaction? We knew weeks ago that this could happen. I am surprised that a life has not been lost due to the lack of immediate support from Ottawa.

Does the member agree that the Government of Canada needs to step in and do much more, not just in the immediate but when the fishery opens on November 1 in that area, and delivering a mandate to negotiate properly so they can assert their right?

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**Mr. Jaime Battiste:** Madam Speaker, I was absolutely horrified by what I was seeing there, but as a member of Parliament who had the ability to travel there, I wanted to see it for myself and talk to the people themselves. I have always said that I would be the one who would go there to listen and hear them. While the member can talk about federal inaction, I am a part of that federal government, the Liberal government. I was there looking for solutions and talking with my ministers the whole way.

A lot of the discussions that most people are not privy to have been ongoing with our government. I know I have not quite been a member of Parliament a year, but this is important to me. I want all my colleagues to be allies in moving forward on how we can solve years and years, if not centuries, of reconciliation on which we need to move forward. I ask colleagues to help me as a Mi'kmaq and to help us by ensuring they are part of the solution as well.

● (2140)

**Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC):** Madam Speaker, I will be sharing my time with the member for Tobique—Mactaquac.

Like many, I have become increasingly concerned over the last couple of weeks as we watched the escalating dispute and violence in Nova Scotia. As members may be aware, the Crown signed peace and friendship treaties in 1760 and 1761, and this of course included a right to fish, hunt and gather in pursuit of a moderate livelihood. These rights were affirmed by the Supreme Court in the Marshall decision of 1999, and there was further clarification on November 17, 1999, that this right was not unlimited and regulations could be introduced if it was justified for conservation or other important objectives.

It is important to note that history, and I know many have repeated it. This is a right that has been around for many long years and has been reaffirmed. The Sipekne'katik fishers in southwestern Nova Scotia launched a moderate livelihood fishery last month and protestors were concerned about this. Protests have become increasingly violent, with tensions rising. We have all been witness to some very dramatic footage over the last few days in particular, and of course we are very concerned.

This current dispute is a failure of the Crown, and in this case the Liberal government, which had promised to do better. Five years ago the Liberals were elected and had a majority government. They promised to do better. I have been in conversation with the member for West Nova for many weeks, knowing he has been very concerned and has been calling for serious action.

What do we have instead of serious action? We have four ministers taking the unprecedented step of calling for an emergency debate. Do they not realize that they are government? They have the ability to resolve this crisis and they have the responsibility to be on plane, rather than being in the House. Lives and livelihoods are at risk and they matter.

The minister has said there is a pandemic. The intergovernmental affairs minister can have an exemption to do a meet-and-greet with the new Premier of Newfoundland and Labrador. I would suggest this is much more important. Not everything can be done by Zoom. Sometimes people have to be there and put that energy and time in-

to saying that this is going to be resolved. They have to put some urgency to it. Let us not just talk about it in the House. The government is asking for a domestic debate on an issue it has the ability to resolve.

Canada must fulfill its obligation under the Marshall decision and a negotiation around what a moderate livelihood means is probably one of the important steps. The Minister of Public Safety must ensure Nova Scotia has the resources it requests to effectively manage the escalating tensions, fully investigate criminal activity and keep everyone safe.

We all know Canadians have a right to peacefully demonstrate or protest. That is constitutionally protected. However, we are also a country of rule of law and those laws must be respected. Anyone who has crossed the boundary from peaceful protest to criminal activity must be held to full account.

Failed policies and unfinished business of successive generations truly is our shame and the results for indigenous people across Canada have been catastrophic for too many. We must do better. With realizations and court decisions, there is an understanding from Canadians from coast to coast to coast that we have much work to do toward reconciliation. Since the Truth and Reconciliation Commission, I have seen a real understanding from Canadians that we must do better.

As we are working toward reconciliation and correcting the injustices of the past, we cannot create new injustices. The government needs to have a process that includes third parties in the conversation.

● (2145)

I will go back to the treaty process in British Columbia in the 1990s. It was a very flawed process, but one of the things they did right was that they had five tables of people who had a special interest. Whether it was hunting and fishing or other areas, they had a special interest in terms of what was at the table. They created a win-win-win as opposed to a win-lose.

That is certainly something that the government has not done. The Liberals go out to meet with the Wet'suwet'en and they do not bother to include the elected chiefs in the conversation. There are many examples where their failure to have a conversation with third parties, to let them know what was happening, why it was happening and perhaps seek some advice, has been to the detriment of communities that have worked and lived side-by-side for generations. Certainly I am very concerned with the current government's failure. In the past, there was a Liberal government that had a better process.

The conversation tonight is very difficult and is very concerning. As I go about my work, there is something that I am very proud of and that I reflect upon often. It was that some of the first nation communities, when I was first elected, had me read something called the “Memorial to Sir Wilfrid Laurier”. This was in the early 1900s, but the sentiment is something that we all need to look at. In B.C., we did not have treaties. There were many unresolved issues and they went to the government at the time. Some of the words that stand out in my memory are to the effect that:

We have no grudge against...the settlers, but we want to have an equal chance with them of making a living.... It is not in most cases their fault.

They have taken up and improved and paid for their lands in good faith.

There was very clearly a recognition that it was not the people living side-by-side in communities; it was the government that had been the failure. The other piece that stands out very importantly in these comments is that, when the white settlers arrived, it was said:

...These people wish to be partners with us in our country. We must, therefore, be the same as brothers to them, and live as one family.... What is ours will be theirs, and what is theirs will be ours. We will help each other to be great and good.

If we look at those sentiments, we know that government has important work that it must do. We need to be great and good together, and that is only going to be through sitting down at the table, having those difficult conversations and coming to a resolution.

**Mr. Arif Virani (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.):** Madam Speaker, it is 9:47 p.m. in Toronto and there is not a large fishing community here, but I am participating because my constituents have rightfully expressed that they are horrified at the violence they have seen and the systemic racism displayed.

I have two clarification points to put to the member opposite. First, as a government, we have participated in other emergency debates, such as climate action, which we initiated. Second, the inter-governmental affairs minister is a member of the Atlantic bubble.

However, that aside, what I wanted to ask the member, based on her experience in indigenous relations, is whether she believes a top-down method would be appropriate here. Clearly, on our side of the House, we think it would not be.

The member for Sydney—Victoria eloquently raised the idea that we need an indigenous-oriented solution. The education example was raised by him and is one that has very readily prospered in Nova Scotia. When indigenous people took control of their own education, it showed great results.

Would the same apply here in the context of policing, in terms of keeping the peace and law and order and having more indigenous involvement in policing, so that we can rectify some of the scenes that we have seen that have rightfully disturbed so many of us?

**Mrs. Cathy McLeod:** Madam Speaker, a top-down approach is absolutely not negotiation. Negotiation is a conversation. It is being at the table. I am someone from British Columbia who has travelled back and forth to Ottawa a number of times. Yes, we have a pandemic, but we also have critical work that we have to get done. My colleague from West Nova just finished his isolation period after spending time. Yes, there is a bubble, but sometimes we have to be

there. We have to have the hard conversations face to face. We have to say we are going to get this job done.

No, it is not top-down, but it is negotiation and it is conversation. It is making sure that we have found a way for everyone to contribute to the discussion, so we get to the win-win-win instead of the win-lose.

• (2150)

[*Translation*]

**Mr. Mario Simard (Jonquière, BQ):** Madam Speaker, many people tonight have noted that successive governments have dragged their feet. The Marshall decision dates back to 1999.

Maintaining a dialogue with indigenous peoples is a good thing, a necessary one. However, the solution here, and what indigenous nations have been asking for, is recognition. This recognition is achieved through self-government. No Liberal or Conservative government has ever wanted to give indigenous peoples this autonomy. Why is that?

It often feels as though Canada has a hard time recognizing the political autonomy of nations, and this includes the Quebec nation. What does my colleague think about that?

[*English*]

**Mrs. Cathy McLeod:** Madam Speaker, I would suggest, and I did make comments in my remarks, that there have been successive failures, since Confederation, of governments in terms of doing the right thing. The Truth and Reconciliation Commission, which a Conservative government spearheaded, was an important step. The awareness of Canadians across the country is only increasing, in terms of what the unfinished business is and what the tragic impacts have been of not doing the right thing. Therefore, I think certainly there is more positive movement in the last number of years than there has been in a long time.

**Ms. Heather McPherson (Edmonton Strathcona, NDP):** Madam Speaker, I will say that I agree with the member. Do the Liberals not understand that they can actually fix this, that they are the government and that they can make these changes? The one thing that I have found in my one year of being a member of Parliament is that I come to the House and I listen to the Conservatives blame the Liberals and the Liberals blame the Conservatives. Frankly it has been 21 years that we have been waiting for there to be action on this.

Could the member please tell me why indigenous people should trust anything that the Conservatives say any more than what the Liberals say?

**Mrs. Cathy McLeod:** Madam Speaker, within my remarks I talked about a history that no one should be proud of, in terms of the unfinished business. There were certainly some really positive examples in the last Parliament of great goodwill as we worked in partnership, in terms of the child welfare legislation and the indigenous language legislation. Certainly, when we were government, there were matrimonial real property rights. There is example after example. When I said, “in the last number of years”, I want to remain optimistic. I want to look at those words that I quoted at the end of my speech and hope that we are headed in the right direction.

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**Mr. Richard Bragdon (Tobique—Mactaquac, CPC):** Madam Speaker, let me start by saying that the indigenous right to fish is without question and has been firmly established. As a member previously mentioned, all acts of violence and arson are wrong. They are a crime and must be dealt with by the proper authorities. The safety of all Canadians must be the priority of any government.

I also concur with the hon. member for West Nova when he clearly stated that these violent acts were wrong, as we have seen. They do not reflect in any way on the overwhelming majority of the good people of West Nova, who are hard-working, good members of their communities, residents and citizens of Canada.

We find ourselves here today debating this issue because of the inaction of the minister and the Liberal government. For weeks and months now, they have failed to act as tensions continue to rise in southwestern Nova Scotia. I have personally witnessed the hon. member for West Nova plead on behalf of the residents of southwest Nova and ask the government to intervene, be part of a solution and take action. It is because of the minister's and the government's lack of action and their failure to take the necessary steps to find a peaceful resolution that we find ourselves in a place where neighbour has been pitted against neighbour and tensions have been rising.

When government should be stepping in and meeting with all stakeholders and community groups that have a part in this to come to a resolution and lower the temperature, the government has chosen the path of the politics of inaction, delay, defer and sometimes dither. This instead has added fuel to an ever-growing flame. The Liberal premier of Nova Scotia, just the other day said he was extremely disappointed by the federal response. He also added that this is only going to get more entrenched, and they need to be in the same room so everyone knows what each other is saying.

The rights of indigenous people are without question and firmly established. What is lacking is proper clarity from the government and proper consultation that incorporates representatives from all interested parties, including both indigenous and non-indigenous fish harvesters, local community leaders, union representatives and local authorities. There will be no true reconciliation until there is meaningful dialogue and understanding among all affected parties. True reconciliation cannot be achieved if whole communities and interested parties are isolated from the process. It is time that we sat down together. There is no path forward until we first sit together.

I echo the comments of my colleague from Kamloops—Thompson—Cariboo. She pointed out quite clearly that there has not been a sense of urgency around this. When government ministers should have been getting to the scene, engaging all of those who are directly affected and making sure we come to a peaceful solution, they delayed. They waited. They held back and there has been limited consultation and limited discussions. The dialogue has been far less than what any of us would have anticipated at this point.

Any decision regarding this, as the hon. member for Malpeque pointed out earlier in the discussion this evening, must have conservation top of mind and as a key part of this discussion. We need to make sure that there is going to be plenty of stock, lots of lobster and fish, in the sea for all to enjoy, both indigenous and non-indigenous, for many generations to come. The minister and her Liberal

colleagues have repeated tonight, and throughout the last few days, how important conservation is in many of their discussions, yet we had the opportunity to discuss this today at the Standing Committee on Fisheries and Oceans.

● (2155)

Even in those deliberations, when we brought forward an amendment to study the fisheries crisis and the issues that we are facing today, all of us on the opposition side voted for it to make sure that conservation was part of that consideration, but members on the governing side opposed that amendment and stood in the way of it. I do not think we can have a meaningful discussion about this without obviously making sure that conservation is part of that discussion and study.

Even though these are heavy times, and we are in the midst of facing a crisis that none of us want to see, all Canadians want to come together, find reconciliation and get to the future. I think it comes down to whether or not we are going to have a proactive type of leadership or reactive style of leadership. Right now, we find ourselves in a reactive place or state of leadership, rather than being proactive from the beginning, recognizing that tensions were escalating long ago and now working towards a solution.

There is so much potential within the fisheries. There is so much potential within the blue economy for Canada. We can realize that potential for both indigenous and non-indigenous fishers if we will sit at the table, come to a solution and work towards true reconciliation at this moment.

Just this past week, I had the privilege of being in Prince Edward Island. I met with some local fish harvesters and heard about the potential of the blue economy, of what it could be if there were some strategic investment in marine infrastructure, and of what it would mean to the local communities and to our region here in Atlantic Canada. Instead, we find ourselves in crisis mode with all the emphasis, understandably, on this situation to find a resolution.

I have been reflecting a lot on this. As I heard very compelling testimony from all sides of the House, I found myself reflecting on an old story, an ancient one that goes back many years, and I am sure this story is familiar to some.

This is the story of a wise old fisherman, the master fisherman as it were, who stood on the seashore one day. There were some fishermen who had fished all night out in a boat but had not caught any fish. The master fisherman looked at them and said, "Why don't you try again and let down your nets?" Of course, the fishermen said, "We fished all night and caught nothing. Nevertheless, you are the master fisherman, and at your word, we will do it." So they went out and threw their nets out again, and they caught a tremendous amount of fish. In fact, they caught so many fish that their nets began to break and they had to call other fishermen and other boats to come over and help with the great harvest.



What stood out to me as I reflected on that story is that the challenge that the master fisherman gave to those seasoned, experienced fishermen who had been trying all night but had caught nothing was to try where they just had failed. He knew that they had fished all night and did not get results, but he told them to go once again and try where they had once failed. Of course, when they did that, they got a great harvest.

Perhaps there is a lesson here. I know for generations we have not done well with reconciliation. We have not gotten it right, and various governments of various stripes all have ownership of that, but we have an opportunity in this moment to get it right. Perhaps we need to listen to the words of the master teacher, the master fisherman who said, “Try again one more time.” If we try again one more time with the right heart, the right motive, and with all key stakeholders at the table, I have a feeling that just maybe we can get it right this time. We can embrace a blue economy, which has tremendous potential for Canada, for both the non-indigenous and indigenous fishers and harvesters who are out there.

• (2200)

**Mr. Jaime Battiste (Sydney—Victoria, Lib.):** Madam Speaker, I am glad my colleague brought up the fisheries committee today, but it appears as though he framed it as government members were not supporting conservation. However, within that same motion, which I introduced and amended, we stated that we would be talking to indigenous knowledge holders and scientists, both Mi'kmaq and non-Mi'kmaq.

I wonder if, by his statement, he is saying that indigenous knowledge holders and Mi'kmaq scientists do not understand or do not believe in conservation and are unfit to address it.

• (2205)

**Mr. Richard Bragdon:** Madam Speaker, I appreciated hearing the hon. member's insights throughout this discussion.

I want to assure my colleagues that, absolutely, indigenous people have much to offer and care very much about the conservation of the species and the industry, as well as making sure there are lobster and fish in our oceans and plenty of support for all fishers and fish harvesters, whether they be indigenous or non-indigenous. In fact, we felt it was important that that word be a part of the motion that was brought forward today. We included it and are thankful to have had support from other opposition parties.

What is important to realize is that we are once again at this place because there has not been a proactive approach by the current government to get to a resolution and make sure that all interested parties are at the table. There has not been a sense of urgency until now. We need to make sure that all stakeholders are part of this. Conservation is a part of that discussion.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe (Lac-Saint-Jean, BQ):** Madam Speaker, I thank my colleague from Tobique—Mactaquac. I really enjoyed his speech.

Two things caught my attention. The first was his story. I love stories, and I thought it was a really good story that put things in perspective. I also noted that he used the terms “reactive” and

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“proactive” and stated that the government is reactive rather than proactive. I could not agree more.

This was evident during the rail crisis in January and February, when we saw how the government acted when dealing with the Wet'suwet'en people. The government took its time before meeting with them. Once again, I am wondering if this is part of the culture of the federal government. People in the federal government are not used to dealing with first nations on a nation-to-nation basis.

I would like to give a short history lesson. On March 17, 1985, René Lévesque was the very first premier in Canada to recognize the first nations. It took a sovereignist to do this. He officially and expressly recognized the first nations.

We are still facing the same problem. I think that the problem is cultural. I would like to hear what my colleague thinks about that. Earlier, his Conservative leader was lecturing the Liberals and saying that they have been in office for the past five years and that they have not done anything. However, the government that was in power just before the Liberals was there for 10 years and it was a Conservative government.

Is it possible that the problem is with federal government culture?

[*English*]

**Mr. Richard Bragdon:** Madam Speaker, I concur that successive governments of various stripes and at all levels have not gotten it right many, many times as it pertains to reconciliation with indigenous peoples. We all bear responsibility for that.

I think what is important is that, although we cannot undo the mistakes or errors of the past, we can make a difference going forward. Part of making that difference going forward is being proactive, as I discussed in my speech. Right now we can start not only talking to the peril we face currently, but also speaking to the potential that the fishing and marine sector has within Canada for both indigenous and non-indigenous peoples. I believe that we can experience tremendous opportunities for growth and financial prosperity for many, many Canadians, irregardless of whether they are indigenous or non-indigenous.

We need to start speaking to that potential and get beyond this crisis. The way to get beyond this crisis is to make sure that all key stakeholders and all interested communities are at the table.

**Ms. Lenore Zann (Cumberland—Colchester, Lib.):** Madam Speaker, sitting here in the unceded territory of the Mi'kmaq in Truro, Nova Scotia, I have to say my heart is heavy, yet I have hope that through discussions, we are going to move forward and help the Mi'kmaq of Nova Scotia get their treaty rights upheld without all the issues happening now, without the racist attacks and without any of the hurt that is being done to them.

*S. O. 52*

As a member of Parliament and as a friend to many Mi'kmaq people, it has hurt me to the quick to watch the videos from last Tuesday. I have stayed up all night talking with friends who are on the ground and witnessing it. They are showing videos, seeing people screaming, hurdling obscenities at the first nations peoples telling them to pack up their tents and go back to where they came from. These are not productive ways to work together with anybody.

Sadly, here in Nova Scotia, racism is very old and the roots are very deep. It is not just the Mi'kmaq people, but also the Black people in Nova Scotia have also suffered greatly. To be honest, the Acadians have suffered, as well. Indigenous peoples here have faced systemic racism and discrimination. We need to change this and that is what our government is determined to do.

The Crown, we have to say, has previously prevented a true equal partnership from developing with indigenous people and instead, imposing a relationship based on colonial ways of thinking and doing on paternalism, control and dominance. This has to change.

The current situation in Nova Scotia is very, very difficult for everyone. Canadians have watched with growing horror what I have been watching and what my friend from Sydney—Victoria has also been watching. We are horrified. Some people call it a lobster fishery dispute, but the Mi'kmaq call it the survival of a nation. We are all concerned for the safety of the Mi'kmaq, the fishermen and for all Nova Scotians.

It has also been said, and I think it is important to repeat, that there is no place for the threats, intimidation, violence or vandalism that we have witnessed in south-west Nova Scotia. Respectful and constructive dialogue is essential to the path forward. There was a wonderful—

• (2210)

**The Assistant Deputy Speaker (Mrs. Alexandra Mendès):** Just a moment, we have a point of order.

The hon. parliamentary secretary.

**Mr. Chris Bittle:** Madam Speaker, it is getting a little late, but if you canvass the member, I believe she meant to split her time.

**Ms. Lenore Zann:** Madam Speaker, I would like to share my time with the member for Kings—Hants.

Chief Terrance Paul stated, in September of this year, “We are not taking anything away from others. We're just trying to get back what was taken from us.” I think this is at the crux of what is going on now. Twenty years ago, the Marshall decision reaffirmed the treaty right of the Mi'kmaq people to fish in pursuit of a moderate livelihood, and dialogue has been part of how we are working toward its implementation and we must continue the dialogue. That dialogue, I know, has been ongoing for the last several weeks because I have been in meetings with the chiefs and I am aware of what is going on. It is time. It should have happened a long time ago, but there is no better time than the present to redress the wrongs of the past and the time is now.

Our commitment to redefine the relationship between the Crown and indigenous peoples was underscored in the Speech from the

Throne. One of the core pillars of the new legislative agenda is walking the road of reconciliation, and that means combatting discrimination and working toward a better relationship and partnership with indigenous peoples and non-indigenous peoples across this country. We have a chance to create an environment that supports self-determination, self-governance and economic growth, and it must include the ceremonial and spiritual relationship that the Mi'kmaq have with fishing, hunting and gathering. Like most indigenous peoples around the world, we colonialists have much to learn from them about conservation and how to protect mother earth and her creatures.

The first nations in the Atlantic have proven time and again the power of partnership through a number of initiatives. When I say that, I am thinking about the Atlantic first nations health partnership. I am really encouraged by the strong first nations engagement in this co-management structure that is enabling them to improve first nations communities' health, and there is still much more to do.

I am equally excited by the framework agreement signed last June for an indigenous-led water authority in Atlantic Canada, the first in this country. This framework agreement is an important step toward a fully autonomous first nation-led operation of water and wastewater services.

Another great example is the Nova Scotia Mi'kmaq education system. In 1997, the governments of Canada and Nova Scotia signed an agreement with nine Mi'kmaq communities, restoring their control over their education system. At the time, fewer than a third of youth from those communities finished high school, and today more than 90% of Mi'kmaq students graduate, which is higher than the average in most provinces. This is what is born of self-governance and self-determination. We must build on this renewed relationship between the Crown and indigenous peoples and address past wrongs.

A recent example is the recognition of the Shubenacadie residential school site in Nova Scotia as a national historic site. Recognizing these schools and the experiences of former students and survivors of residential schools across Canada is important to the journey of self-healing. There was an elder here in Millbrook First Nation, Nora Bernard, who helped indigenous peoples receive recompense for this injustice, and I would like to pay my respects to her tonight.

Environmental racism is a huge problem across Canada, and I am very proud that I was able to introduce my private member's bill about that. It should be coming up for second reading soon.

Tonight, we all think of what is going on in southwest Nova Scotia, but we must remember that this is about nation-to-nation talking, dialogue. It is time. It has taken too long to happen. I am glad that it has begun and we need to get it finished. We need to have peace on the water and peace on the land, so that this dialogue can be accomplished between the Mi'kmaq and the Crown. I am glad to be part of a government that is actually, finally doing that.

• (2215)

Mi'kmaq treaties and treaty rights across Canada are so important. The indigenous peoples of Canada have been lied to and deceived so many times, and my heart breaks for what they have lived through and for all of the years of abuse, ever since colonials came to this country. I am from Australia originally, and the same thing happened there, sadly.

Sadly, if people had listened to the indigenous peoples in the beginning, they would have looked after the land much better. That is why first nations people do not take too much from one place; they take some and they give back. They honour the land, they honour the creatures and they honour nature and the seasons of nature. They honour mother earth and Turtle Island. It is our time to listen to them and learn from them how best to look after the small reserves we have, which will get fewer and fewer if we are not careful. All we have to do is look across the world and see all the wildfires that are happening because man has not heeded the way things should be, and looked after the land and the water the way that we should.

The Government of Canada hopes to achieve what we began along the path of reconciliation, and we plan to introduce UNDRIP. I am looking forward to that. We committed to a renewed nation-to-nation, Inuit-to-Crown, government-to-government process with indigenous peoples across Canada to make real progress on the issues that are most important to them. We have already started down this path and we will keep walking together. It is in my heart and it is in my mind, and I pledge that I will do everything that I can as a member of Parliament to make sure that this happens.

*Wela'lloq.*

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Madam Speaker, I know that the member has genuine passion for this topic, but at the same time I got the sense listening to her as if she was not a member of the government, because she was speaking about all sorts of things that the government should be doing about reconciliation. The Liberals have been in power for five years. They have been missing in action on the situation in Nova Scotia for months, but this year has been a year of multiple flash-points, in terms of Crown-indigenous relations. Five years into the current government, we have had issues across the country, in terms of people being frustrated and increasing divisions, and we have seen the government put in place policies that have blocked indigenous people's desire to develop their own natural resources in the west, in the north and in eastern Canada.

I wonder if the member could speak frankly to the record and the failures of her own government, when it comes to delivering on the positive and high-minded rhetoric that we heard during the speech.

• (2220)

**Ms. Lenore Zann:** Madam Speaker, first of all, I would not call it rhetoric. I appreciate the member's first statement, that it comes from the heart and that it is a passion of mine, which it is. I was the indigenous affairs critic here in Nova Scotia in the legislature for six years before running federally, so I am very well aware of what is happening and what is not happening. I have to say that multiple governments have failed the indigenous peoples of Canada. That is why I say I am very proud to be part of this government, which is

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now actually about to redress, and is trying to redress, the issues that have been caused for a couple of centuries in the rest of Canada and 400 years in Nova Scotia.

**Mr. Gord Johns (Courtenay—Alberni, NDP):** Madam Speaker, my colleague knows the Sipekne'katik people have a management plan that has regulations. This is an assertion of their section 35 constitutional right to self-govern. We know there has been no progress on the definition or support to assert their right. Top-down answers from the government have not worked. Federally imposed studies and regulations have not worked. We have a history across Canada of continued failures and now it is time to allow indigenous peoples to exercise self-determination.

I want to hear the member's plan and I hope she is joining me in respecting the autonomy of first nations and their ability to self-determine and self-govern what a "moderate livelihood" means. These nations want to exercise their rights. They want to feed their families, and it is time to provide them with a safe space to do that without fear and to let them do the work they need to do, an unfettered right, through their strict conservation plan.

Does my colleague support that and their section 35 constitutional right, which allows them to exercise self-governance?

**Ms. Lenore Zann:** Madam Speaker, I definitely agree with my hon. colleague. He would understand that part of providing a moderate livelihood is pride in being able to provide for one's family, being able to provide a good livelihood, food, clothing and shelter. For years the Mi'kmaq of Nova Scotia and many indigenous peoples across Canada have been living in poverty. It is a disgrace and that is why I am pleased that this government is trying now to make recompense and move forward with a new agreement in place, nation to nation.

Yes, I do think self-governance is important and the Sipekne'katik people and Chief Sack are fighting for that. They are drawing a line in the sand and I stand with them. I think it is about time.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Madam Speaker, I know my friend from Cumberland—Colchester like many of us were very disturbed by how the RCMP handled and mishandled the shootings in April 2020 that started in Portapique and extended to Wentworth Valley and killed 22 people. After watching the RCMP fail to protect people in this latest controversy, I wonder if the hon. member can share if others in Nova Scotia wonder who the RCMP does protect.

**Ms. Lenore Zann:** Madam Speaker, it has been very difficult here in Cumberland—Colchester ever since the shootings. It is hard to get straight answers out of anybody.

Policing is a provincial affair. The RCMP are paid by the province. In some areas they are also paid by municipalities. For instance, here in Cumberland—Colchester they are paid by the municipality, by the county of Colchester. It is hard sometimes to find out who is telling who what to do and who is in charge—

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• (2225)

**The Assistant Deputy Speaker (Mrs. Alexandra Mendès):** I am sorry, but we will have to leave that answer for another time.

Resuming debate, the hon. member for Kings—Hants.

**Mr. Kody Blois (Kings—Hants, Lib.):** Madam Speaker, it is a privilege to join all my colleagues here today to discuss what is a very important topic for all Canadians but indeed for my constituents in Kings—Hants. I have said it before but I will say it again. I have the privilege of representing three indigenous communities in Kings—Hants: Sipekne'katik, the community at the heart of the issue we are discussing here tonight, in Saulnierville, but also Annapolis Valley First Nation and Glooscap First Nation.

Before I get too deep into my remarks, I want to start by giving some context to my colleagues, and indeed all Canadians, about my relationship and my history with the community of Sipekne'katik. I grew up in Lantz, which is about 10 minutes down the road. I know Chief Mike Sack personally. I coached his son in hockey. We had a lot of very successful years with the East Hants Penguins hockey association. I grew up with members from the Sipekne'katik community going to Hants East Rural High.

I have seen the challenges, having been to the community a number of times, on socio-economic grounds, and I know the moderate livelihood treaty right is something that is very important to this community. That is obviously well demonstrated in our conversations here tonight, but also Chief Sack and council explained to me early in my mandate of last year that this was something they wanted to be able to move forward on.

I will go next to joining those who have already condemned the violence, destruction of property, intimidation and frankly the racism we have seen. The member for West Nova, in his remarks this evening, really wanted to highlight that his community as a whole is not represented in those actions. That is an important point to make.

I had conversations with Chief Mike Sack. I had conversations with commercial fishers in my community. Many exist of course in West Nova, but I do have a commercial fishery in my riding as well. It is important to note the actions of the individuals in question do not represent the whole industry; they do not speak for the industry. It is important we focus on and denounce those who have been part of that, but also recognize that it is not necessarily indicative of the entire industry or the communities they represent.

I want to begin by also highlighting the history of where we find ourselves and why we are here tonight. It has been well canvassed of course, but the Marshall decision of September 1999 from the Supreme Court of Canada established the moderate livelihood treaty right. It said it was communal in nature but that it was provided to Mi'kmaq and Maliseet communities. Two months later, as the member for Sydney—Victoria explained, the court not only reaffirmed the moderate livelihood treaty right but provided a clarification that the Government of Canada has the ability to introduce a minimally impairing regulatory framework. Of course that has not yet been done 21 years later, and I would assert that this is at least a contributing factor to some of the tensions we have seen over the past two decades.

The aspect around minimally impairing goes back to the Badger case. The Supreme Court of Canada established in the mid-1990s that if the Government of Canada even considered impugning a constitutionally protected treaty right, it had to be minimally impairing in nature. It had to be proportional to the substantive public policy objective being achieved. The court provided conservation as one example, but left the door open for other substantive public policy objectives that the government saw as important.

After that decision, the governments from Chrétien and Martin really focused on ensuring Mi'kmaq communities had access to the commercial fishery. It is well established that there were hundreds of millions of dollars spent. I think at one point in 1999 the value of the commercial fishery for Mi'kmaq communities was about \$3 million. It now is well over \$150 million because of that initiative.

The commercial licences that were provided to Mi'kmaq communities did not impugn or infringe any of the existing treaty rights, so the moderate livelihood issue was not resolved or dealt with in those initiatives. We had the Harper government from 2006 to 2015, which had a program to provide additional capital to indigenous communities. We are partisan in the House, but I think it is objective to say that this was not a priority for that government.

From 2015 to now, we have had a government that has been very focused on trying to make reconciliation a pillar of its work. There is more to be done, as has been mentioned by other members in this House tonight.

• (2230)

In speaking with Chief Sack this morning, I would like to highlight the fact that, although there were Marshall initiative commercial licences provided to many Mi'kmaq communities across Atlantic Canada, Sipekne'katik had not signed on to those. Also, they were not part of any subsequent commercial funding to help support their community.

The question is not whether or not the moderate livelihood right exists. The key reason we are here tonight is to ask and examine how we go about implementing that right. We are 21 years past the Marshall decision and, despite the work I mentioned that has advanced the interests of indigenous communities as it relates to the fishery, we have not come any closer to understanding the clarity and context needed for indigenous communities to go about exercising that right.

I have put public statements out to try to address this issue, given the fact that indigenous communities I represent are involved in this. The clarity we are seeking is not only important for indigenous leaders in my riding of Kings—Hants, and indeed across Atlantic Canada. It is also important for commercial fishers who are trying to understand how the moderate livelihood right is going to be exercised, what types of parameters will be set and how that co-exists with the current commercial fishing industry. That clarity is important for all those involved. When we get to that point, it is going to help reduce the tensions.

There has been a lot of context and conversations about having commercial fishers at the table. I would reiterate and support the position our government has taken that this is the Government of Canada dealing directly with indigenous communities, and that those negotiations have to be direct in nature. However, I would support the idea, and I think it is important, to make sure we have commercial fishers and their representatives in the industry able to have a side table or another aspect for dialogue, to make sure we can bring parties together to try to reduce the tension we are seeing.

Simply put, last week was ugly. It was terrible to see and I know it drew the attention of Nova Scotians and Canadians, but we need to be able to find dialogue to bring down that tension. Certainly, some members in the House have discussed that tonight. That is extremely important.

The member for Sydney—Victoria also talked about options or solutions. I will highlight some of the ones I have heard, by first talking about the indigenous communities I have had the chance to speak to. I spoke to Chief Mike Sack, Chief Sid Peters and Chief Gerald Toney in the three indigenous communities I represent. There is clearly a desire to want to implement this right by using the commercial plans the communities have developed in terms of self-management plans. They have made it clear to me that this is something they desire. They understand there has to be co-operation with DFO and oversight, so the word “codevelopment” has been mentioned.

Other individuals have mentioned the ability to provide commercial licences to Mi'kmaq communities but to have those commercial licences with an autonomy for indigenous communities to sublicense those how they see fit to their community members, so that they would have the autonomy of how that resource is shared within the community. If it got to the point that the community could justify that there are more members who need the ability to access their moderate livelihood right, additional commercial licences could be provided. We heard from two Mi'kmaq senators and the member for Sydney—Victoria about the aspect of creating a separate indigenous fishing authority. That is also another option that the government could look at.

At the end of the day, the Government of Canada does have the ability to implement a regulatory framework that is minimally impairing, and I would agree with the members who have already said we do not want to promote a top-down approach. In fact, the court in Marshall made it very clear that collaboration and negotiation is the preferred approach. However, I have been asked my position on this outside of the House and the important piece is that 21 years from now, we do not want to still be discussing this issue. We need to find a framework to move forward. If that means, worst-case scenario, that the Government of Canada was to introduce a minimally impairing regulatory framework in order to be able to implement that right, that is something I support. I want to make sure that is on the record.

● (2235)

I am hopeful. Although this has been 21 years in the making, at the end of the day, I believe this is the watershed moment where the attention is on this issue. We have a government that is focused on

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wanting to implement the right and make something very positive happen. I know that will take dialogue.

I have heard a lot of comments in the House that this work needs to begin. This work has been ongoing. Sometimes it is not always visible in the public, but I know our minister has been working—

**The Deputy Speaker:** We will have to stop there. We have reached the time limit for the hon. member's remarks under the speech part of his intervention this evening.

Questions and comments, the hon. member for Bow River.

**Mr. Martin Shields (Bow River, CPC):** Mr. Speaker, one of the things we often hear in questioning is an impugning of the RCMP. I find this a challenge. The RCMP on the ground is working very hard. One of the challenges the RCMP has is how severely undermanned it is. The numbers are in the double digits across the country. I know an officer in my constituency has been waiting five years to transfer into a particular riding.

We have some challenges in the sense that this is federal. I wonder what the member would say to making indigenous police services guaranteed, not yearly ongoing funding but making them an essential service, and not blame the RCMP. It has challenges with respect to a manpower shortage.

**Mr. Kody Blois:** Mr. Speaker, I would like to address the issue of the RCMP. One of the findings that could come out of the public inquiry in Nova Scotia would be some of the challenges with respect to staffing and resource levels for the RCMP and police services in rural communities. Chief Sack spoke to me last week about his concern on the issue. I spoke to Minister Mark Furey, the attorney general of Nova Scotia, about measures that could be taken. I know he has confirmed with our federal Minister of Public Safety and additional resources are being provided.

It is a very nuanced situation. I do not pretend to understand the operational complexities of the policing on the ground, but I know those additional resources are available. I will continue to work with Chief Sack to ensure those measures are in place.

[*Translation*]

**Ms. Kristina Michaud (Avignon—La Mitis—Matane—Matapédia, BQ):** Mr. Speaker, I thank my colleague for his speech.

He and I have already talked about the situation in both his riding and mine. I commend him for his courage in speaking out for the communities that he represents, despite his government's inaction to date.

Earlier, I said that the government has not bothered to clearly define livelihood fishing and so the communities have come up with their own definition. I know that my colleague has a background in law.

I would like to know whether, from what he understands, he believes that it is legitimate for the communities to legislate on the issue under the law and the Marshall decision since the government has failed to clearly define the rules.

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[English]

**Mr. Kody Blois:** Mr. Speaker, as I have mentioned before in the House, sometimes the words that are used are that this is an illegal fisher or that it is unauthorized. The fact is that the court has established the right exists.

The Sipekne'katik in moving forward with its fishing rights is not doing anything unlawful. The parameters or any type of limitation had never been set by the Government of Canada. I am not suggesting that necessarily should happen, but we do need a framework to create certainty so the indigenous communities that I represent have the ability and understanding of how they go about exercising their right and, at the same time, commercial fishermen understand how that right coexists within the existing system.

**Ms. Heather McPherson (Edmonton Strathcona, NDP):** Mr. Speaker, I have a very simple question for my colleague and I would like a very straightforward answer if I could.

Will the Liberal government approach to the reconciliation of Mi'kmaq rights-based fishery be recognized as an indigenous regulated self-governance system that is parallel with the Government of Canada system?

● (2240)

**Mr. Kody Blois:** Mr. Speaker, I do not want to prejudice the work of the minister in terms of her negotiations with Mi'kmaq communities. I know the conversations have been beneficial and positive from what I have heard from the indigenous leaders in my riding. Right now, all options are on the table on the best way to move forward. I know indigenous communities have developed their own self-management plans.

I do not have a fishing management background and I do not have the benefit of DFO providing context. However, I do know our government is open to find a pathway forward to create the certainty that everyone is seeking.

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, the member for Kings—Hants said that he would support a side table for the commercial fishermen to have their say, and I agree with that.

I will give a bit of history. Previously, when we were talking about commercial allocations under Marshall, the commercial fishermen were at the table and they broke the impasse by suggesting one in and one out; in other words, buy a licence to give a licence in the fishery.

Does the member see that as a possibility moving forward to find solutions, whether it is a side table but at least involving the commercial fishermen?

**Mr. Kody Blois:** Mr. Speaker, I have said before in my remarks that it is important that commercial fishers have some role in trying to not only bring down the tension that we have seen, but also to be constructive with respect to partners collectively in the fishery on how we move forward. We do not want them to be isolated and it is important they have the ability to at least provide input.

The negotiation has to be direct between the Government of Canada and indigenous communities, but there is room for other collaboration outside of that.

**Mr. John Williamson (New Brunswick Southwest, CPC):** Mr. Speaker, I will be splitting my time with the member for Desnethé—Missinippi—Churchill River.

I appreciate the opportunity to participate in this emergency debate. Many of my colleagues who had the opportunity to visit Atlantic Canada, in particular, New Brunswick Southwest, know of our traditional fishing communities. All members from my region, even those who represent ridings that do not border the ocean, understand that at the core of Atlantic Canada is a sustainable fishing industry. Quotas, licences, zones and enforcement form a complex set of rules and regulations that ensure our waters can be fished for another generation and another generation after that, long into the future.

This emergency debate is entitled “Fisheries in Nova Scotia”, but in fact it impacts all of Atlantic Canada. Therefore, what is being contested here in Parliament and down east? It is not the Supreme Court of Canada's rulings. I do not believe I have heard anyone back home dispute the legitimacy of the Marshall decisions. The violence Canadians have witnessed is to be condemned. That too is agreed.

However, make no mistake, the ongoing pressure cooker we are witnessing on our east coast could have been de-escalated by Canada's fisheries minister and the federal government, specifically by adhering to the Marshall decisions and bringing affected fishing families to the table. This did not happen. Instead, fishing is happening out of season.

Fishing seasons are normally rigorously enforced by the Department of Fisheries and Oceans. However, not now, just as the regulated season is set to begin. People are confused and worried.

I do not condone the destruction of property and indigenous communities have the constitutional rights that have been spelled out by the courts. Moreover, they have the right to live safely like every other Canadian in the country, which is why we can understand both how indigenous peoples are anxious to exercise rights and how non-indigenous fisheries throughout Atlantic Canada are asking how decisions, made in a faraway capital, could impact them, their communities and their way of life. They have not received a reply.

Economist and social theorist, Thomas Sowell, once said, “The first lesson of economics is scarcity: There is never enough of anything to satisfy all those who want it.” As we know, the first lesson of politics is too often to disregard the first lesson of economics.

Too many fishing communities worry the federal government is biased against them and their way of life and will make them pay the bill for Canada's neglect of indigenous peoples.

Canada's opposition leader raised the deteriorating situation with the Prime Minister on September 18 and urged the federal government to de-escalate tensions and find a solution.

Maritime MPs could hear and see what was happening. This was true in Nova Scotia, this was true in P.E.I. and it was true in New Brunswick. Many of us raised these concerns in our caucuses and in the House, but time and time again the federal fisheries minister failed to respond.

Today, after violence, confusion and uncertainty, we have this emergency debate. This is a record of failure, not leadership.

What must we do moving forward? My Liberal colleague from Malpeque touched on this.

A necessary first step is for all members to understand the two Marshall decisions, those rights as well as responsibilities. The Supreme Court of Canada was clear that treaty rights were subject to federal regulations. The court stressed the priority of conservation and the responsibility to administer them belonged to the minister, not on indigenous or non-indigenous fishing communities.

Nova Scotia Liberal premier Stephen McNeil is also calling on the federal government to do its job. He said, “The quickest way and the best way to reduce tension is to have the federal minister and the department at the table with both sides at the same time.” He is correct.

First nations are entitled to be consulted about management on the exercise of their treaty rights, as laid out in Marshall. Similarly, Canada's fisheries minister should be discussing her vision with Canadians, including our fishing communities.

• (2245)

The fisheries minister said that she is in discussion with fishing associations. I do not believe that this is true, unless she thinks that one-way communication is dialogue, but that is not real dialogue, and it is not fair play. The minister has hired a retired DFO employee as a negotiator with 34 indigenous bands, yet no similar outreach has been made with commercial fishers.

Importantly, Canada's fisheries minister must stop relinquishing her duty of enforcement. DFO officers are highly trained and capable peace officers. The RCMP is no replacement. In fact, I believe once disputes are off the water and on the land, we have already missed the boat on solving the problem peacefully.

Atlantic Canada needs unbiased federal leadership. The government must offer that leadership while still recognizing the obligation that Canada has toward the two groups. These groups are different. Their expectations are different, but they both need to be respected.

Finally, I want to close my remarks by identifying a clear point to the government: Indigenous communities are already a part of Canada's traditionally regulated fishing communities. It started small. It is growing, but it is happening. They hold licences. They adhere to DFO guidelines, and they follow the rules. When the government works in silos to change the rules of the game, it is working to undermine the progress that has already been made.

**Mr. Brad Vis (Mission—Matsqui—Fraser Canyon, CPC):** Mr. Speaker, I would like to thank the hon. member for his very important speech and the insight he has provided as an Atlantic Canadian to tonight's discourse.

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What does the member think the minister of fisheries and oceans could do right now to get over the severe lack of leadership and the sad debate we are forced to have in this House of Commons tonight when she should be meeting with the people already?

**Mr. John Williamson:** Mr. Speaker, the most important thing the federal fisheries minister could do would be to reach out and sit down with the fishing communities throughout Atlantic Canada. It is as simple as that. Many of these families invest considerable amounts of their savings every year into the fishing industry. Those seasons are set to open, yet they are not sure how the season is going to operate

The minister should sit down with individuals and families to assure them that the federal government has their welfare as its focus as well as that of first nations.

• (2250)

**Ms. Rachel Bendayan (Parliamentary Secretary to the Minister of Small Business, Export Promotion and International Trade, Lib.):** Mr. Speaker, let me begin by saying how wonderful it is to also have as part of this debate my colleague from Sydney—Victoria, who spoke earlier and is, of course, a member of the Mi'kmaq community. How important it is to have a member of the Mi'kmaq community as part of the House, expressing the views of his people.

I do have a question for my hon. colleague, who just gave a very eloquent speech. He alluded to the fact that several indigenous fishermen are using licences, and I wonder if he is implying that, because of this, we should not be respecting the treaty rights the Supreme Court has recognized.

**Mr. John Williamson:** Mr. Speaker, no, not at all. In fact, it was the Prime Minister who earlier tonight pointed out that the steps taken by previous governments were in line with the Marshall decision. In fact, in the Marshall decision, the second ruling from the courts stipulated that the federal government, when it came to a moderate living, had an obligation to be involved to set the parameters, particularly on conservation.

The member can ask the the member for Malpeque about this. He did a report on it in the 1990s about the federal government having a duty to be involved to safeguard the industry, and the Supreme Court upheld that duty in the Marshall decisions.

**Mr. Gord Johns (Courtenay—Alberni, NDP):** Mr. Speaker, for decades we have seen Supreme Court decisions that favour indigenous rights, and we see the government ignore these rights-based decisions in the courts, which are enshrined in the constitution, or they take years to implement. As soon as a nation loses in court or its right gets diminished, there is a regulation or policy in place in weeks, but when it is a nation that wins, the government drags its feet.

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Does my colleague not see this as a problem? The Conservatives spent millions of dollars fighting indigenous fishing rights. In the Ahousaht case, it was tens of millions of dollars. Does he not respect that indigenous fishing rights are different, that they are an inherent right and privilege, and they are not the same as commercial fishing rights? I hope he will recognize that.

**Mr. John Williamson:** Mr. Speaker, in fact, I do recognize that, but I have also read both Marshall decisions, and I recognize there are limitations set on both parties. Neither side has a *carte blanche* to behave or to act as they would wish. It has to be done through negotiations.

I cannot speak to what has happened on the west coast, but I can speak to what has happened on the east coast, and the federal government has spent millions of dollars to bring first nations into the regulated fishing industry. It has not been easy, but that is the work that has been done, and today we see fishing families from different communities working side by side under the rules every year.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, it seems to me, in looking at the lobster fishery, which, of course, is a very significant industry for the region, that the large monopolistic holdings by Clearwater are a giant against a very small mouse of what first nations are allowed to fish.

I know some of the fishing is in partnership between Clearwater and Mi'kmaq fishers, but the question is this. Of the clear violation of conservation rules, the largest violations ignoring DFO restrictions to protect the lobster fishery have been those of Clearwater, and I do not see non-indigenous fishermen protesting Clearwater. I only see them protesting indigenous fishermen.

I wonder if my friend from New Brunswick Southwest has any comments on how this is allowed and how this has developed, because I know most non-indigenous fishermen are welcoming to indigenous fishermen. They want to work in partnership.

**Mr. John Williamson:** Mr. Speaker, I agree that there is room for a lot of partnership. I do take exception that the non-indigenous fishing communities want the rules maintained on owner-operator, which means the owner of the licence is the person who fishes, and this runs against the idea of a large corporate fishery.

I would urge the member to come out, after our bubble opens up, and visit us. We will take her around to meet some of the traditional fisheries from the communities. They want to hold those licences and fish them. They do not want to give them up to commercial interests.

• (2255)

**Mr. Gary Vidal (Desnethé—Missinippi—Churchill River, CPC):** Mr. Speaker, the reports of and the video showing conflict, including the burning of trucks and buildings, coming from Nova Scotia are indeed very disturbing. First nations people across Canada are justifiably angry at the actions or inaction from the Liberal government and its lack of leadership in directing the RCMP.

Let me be clear. While the government has, without question, failed to handle this crisis appropriately, violence, vandalism, assault, threats and intimidation tactics are wrong and are never justified. The safety of all Canadians must be the government's top priority. The Prime Minister and his government are not taking the

concrete actions necessary to keep all Nova Scotians safe in their communities and to peacefully resolve this situation.

Senator Murray Sinclair, the former chair of the Truth and Reconciliation Commission, had this to say yesterday, "I'm disheartened by the fact that the government's leadership—the leadership of this country—is not stepping up to the plate."

A month ago, the Leader of the Opposition raised this situation directly with the Prime Minister. He told us about that again tonight. He asked the Prime Minister to step in and de-escalate tensions, and find a solution. Chief Sack, who himself has been assaulted during these demonstrations, released a statement that the arson "illustrates the need for greater police presence in the region....I do believe with the proper police presence, however, this could have been avoided".

During Oral Questions earlier today, my colleague from Lakeland, the shadow minister for public safety, asked the minister why it took him so long to act and to ensure the safety of the Mi'kmaq people. Why did it take a very serious act of arson for the government to act? This sort of after-the-fact crisis management seems to be the only way the government deals with issues. Why is it that almost all affected groups can agree that the path forward is open and honest dialogue, yet it is the path that the government seems unwilling to take?

I agree that this situation is in fact an emergency, but the fact that the ministers in the government have requested an emergency debate perfectly sums up the government's preference for symbolic measures rather than actions. In my meetings and discussions with indigenous people I deal with, what I am hearing is that they are tired of the government's talk. They need action. Instead of debating this in Ottawa today, participating in press conferences and repeating talking points here in the House, these ministers should be on the ground in Nova Scotia, talking to the people there.

Many people have compared this situation to others earlier in the year, however, the similarities begin and end with the lack of proactive leadership. These issues have been allowed to simmer over a long period of time, with groups from all sides calling for action and leadership from the government. Instead of early actions, what consistently happens is that these simmering issues become full-blown fires that result in political talking points, finger-pointing and crisis management, rather than respectful dialogue and peaceful negotiations.



What do we see in Nova Scotia at the moment? I know I am a long ways away, but here is what I am seeing. The Minister of Fisheries, Oceans and the Canadian Coast Guard, who lives in the same province that this emergency is taking place, is now holding press conferences and calling for late-night debates in an attempt to distract from the fact that she and her government have mishandled this issue for months.

Canadians are tired of this, and they are not buying it anymore. This is not a new issue. The Liberals have now sat on the government benches for five years. As a result of their failures, we now have seen people injured, property damaged and livelihoods challenged. Tensions between indigenous and non-indigenous fishermen are at an all-time high in this region.

I would never pretend to speak for first nations people, however, my experience growing up in northern Saskatchewan showed me that relationship-building is important and valued. It is something that I think all Canadians could learn from. That is why it is counterproductive for the Liberal ministers to be here in Ottawa debating this issue, rather than meeting with people on the ground, and developing real and authentic relationships, working towards actual solutions. The last thing this issue needs is more political debate. It needs actions.

In both Marshall decisions in 1999, the Supreme Court of Canada clearly affirmed the right of the Mi'kmaq to hunt, fish and gather in pursuit of a moderate livelihood arising out of the peace and friendship treaties of 1760 and 1761 with Britain. However, there were restrictions outlined by the court, and the Department of Fisheries and Oceans was to regulate.

● (2300)

First, this is where the term “moderate livelihood” is first introduced. In the Marshall decision, the Supreme Court of Canada wrote:

Catch limits that could reasonably be expected to produce a moderate livelihood for individual Mi'kmaq families at present-day standards can be established by regulation and enforced without violating the treaty right.

The Premier of Nova Scotia has now joined the call of many others for the government to seek a definition of present-day standards of “moderate livelihood”, and to give guidance to all of the parties. Premier McNeil stated, “This is only getting more entrenched...they need to be in the same room so everyone knows what each other is saying”. Instead of seeking this clarity, the government has decided to hold press conferences and late-night debates. Again, there is talk but little action.

Second, the Supreme Court of Canada outlined that the Department of Fisheries and Oceans has the responsibility of ensuring proper conservation. I quote:

The regulatory device of a closed season is at least in part directed at conservation of the resource. Conservation has always been recognized to be a justification of paramount importance to limit the exercise of treaty and aboriginal rights in the decisions of this Court cited in the majority decision of September 17, 1999, including Sparrow, *supra*, and Badger, *supra*. As acknowledged by the Native Council of Nova Scotia in opposition to the Coalition's motion, “[c]onservation is clearly a first priority and the Aboriginal peoples accept this”.

The Minister of Fisheries, Oceans and the Canadian Coast Guard could have requested that her department undertake a study to de-

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termine whether the out-of-season fishing endangers lobster stocks and could have made those results public, but instead she and her colleagues chose to hold press conferences and late-night debates. Again, there is talk but little action.

Let me be clear. As I said when I began my comments tonight, while the government has, without question, failed to handle this crisis, violence, vandalism, assault, threats and intimidation tactics are always wrong and they are never justified. The safety of all Canadians must be the government's top priority. The Prime Minister and his government must take the concrete steps necessary to keep everybody in Nova Scotia safe in their communities and to resolve this situation in a peaceful manner.

Pitting groups against each other has only led to the current situation. This issue is not about indigenous versus non-indigenous. All Nova Scotians are being let down by a federal government that has failed to take action and has ignored the issue for five years, and now refuses to meet with all of the parties to come to a peaceful resolution. Make no mistake, the Liberal minister's request for an emergency debate is, as Toronto journalist Chris Selley put it, “jaw-droppingly cynical”. It is purely political and, as they have with all of their failures, all criticism by opposition parties will be labelled as petty partisanship.

In closing, I would hope that members on all sides of the House can agree that it is time the current Liberal government started showing leadership on this issue. It is time that the Liberals move on from the platitudes and empty promises and do the work that Canadians elected them to do.

**Mr. Jaime Battiste (Sydney—Victoria, Lib.):** Mr. Speaker, there has been a lot of talk from the Conservatives tonight about the inaction over 21 years, but they forget that they were in power for 11 of those years. In 2013, I was not in Parliament. I was just one of the other protestors on the street with the Idle No More movement, protesting Stephen Harper.

I am wondering if the member can talk about what, during those 11 years, the Conservatives can point to where there was action by their party that they can be proud of and that moved things forward on the high-level treaty negotiations that Stephen Harper promised back then.

● (2305)

**Mr. Gary Vidal:** Mr. Speaker, earlier tonight, the member for Kamloops—Thompson—Cariboo eloquently stated that there is a history of failure on behalf of many governments on some of these issues, and I think she took ownership of that.

Let me point out for the member that it was under the Harper government that the apology for residential schools was enacted. It was under the Harper government that the Truth and Reconciliation Commission was founded. The calls to action that come from that, which are now being addressed and being implemented by many governments, are because of that initiative.

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Let me also just say that we can continue to point to the failures of governments from the past, but the current government has been in power for five years. For the Liberals to simply keep pointing the finger at somebody prior to them is no longer a good excuse.

[*Translation*]

**Ms. Kristina Michaud (Avignon—La Mitis—Matane—Matapédia, BQ):** Mr. Speaker, I thank my colleague for his speech.

I completely agree with him that, while the government is good at putting on a show, making grand gestures and holding emergency debates, it never really takes concrete action.

I sincerely hope that the government will pay heed to everything parliamentarians have said this evening. Even Liberal members have been saying what the government should do, which is pretty ironic.

I will echo the question the member for Manicouagan asked the Minister of Crown-Indigenous Relations earlier.

In my colleague's opinion, what timeline or short-term agenda should the government, and, in particular, the Minister of Fisheries and Oceans and the Minister of Crown-Indigenous Relations, aim for on this file?

[*English*]

**Mr. Gary Vidal:** Mr. Speaker, my colleague and I obviously agree on a number of elements around this issue.

As I think I verbalized quite clearly in my comments, we need to see the ministers on the ground in Nova Scotia talking to people and being part of the solution. My colleague from Kamloops—Thompson—Cariboo commented earlier on the value of face-to-face discussions, rather than having a Zoom meeting or that kind of thing. The value of those face-to-face discussions is immeasurable.

A number of times today members talked about having a side table, including a couple of my Liberal colleagues. This side table would allow the nation-to-nation discussions that need to go on between the government and the first nations communities to go forward. It would also create an opportunity for other parties that are being affected by this issue to be part of the discussion and part of the solution. Out of that we get win-wins rather than win-losses.

**Ms. Jenny Kwan (Vancouver East, NDP):** Mr. Speaker, the truth of the matter is that successive governments, both Liberal and Conservative, have failed indigenous peoples. This matter has been on the books for a long time. It is 21 years in the making, since the Marshall decision, with violations of the basic human rights of indigenous peoples. Our history has shown us what has happened to date. So far, previous governments have either taken an incremental approach to addressing the rights of indigenous peoples or taken no action at all. That is on the Conservatives and that is on the Liberals.

Here we are today. If action had been taken following the Marshall decision, back in 1999, I do not believe we would be having this conversation. If all previous governments had honoured the rights of indigenous peoples, we would not be having this discussion today.

Will the member support unequivocally the rights of indigenous people as outlined in the UN Declaration on the Rights of Indigenous Peoples? Moving forward, let us have no more incrementalism—

**The Deputy Speaker:** We are out of time now.

The hon. member for Desnethé—Missinippi—Churchill River.

• (2310)

**Mr. Gary Vidal:** Mr. Speaker, I spent a number of moments tonight talking about actions versus words. I will take no lessons from the member of the New Democratic Party. For the brief time the New Democratic Party had some power in the history of government, which it believed to be the balance of power, it chose to prop up the Liberal government. Not once have I seen, in any negotiation, the NDP stand up for indigenous people on any matters. All we have seen is rhetoric and talk. It comes back to the same thing: actions and words.

**Mr. Gord Johns:** Mr. Speaker, I rise to seek unanimous consent for the following motion:

That the House, (a) affirm the treaty and inherent rights of the Mi'kmaq and Maliseet people affirmed in the 1752 treaty and the subsequent treaties of 1760 and 1761, confirmed in the Canadian Constitution and in the Supreme Court of Canada ruling in the 1999 Marshall case; (b) recognize the Mi'kmaq Nation deserves full and equal protection by the law from the violence and intimidation of domestic tourism; and (c) recognize the failure of the federal government to respect its nation-to-nation relationship to negotiate with the Mi'kmaq and Maliseet people to accommodate the moderate livelihood fishery that has led to the crisis we are facing today.

**The Deputy Speaker:** This being a hybrid sitting of the House, I will ask only whether any members are opposed to the motion for unanimous consent proposed by the hon. member for Courtenay—Alberni.

Any member saying nay, please do so now.

**Some hon. members** Nay.

**The Deputy Speaker:** We do not have unanimous consent.

Resuming debate, the hon. member for Cape Breton—Canso.

**Mr. Mike Kelloway (Cape Breton—Canso, Lib.):** Mr. Speaker, I will be splitting my time with the member for Dartmouth—Cole Harbour.

Canadians are saddened by the violence, the threats and racism we have witnessed over the last couple of weeks in my home province of Nova Scotia. I can assure Canadians and the House that this government is focused on this issue and will continue to work with first nations to implement their constitutional treaty right to fish for a moderate livelihood and ensure there is security and safety on the ground.

We understand the importance of collaborative dialogue and that is why the Minister of Fisheries and Oceans is in regular communication with the first nations and industry leadership to find a path forward. The only way to do that is through de-escalation and continued dialogue, and we are hearing a lot of that tonight.

Recent events surrounding Nova Scotia's fisheries have brought this issue to the forefront. However, let me be clear that our government's priority remains and will always remain the safety of everyone involved. We need and want to lower all the tensions for a calm, productive resolution to this impasse. There is room for everyone's voices to be heard and we can build a safe, productive and sustainable lobster fishery for all harvesters.

I, like all Canadians, especially those in my province of Nova Scotia, am saddened by the events in Digby county and West Pubnico. This government condemns the actions of every single individual who destroyed property, committed violence or uttered threats. There is no place for this kind of violence or intimidation in Canada, and I know Canadians across the country share the same feeling.

It is especially disturbing to hear reports of racist comments by some and actions made toward first nations people. This is unacceptable. We all have a responsibility, and I believe somebody else said it tonight, to call this kind of behaviour out, and the language. I would be remiss to say that the actions of some of the fishers in West Nova is not reflective of the community I have come to know. They are good people, caring people, industrious people, but the actions by those individuals need to be taken into account.

We are committed, as a government, to building nation-to-nation, government-to-government relationships based on the principles of respect, partnership and recognition of rights.

Also, this government takes its commitment to reconciliation seriously and acknowledges what we are hearing tonight, that past systems, approaches and methods have not worked.

Canada has started on the path to right these wrongs in partnership with indigenous people, provincial governments, territorial governments and all Canadians. We are currently working in collaboration with first nations to implement their treaty rights to fish in pursuit of a moderate livelihood. Since the landmark Supreme Court of Canada Marshall decision of 1999, which affirmed these rights, the path toward implementation has had its successes and its setbacks.

Over the years, the department has launched several programs and has made investments to address the rights of the Mi'kmaq and Maliseet communities in Atlantic Canada and Quebec, beginning with the Marshall response initiative. Then we have subsequent programs like the Atlantic integrated commercial fisheries initiative that continues today to provide funding and support to Marshall communities to build the capacity of the commercial fishing enterprises and strengthen community economic self-sufficiency.

We have been negotiating with Marshall groups since 2017 to collaborate on the articulation of their rights to the rights of reconciliation agreements. Last year we signed rights and reconciliation agreements with three first nations communities.

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This does not mean we are done. We are not done by a long shot. There are still challenges we must work together to address and further implement the treaty.

I also want to take this opportunity to talk about the hard-working women and men who make up our fisheries. Their work helps rural and coastal communities like mine and their catches end up on the tables across Canada, providing Canadians with high-quality sustainable seafood year-round.

In my riding of Cape Breton—Canso, I think of commercial fishers like Bobby, Herbie, Jeannie, Carla, James, Leonard, Brian, Mike, Gordon, Rocky, Glen and Dwayne. They have been strong leaders in the local fishery and had mentored me about the fishing sector, especially in the past year. These fishers want to be a part of the solution. I think of my extended family, who are fishers as well. They too want to be a part of the solution.

● (2315)

I am especially proud of the LFAs in Cape Breton—Canso that have not resorted to violence, but, rather, have been open to listening and learning about how we can all come together and follow a collective path forward. I thank them for their leadership.

Yes, I have been in contact with commercial fishers in my riding and they have been clear. They want to be heard and to be part of the conversation about the future of the fishery. This is the case with commercial harvesters across my entire province. I would like to note that the minister is committed to appointing a ministerial special representative to help foster dialogue and co-operation and this appointment will be informed by consultations with both first nations and industry representatives.

I also know that in my travels throughout my riding, many voiced concerns over conservation. I want them and everyone to know that we are listening. Conservation is a priority shared by everyone: DFO, first nations and industry. Every party wants to see this resource conserved for generations to come and I believe we have that in common. I want to assure everyone that DFO will continue to monitor stocks and will only move forward with a plan that ensures the health of the fishery.

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I think we can all agree that reconciliation is an imperative for Canada. That is why it is important to work in the spirit of respect. We all have a role to play. What is currently happening in Nova Scotia does not advance this goal, nor does it support the implementation of first nations treaty rights or a productive or orderly fishery. Frankly, it is not helping any party involved. More importantly, I know that this is not a true reflection of Nova Scotia, my home province and my home. This is not what it means to be Nova Scotia strong.

The current issues surrounding the fishery are long-standing and deeply personal to all involved. The only way to resolve it is through respectful and collaborative dialogue and we must continue to work together, nation to nation, government to government, but also along with industry to support a viable and sustainable fishery for years to come.

I appreciate this time to speak on such an important matter, not just for my riding, but for my province and my country.

**Mr. Dave Epp (Chatham-Kent—Leamington, CPC):** Mr. Speaker, I must admit that after four-plus hours into this emergency debate tonight, I am somewhat confused. I am somewhat confused over process because it is my assumption that the purpose of an emergency debate that was called for by four ministers is to draw sufficient attention to a matter. Therefore, I would ask the member opposite whose attention we are trying to get this evening.

• (2320)

**Mr. Mike Kelloway:** Mr. Speaker, good governments, when they are looking at a situation like that we are facing today, want to bring the country together, not to just create awareness about a particular problem, but also to look within as a government for solutions and look to other parties for ideas, suggestions, recommendations and potential solutions that are going to help a problem that, as we heard tonight, is not a five-year issue or a 21-year issue, but an issue that has been going on for centuries and centuries.

I would say that in the spirit of the discussion I just brought up, it is important to collaborate, co-operate and get insight from wherever we can get it. We have heard so many great ideas here tonight. That is what good governments do: they listen and they act.

[Translation]

**Mr. Alexis Brunelle-Duceppe (Lac-Saint-Jean, BQ):** Mr. Speaker, I am rather fascinated by what I just heard: We listen, we collaborate and, when the other parties give us advice, we follow it.

That is ironic because during the rail crisis with the Wet'suwet'en in January, we said for weeks that the minister and the Prime Minister should go on site and negotiate instead of sending the RCMP. They did not listen to us. It took weeks and, in the end, they went on site and that is how the crisis was resolved.

We are currently experiencing the same thing. They let the situation deteriorate and today we find ourselves having an emergency debate to resolve it. I agree with my colleague that they should listen to us more often. When they do, it works.

I would like to ask my colleague the following question: What other situation will have to get out of hand before they take the opposition's advice?

[English]

**Mr. Mike Kelloway:** Mr. Speaker, I would disagree with the premise of the member's question. This government has been working diligently on this file with first nations chiefs in Nova Scotia, and not making just one or two calls to fishing associations, but working hand in glove to find a collaborative solution to this issue. It is one we are going to continue to work on.

Do we look toward suggestions from other parties? Beyond the fact it is a minority government, it is the Canadian thing to do to look and see where other solutions and ideas come from. That is what makes this government different from past governments. We are listening and working with others to try to make good things—

**The Deputy Speaker:** Order.

The hon. member for Edmonton Strathcona.

**Ms. Heather McPherson (Edmonton Strathcona, NDP):** Mr. Speaker, the Prime Minister was given a name by the Tsuu T'ina people in Alberta, *Gumistiyyi*, meaning "the one who tries". I know some people in my province are watching this debate. They are telling me that the Prime Minister and government need to try harder.

How can they stand in this House during an emergency debate and say that reconciliation is the most important thing they have, say that they really want to solve this problem and then vote against a unanimous consent motion asking them to support the people of Nova Scotia?

**Mr. Mike Kelloway:** Mr. Speaker, the Prime Minister has been unequivocal, along with the cabinet and party, in terms of the importance placed on truth and reconciliation, but also making key investments in areas such as education, health and housing. Just over the past year working in my first nations communities, the three I represent proudly, we have made some strategic investments around water, wastewater and housing that have been instrumental and important for first nations communities. We have done that through collaboration and co-operation.

• (2325)

**Mr. Darren Fisher (Dartmouth—Cole Harbour, Lib.):** Mr. Speaker, I want to begin by acknowledging that I am here in Mi'kma'ki, on the unceded territory of the Mi'kmaq peoples. I am not far from the Shubenacadie waterway that has been used by the Mi'kmaq for thousands of years.

Although I know that issues surrounding the Nova Scotia fishery are deeply personal to all involved, I want to be very clear when I say that I am disgusted by the incidents of racism and violence in southwest Nova Scotia. I am deeply ashamed of the perpetrators and those who support racism and violence against the Mi'kmaq people. The violence and the racism must stop.

I have received an incredible volume of correspondence and outreach from my constituents in Dartmouth—Cole Harbour on this issue, passionate, thoughtful emails, and so many that I will not be able to respond to everyone individually. Nova Scotians want to know that the Mi'kmaq will be protected from racism and violence, and that their treaty rights will be respected and implemented. I have been just as concerned throughout this unrest. From my many conversations with ministers in our government, I know that they share this concern. I know those are not empty words because they are acting on them.

The Mi'kmaq fishermen and the first nations communities have been let down by those whose job it is to protect them. I can tell colleagues that my constituents do not want to hear what jurisdiction is in charge of what. They want to know that all orders of government are working together to keep all people safe.

I am grateful that our government approved a request for assistance from the Province of Nova Scotia to enhance the presence of RCMP officers as needed. These disgusting acts of violence must be thoroughly investigated and the perpetrators must be held to account. I am glad to see that the RCMP have laid charges, including for the assault against Chief Sack, but I want to make it very clear that more needs to be done. Tensions need to be lowered.

In Nova Scotia we are all treaty people. The peace and friendship treaties of 1760 and 1761 are solemn, special agreements and lasting commitments. They affirm a treaty right to hunt, to fish and to gather in pursuit of a moderate livelihood. The Supreme Court of Canada's September 17, 1999, decision in the Donald Marshall case affirmed this treaty right, and we affirm this treaty right. The decision affected 34 Mi'kmaq and Maliseet first nations in New Brunswick, Prince Edward Island, Nova Scotia and the Gaspé region of Quebec.

From listening to my Mi'kmaq parliamentary colleagues on this issue, such as my friend, the hon. member for Sydney—Victoria, I have learned that this would be the first treaty ruling that would allow indigenous people not just to survive but to thrive financially in Canada.

Through the Minister of Fisheries I have learned that, following the Marshall decision, the Department of Fisheries and Oceans launched a series of initiatives and programs to help implement this treaty right. We now know that although some of these initiatives and programs were successful, others were not. Some programs included the Marshall response initiative, which provided first nation communities with licences, vessels and gear in order to increase the diversity of their participation in the commercial fisheries and contribute to the pursuit of a moderate livelihood for first nations members.

This was followed by the Atlantic integrated commercial fisheries initiative in 2007, which provided funding and support to

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Marshall communities to build the capacity of their communal commercial fishing enterprises and to strengthen their communities' economic self-sufficiency.

In 2017, DFO began to negotiate time-limited rights reconciliation agreements on fisheries with Mi'kmaq and Maliseet first nations in Nova Scotia, Prince Edward Island, New Brunswick and the Gaspé region of Quebec.

• (2330)

In 2019, Fisheries and Oceans Canada signed two rights reconciliation agreements on fisheries.

However, it is not lost on me that the Marshall decision was made over 20 years ago. We are a government that believes and that knows there is no relationship more important to Canada than our relationship with indigenous peoples, a government that believes in the journey of reconciliation and in the self-determination of indigenous peoples, yet today we struggle to implement this treaty right.

We know that first nation members across the Atlantic region have grown frustrated with the progress of negotiations and some communities have launched their own moderate livelihood fisheries and submitted fishery plans to DFO for consideration and discussion. However, the unacceptable acts of violence on water and land only serve to prevent the important constructive dialogue from happening.

I have reached out to the Minister of Fisheries on behalf of my constituents and she has assured me that conversations with first nations to implement their treaty rights are ongoing. I know that our government stands ready to work with first nations on a collaborative path forward.

The minister has had several conversations with Chief Sack and the Assembly of Nova Scotia Mi'kmaq Chiefs to ensure that we continue to work collaboratively with their communities to fully implement their treaty rights as well as to ensure their safety.

We know that throughout history, and today, indigenous peoples have experienced continuous systemic racism. Colonial institutions like the RCMP or other federal departments were designed with the cards stacked against indigenous peoples. However, it does not have to remain this way. In the true spirit of reconciliation, we know that we must reform these institutions. We must put in the hard work to implement this treaty right. We must remain committed to a nation-to-nation approach moving forward.

All eyes are on Mi'kma'ki.

[*Translation*]

**Mr. Mario Simard (Jonquière, BQ):** Mr. Speaker, I thank my colleague for his enthusiastic and passionate speech.

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One sentence really struck me. He said that his government believes in the self-determination of indigenous peoples. When I hear the term “self-determination” come out of the mouth of any member of the Liberal Party, I always have my doubts. Nevertheless, I would like my colleague to explain exactly what action the Liberal Party has taken to follow through on this belief in the self-determination of indigenous peoples. In his opinion, what must we do if we are serious about recognizing the political autonomy of indigenous peoples?

[*English*]

**Mr. Darren Fisher:** Mr. Speaker, the member for Cape Breton—Canso spoke before me. He said something that strikes home with me on a regular basis. He said that we had come a long way. We had accomplished a lot. We have probably accomplished more.

The member for Sydney—Victoria, who is a Mi'kmaq parliamentarian, said that we had done more for reconciliation than any other government, ever. The member from Cape Breton—Canso asked if we were there yet. Not by a long shot. We have got a long way to go. This is a destination and a journey. We are on that road to reconciliation and there is a long way to go.

• (2335)

**Ms. Leah Gazan (Winnipeg Centre, NDP):** Mr. Speaker, I want to thank the member opposite for speaking about his disdain for what is going on.

We just presented a unanimous consent motion affirming the treaty and, in terms of his disdain, recognizing that the Mi'kmaq nation deserves the full and equal protection of the law from violence, intimidation and domestic terrorism, but his party did not vote for it to get the unanimous consent.

Does the member opposite believe that what is happening in Mi'kmaq territory can be classified, as many legal experts have, as domestic terrorism?

**Mr. Darren Fisher:** Mr. Speaker, we have heard hours and hours of debate tonight. We take very important comments like that from this particular member and we have to see them side by side with comments all night long from opposition members saying that our government is bad and they are good, or they have done well and we have not done well. What we have not had tonight, in my opinion, is the collaborative spirit that Canadians expect of us in the House. This very important issue that we are talking about tonight demands more.

One Conservative member said earlier that we would call it partisan tactics or partisan sniping, but we need to get past this. If we are ever going to truly get on a road to reconciliation, we must all work together in the House, and I have not seen that tonight, I am sad to say.

**Mr. Arif Virani (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, I thank the member for his comments. It is definitely worth staying up until 11:37 at night to hear them and his candour on systemic racism.

I want to ask the member about the impact of COVID, because that has come up tonight on economic insecurity. I appreciate that economic insecurity is real, particularly during a pandemic, but

when it descends into violence and intimidation, that is never valid or to be condoned, and he spoke forcefully about that.

Where does that leave us with respect to indigenous self-determination on other aspects, such as what was raised by the member for Sydney—Victoria when he talked about indigenous control of education and this idea of indigenous control of policing? If policing needs to be there to ensure law and order, can indigenous police, and seeing more of them, be a remedy to that particular situation that is affecting Nova Scotia?

**Mr. Darren Fisher:** Mr. Speaker, as always, there is a lot packed into the member's questions.

I will touch on COVID.

Canadians are scared, and when Canadians are scared, they respond differently. A lot has been said tonight about the speech and the comments made by the member for Sydney—Victoria. Who better to quote often in a debate like this than a Mi'kmaq parliamentarian from Nova Scotia? The member talked about how indigenous communities would go to Maine to pick blueberries for their livelihood, and that was not an option this year. This is just one of the many contributing factors to some of the tensions in Nova Scotia right now.

I want to thank the member for Sydney—Victoria for everything that he has taught this MP in the last few months he has been talking about this issue in our caucus.

**Mr. Brad Vis (Mission—Matsqui—Fraser Canyon, CPC):** Mr. Speaker, I would like to thank everyone who participated in this debate tonight. Before I begin, let me state what I do not know. I do not know the Marshall decisions, although I read them. I do not know the member for Sydney—Victoria, the only Mi'kmaq member of the House of Commons. I do not think I have been in the traditional territory of the Mi'kmaq people. I am acknowledging tonight where I am at as an individual and not trying to say things that are beyond my comprehension of this very delicate indigenous-Crown issue that we are seeing happen in Nova Scotia.

Second, before I begin, I am very confused because standing here tonight I was reading *The Globe and Mail* and I saw an article from the Liberal House leader quoted about tomorrow, about facing a confidence vote over the WE Charity. I am confused. Why would the government call an emergency debate if it is calling the bluff on Parliament about whether or not we are going to have a federal election? Do the Liberals care about reconciliation and do they care about all of the thoughtful words that were said tonight, or are they going to throw us into a federal election, shove this issue under the carpet and let it all go away while they seek a majority government? I would like some answers from the Liberal government on that point.

Now, getting to why we are here tonight in the first place. Unfortunately, it is a direct result of the actions and inactions of the federal government. One of the most important aspects of being a government, of leadership, is accountability, peace and order. What we have seen here tonight is a sad expression of leadership as aptly stated by the member for Durham in his remarks.

In my short time here as an MP, the Liberals have shut down debate, they have filibustered, they tried to hide documents and, if all that failed, we heard a lot tonight that it is Stephen Harper's fault. The government has been in power for five years, in fact, tonight it is celebrating five years of the government. Instead of actually taking action on this crisis, the Liberals have decided to hold an emergency debate 1,000 kilometres away from where it is actually happening.

The Liberal minister who requested this debate already had the power to resolve this. The Liberals can protect the Mi'kmaq people and they can protect the sustainability of the fisheries at the same time. That is their job. I am going to ask the Library of Parliament tomorrow whether we have ever had an emergency debate called by four ministers who also acknowledged that they were part of the problem, that the Government of Canada was part of the problem. This might be a new precedent in parliamentary history.

On this side of the House we have been asking the government to de-escalate the Nova Scotia fisheries crisis for over a month. The member for West Nova implored the minister this evening that he would get in his truck, pick her up and bring her in good faith to negotiate to find a solution. The indigenous services minister said police are being overwhelmed, but still no action, just tweets. The public safety minister said it was the province's problem. Things literally burned to the ground before the government looked into sending additional police resources to Nova Scotia.

Chief Mike Sack said to the government, "Do your job. Protect [us].... Don't just tweet about it." Colin Sproul of the Fundy Inshore Fishermen's Association said the Liberal government is "hiding under a desk". Here we are, more tweets, more inaction and the Liberals trying to make it look like they are doing something by holding this emergency debate where neither side of the dispute is actually happening and neither where the real work needs to happen as well.

Last week, more than 200 people overwhelmed police. Vehicles and boats were lit on fire as early as the week before. This situation did not just suddenly spiral out of control. It has been going on for a while.

• (2340)

As the member for Lakeland mentioned in the House earlier today, livelihoods and decades of relationship building literally went up in flames. The Minister of Public Safety hid behind prepared statements, and the Minister of Fisheries was nowhere to be seen.

It seems like the government waits for the situation to get out of control before acknowledging the problem. That is what it did with the rail blockades earlier in the year, and what it did when it came to calling a public inquiry into the Nova Scotia mass shooting. That is what it is doing here today.

The government should have anticipated this. Across Canada, rural crime has been a growing issue. It is something we have been talking about for a long time in this House. There is a significant lack of police resources in remote and rural communities.

In Lillooet, a community I represent, there are Facebook groups talking about vigilante groups. The mayor implored me to get the provincial minister of public safety to do something, because they

only have three RCMP officers for a region the size of a small European country. They just did not know what to do, and they did not know how to respond.

Thankfully, to the credit to the St'át'imc people and first nations police forces in my riding, they were able to pick up some of the slack. Thank god they are there. Hopefully Lillooet, tribal council and their police force can serve as good example of what could take place in Nova Scotia, because some of the indigenous police forces are doing really great work.

Front-line officers do their best in the RCMP, but they are stretched thin. By not ensuring there are adequate RCMP resources in rural Nova Scotia and across Canada, the Minister of Public Safety is putting these communities, and the people who live within them, at risk. He is putting front-line officers at risk. We have seen these risks escalating, including acts of violence and arson. The indigenous people are also at risk because we do not have enough RCMP officers. It goes both ways, and it is just a bad situation.

I cannot help but draw some similarities to my own riding. I represent Mission—Matsqui—Fraser Canyon. It is 22,000 square kilometres of rugged British Columbia. The Fraser River runs through my riding from the south end all the way to the north. One thing we have in common with Nova Scotia is that many of the indigenous people I represent, and many of the non-indigenous people I represent, are totally dependent upon a fishery.

If one talks to the recreational fishermen, the tour guides and some of the commercial people, they will say they acknowledge the Marshall decision. They may not be happy with it all the time, but they acknowledge it and want to work with it. They say they have frustrations too with some of the indigenous people over some of their fishing techniques, including gillnets, for example.

Then, in talking to the indigenous people, I learn they have frustrations with the commercial fishermen and recreational fishermen for not respecting enough of their rights. They wonder why they are not getting a fair deal, and in many cases, they are correct. They are not getting a fair deal. That needs to be worked out.

If we talk to both sides, the one thing they have in common, and often they do not even understand this, is that both point to the lack of competency of the department of fisheries and oceans to take meaningful action to resolve these deep-seated disputes between indigenous and non-indigenous fishers.

What is happening in Nova Scotia is a broader reflection of what is happening across Canada. We are seeing civil strife. There is a real and clear lack of trust in our institutions. There is growing frustration that, as a member of Parliament, I do not have an answer to. Like I said in the beginning, I have never read the Marshall decisions, and I acknowledge that. However, there is growing animosity.

**An hon. member:** There is a smile on your face though.

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**Mr. Brad Vis:** The smile on my face is there because I am trying to reflect the mood. It is not in any way a reflection of—

**An hon. member:** Priceless with a smile.

**Mr. Brad Vis:** I am responding to the issues. What we are seeing here in Nova Scotia is part of a broader societal issue that we are facing.

I am concerned that what happened in Nova Scotia is only the beginning of what will start happening in other communities across Canada if Parliament does not get it right, if we do not get reconciliation right and if we do not provide the necessary assurances to the commercial fisheries, the indigenous fisheries and all the people who depend collectively on those two groups to work something out. At the heart of this, we need to see a commitment from the Minister of Fisheries and Oceans to get on the ground as soon as possible.

• (2345)

I have written the minister and asked her to come to the Fraser River to meet with my indigenous constituents, because they need to hear from her. That has not happened yet, but I am still going to hold her to account and get her out to Mission—Matsqui—Fraser Canyon. Tomorrow, she needs to be on the ground negotiating with those people to try to find a peaceful resolution.

We live in the greatest country in the world. When things like this happen it is a scar on our country, a scar on what we have done to indigenous people and a scar on all of us here collectively for letting these things happen and letting the diminishment of trust in our institutions get to a point where people resort to violence.

There are ways we can solve what is happening. We can improve the local police force and enforcement. We can empower indigenous peoples. We can get to a decision on Marshall.

Earlier in tonight's debate, we heard the Prime Minister talk about consecutive governments failing and succeeding. Then we heard the Leader of the Opposition say the same thing. Despite some of the tension between our two sides tonight, there was some agreement that we have collectively, at certain points, not lived up to what we were supposed to, irrespective of who was in power. That is a lesson for all of us. We need to get to the points that matter and really do something that is going to address these livelihood issues for indigenous peoples and other fishermen.

As I said in the beginning, I do not have all the answers and I am not an expert on what is going on in Nova Scotia. However, I am afraid that Nova Scotia is a broader reflection of tensions between communities all across Canada. I implore the government to get this right, to work with the member for West Nova on the ground to negotiate and do what is best for indigenous people.

• (2350)

**Hon. Larry Bagnell (Parliamentary Secretary to the Minister of Economic Development and Official Languages (Canadian Northern Economic Development Agency), Lib.):** Mr. Speaker, although my riding is the furthest from Nova Scotia, over 100 constituents have contacted me about this serious crisis. I think I would be misrepresenting them if I did not say that they want the Mi'kmaq treaty rights of 1760-61 honoured and upheld; they think the racist

comments are disgusting and should be totally rejected; they think the Mi'kmaq, like everyone, should have full protection under the law; and they want a peacefully negotiated settlement to resolve this situation while upholding indigenous treaty rights.

Coming from a riding with indigenous fishing rights, what does he think of the suggestion by the Mi'kmaq member for Sydney—Victoria to have an Atlantic first nations fishery authority?

**Mr. Brad Vis:** Mr. Speaker, as I said in the beginning, I have not studied the clear complexities that exist in the Nova Scotia fishery, but hopefully tomorrow the minister is going to sit down and start working out some of these questions. Maybe having a Nova Scotian aboriginal authority is the way to go. It is probably something that should be explored in conjunction with protecting the rights of the traditional non-indigenous fishing families.

[*Translation*]

**Ms. Kristina Michaud (Avignon—La Mitis—Matane—Matapédia, BQ):** Mr. Speaker, my colleague made several interesting points in his speech, and I thank him for that.

Where we may not agree so much is on how the RCMP should intervene in the current context. In light of that, does he not agree that current tensions between the Mi'kmaq and the non-indigenous fishers will not ease until the government sits down at the table with all parties involved, both indigenous and non-indigenous fishers, and draws the line that should have been drawn immediately after the Marshall ruling? It does not matter which police service is sent there. I think that, as he said, the minister is the one who needs to go there.

I would like his thoughts on that.

[*English*]

**Mr. Brad Vis:** Mr. Speaker, the member is right, the minister needs to be the one on the ground, eliminating the conflict and animosity between these two groups, first and foremost.

My comments earlier regarding an aboriginal police force and the RCMP were speaking to a broader societal issue that we face in Canada about the lack of proper enforcement of our rules in many rural communities.



I would also add that the Department of Fisheries and Oceans sorely lacks adequate enforcement in many of the fisheries that exist across this country. One way we could improve some of the tension is to possibly have more boots on the ground. Maybe we need to have more indigenous people working for DFO, people who understand the language and culture of the indigenous fishermen and fisher-women so that we do not have these disputes moving forward.

• (2355)

**Mr. Gord Johns (Courtenay—Alberni, NDP):** Mr. Speaker, I want to thank my colleague for his speech and for pointing out how bizarre it is for four ministers to join me, after my letter and my party's letter called for this emergency debate, so they could condemn their own government for their failure to protect those fishers.

I have concerns around my colleague's speech, in that his party spent millions of dollars fighting to diminish and restrict indigenous rights, constitutionally protected rights, in the court. I want a commitment from the member that his party will stop the violence that is happening through the courts, will stop the attacks on the indigenous people through the courts, will allow indigenous people to exercise self-determination, and will support and respect the autonomy of first nations and their ability to self-determine and self-govern what is a moderate livelihood, in this case, and all that means.

I am looking for the member's commitment. That is what we are here for in an emergency debate, to come together to find a solution, to work together to protect those fishers, and to support them through self-determination and their right to exercise and implement their court-approved and treaty-approved rights.

**Mr. Brad Vis:** Mr. Speaker, I would not speak to the broader treaty rights that my colleague from Vancouver Island raised today. That is a question the minister should be responding to.

I will speak to first nations autonomy this evening. My first remarks I ever made in this House of Commons included that I wanted to do right by my first nations constituents. I want to see their autonomy improved. I want to see the Government of Canada get off reserves and give the first nations power over where their children go, get the provincial governments out of the way, and give first nations more autonomy to do the things they need to do to build their own wealth and their own social well-being moving forward.

That is my commitment to the first nations, to stand with them, to get the federal government out of the way so that they can truly prosper, and so that they are not bogged down by these unnecessary bureaucratic red-tape processes that govern every aspect of their life in ways that none of us in this House would find acceptable.

**Mr. Paul Manly (Nanaimo—Ladysmith, GP):** Mr. Speaker, I have to say that it is not lost on the indigenous people in my riding or indigenous people across this country that there is a huge contrast in the way that the peaceful protesters in Wet'suwet'en were treated and how the RCMP stood back in this case and watched an angry mob burning vehicles, attacking and throwing stones. It is not lost on indigenous people across this country that, over 21 years, there has been inaction by Conservative and Liberal governments

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in dealing with the decision by the Supreme Court to ensure these rights are properly enshrined in the rules around fisheries and DFO.

I am sure it is not lost on indigenous people and people watching right now that there was a unanimous consent motion put forward by the member for Courtenay—Alberni, which was perfectly acceptable, that we should be affirming these treaty rights and taking action as a Parliament to make sure that we do right by indigenous people in this country and that we affirm these rights and take action—

**The Deputy Speaker:** It is time to move along. We still have to get one more question in.

The hon. member for Mission—Matsqui—Fraser Canyon.

**Mr. Brad Vis:** Mr. Speaker, it is not lost on me what happened with the RCMP. That is why it is so unfortunate that the ministers responsible are not in Nova Scotia right now, trying to defuse the situation.

Regarding the broader issue of first nations' rights in the fishery and the Marshall decision, I think it would be good for everyone in this country, especially people working in that industry, to have the clarity to move forward. There are a lot of areas where first nations and non-first nations fishers agree that things can be done. Conservation is number one. That is an area where everyone can focus on improving our stocks, especially on the west coast, to ensure the sustainability of our fishery for future generations.

Yes, we need to have clarity and some action on the Marshall decision. That is not lost on me, but it is also not lost on me that the collective ministers responsible were not on the ground when they needed to be. We should not be having a debate in the House of Commons. They should be on the ground negotiating right now, seeking the solutions Canada needs.

• (2400)

**Mr. Eric Melillo (Kenora, CPC):** Mr. Speaker, the member for Mission—Matsqui—Fraser Canyon definitely came at it from a very interesting point of view, being a member from British Columbia and recognizing that he is not an expert on everything happening in Nova Scotia, but also recognizing a bit of a duality and understanding that there are some commonalities with his riding in terms of the industry and the relationships between indigenous and non-indigenous constituents.

I would like the member to reflect a little more on the situation in his riding in terms of the importance of strong relationships between indigenous and non-indigenous constituents.

**Mr. Brad Vis:** Mr. Speaker, I had a really emotional experience a couple of months ago. I asked the Sts'ailes first nation to take me onto its land near the Harrison River to see where their people have fished since they began recording time. They have always fished there. One of the members of the band told me about an experience when he was shot with a BB gun by a non-indigenous fisher over their rights. Again, it speaks to this broader discontent and growing animosity in our society that needs to be addressed by DFO.

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The first nations are the first ones to point out that DFO has some guy in Ottawa telling them where they should be doing their conservation work, that there is some DFO official in Ottawa telling them how many fish go up the run, but the officials do not understand the fish like they do and the officials need to get out of the way and let the first nations do some of the important work. When I talk to the recreational fishermen and the people who work in tourism, they say the same thing: DFO does not know what it is talking about, it does not know where the fish go and what are those scientists in Ottawa actually saying?

There was the Fraser Salmon Collaborative Management Agreement last year that was signed by some of the Sto:lo nations and the Department of Fisheries and Oceans. When members of that committee signed that agreement, they thought they were going to be

able to work with DFO. They have not even had a meeting yet. They are discontented and their anger only grows. We have to address these broader issues. This is not just a Nova Scotian issue; it is a Canadian issue.

**The Deputy Speaker:** I am sure this debate could well continue.

[*Translation*]

It being midnight, the motion that the House do now adjourn is deemed to have been adopted. Accordingly the House stands adjourned until later this day at 10 a.m. pursuant to Standing Order 24(1).

(The House adjourned at 12 a.m.)

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