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Chair: The Honourable Marc Garneau



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• (1530)

[Translation]

The Chair (Hon. Marc Garneau (Notre-Dame-de-Grâce—Westmount, Lib.)): I call the meeting to order.

Welcome, everyone.

[English]

Welcome to meeting 39 of the House of Commons Standing Committee on Indigenous and Northern Affairs.

We acknowledge that we meet on the unceded territory of the Algonquin Anishinabe peoples.

Pursuant to the House order of reference of Thursday, September 29, 2022, and pursuant to the motion adopted the same day by the committee, we are meeting to continue the clause-by-clause consideration of Bill C-29, an act to provide for the establishment of a national council for reconciliation.

[Translation]

Today's meeting is taking place in a hybrid format, in accordance with the order adopted by the House on June 23, 2022. Members may participate in person in the room or remotely using the Zoom app.

[English]

I would like to make a few comments for the benefit of the witnesses and members.

Please wait until I recognize you by name before speaking. For those participating by video conference, click on the microphone icon to activate your microphone, and please mute yourself when you are not speaking.

[Translation]

As far as interpretation is concerned, those participating in the meeting using Zoom have a choice at the bottom of the screen between the floor, English, or French, while those in the room can use the headset and select the desired channel.

[English]

All comments should be addressed through the chair. For members in the room, if you wish to speak, please raise your hand. For members on Zoom, please also raise that little hand icon. The clerk and I will do our best to manage the order in which you speak, and we appreciate your patience and understanding in this regard.

To help us with the clause-by-clause consideration of Bill C-29, we welcome once again, from the Department of Crown-Indigenous Relations and Northern Affairs, Mr. Andy Garrow, director, policy and strategic direction, reconciliation secretariat, planning and partnerships; and Ms. Kate Ledgerwood, director general, policy and strategic direction, reconciliation secretariat. From the Department of Justice, we have Dr. Seetal Sunga, senior counsel.

There are a number of standard procedures that we follow in clause-by-clause. I read them out last time. Would members like me to read them out again this time, or is it still fresh in your minds?

Very good. In that case, we'll get under way.

We are here to continue the clause-by-clause consideration. The chair now calls clause 13. We have an amendment, NDP-5, proposed by Ms. Idlout.

Ms. Idlout, would you like to move your amendment and describe it? Then we'll see whether we go to debate.

Ms. Lori Idlout (Nunavut, NDP): I would. I just need to find it.

(On clause 12)

Mr. Jaime Battiste (Sydney—Victoria, Lib.): Mr. Chair, in our haste to rush the last minute of clause 12 last week, we saw that amendments BQ-5 and LIB-4 both passed. Does that mean that they are both going to be portrayed in the legislation one after the other, or do we understand that “to ensure gender parity on the board” replaces the discussion about equal representation of men and women?

I think the more inclusive language was “gender parity” without actually saying “men and women”, because of trying to be inclusive of people who don't see themselves reflected in any of those comments. I'm trying to get a sense what we did there moving forward in that last frame of BQ-5 and LIB-4.

The Chair: Thank you, Mr. Battiste.

As I explained at the last meeting, both will appear separately, as subclauses 12(2) and 12(3).

• (1535)

Mrs. Jenica Atwin (Fredericton, Lib.): I have a point of order, Mr. Chair.

The Chair: Mrs. Atwin, please go ahead.

Mrs. Jenica Atwin: Thank you, Mr. Chair.

It appears as though having the two is a bit redundant and perhaps not as clear as it should be. I know that's our goal with this legislation. I was wondering if there is a possibility to move a sub-amendment to BQ-5 so that it's all one [*Technical difficulty—Editor*].

The Chair: Thank you.

To try to answer your point, Mrs. Atwin, when Madame Gill proposed BQ-5, she saw a difference between BQ-5 and LIB-4. That is why we ended up doing two separate amendments.

Before we go any further, I'm going to ask our experts from Crown-Indigenous Relations to express themselves with respect to that.

If we are to go back and make one amendment, BQ-5, that covers everything, it would require unanimous consent of all the members here in this room because it is something that we adopted on Monday. Having said that, as you know, it is still possible at report stage, should there be a decision to do so, to bring forward another amendment.

Before we go any further, I will ask Mr. Garrow or Ms. Ledgerwood to comment on what we're discussing at the moment.

Dr. Seetal Sunga (Senior Counsel, Department of Justice): I can answer.

Mr. Chair, ideally the intention of this committee will be very clearly expressed in the legislation, as raised by Mrs. Atwin. If it is the intention of this committee to highlight equitable gender representation, those words could be used in a separate subparagraph—or the wording “equal representation of men, women, and gender-diverse persons”, but I think my first suggestion would be something that I would put forward for you to consider, if that is reflective of the intention of the committee.

The Chair: What would be the suggestion? I'm sorry; I didn't quite hear it.

Dr. Seetal Sunga: The suggestion would be to use “equitable gender representation”, if that reflects your intention.

The Chair: Would there be any other comments with respect to what has just been said?

Madame Gill, go ahead.

[*Translation*]

Mrs. Marilène Gill (Manicouagan, BQ): In fact, in my humble understanding, the two amendments remained distinct as they concerned two different aspects of representativity. I had made the distinction between biological sex and gender. In the scientific literature in English, these two aspects are grouped together under one term, rather than using two separate terms.

I wanted it to say that there should be an ideal representation or zone to be respected for gender parity. I thought Ms. Atwin's amendment was to clarify paragraph (d), where the text already refers to the various gender identities.

I don't know whether Ms. Atwin wanted to talk about proportionality, parity and a third term that would be added here, or whether she wanted to use just the term “gender” and take out completely the terms that were used here that related to biological sex. That's the question I have.

This is perhaps something new. We are used to talking about male-female gender parity. Here there was something else added.

At this point, in order to make the additions consistent, shouldn't the notion of diverse gender identities, which would end up being included in the notion of parity, be removed from paragraph (d) as well, if we were to decide to combine the two wordings, should such a thing be possible? I know that requires the unanimous consent of the committee.

I've touched on several aspects at once. I don't know if I was clear. I can answer Ms. Atwin's questions, if necessary.

• (1540)

[*English*]

The Chair: Do you have anything else to bring forward at the moment?

Mr. Jaime Battiste: I'm not clear whether we're accepting Ms. Sunga's recommendation and her wording. I heard what Madame Gill said. I'm just not sure if she's on board with making it clearer, as suggested by the team there. Is she suggesting alternative words?

Right now, it's not clear to me whether we're keeping both sections, which speak to the same thing in the bill, or trying to combine them together as suggested by Ms. Sunga.

That's my question. Is Ms. Sunga's wording good with the committee or not?

The Chair: At the moment, the situation is what we determined on Monday afternoon. There would have to be unanimous consent to make any kind of revision.

Go ahead, Madame Gill.

[*Translation*]

Mrs. Marilène Gill: First of all, Mr. Chair, I have one more question.

I would just like to know if we all understand each other. I agree, I would be willing to give my consent for there to be a change, but I would like to make sure that everybody understands what we are talking about.

I have some questions for Ms. Atwin. Does she want to talk about the representativity of gender identities? Is that what she wants to add? Wait, excuse me: I said “representativity”, but I meant parity of gender identities. That's my understanding of her amendment, but I'm not sure.

At this point, would she amend paragraph 12(d) of the bill, where it also talks about gender-diverse persons? It doesn't talk about parity, it talks about the inclusion of gender-diverse persons. I was talking earlier about the need to be consistent.

So what she is proposing would replace the idea of male-female gender parity. I was talking about biological sex. Here, we want to talk about gender identities, not gender parity. There may be a crossroads, but as I understand it, that's what they want to see added.

There are several questions here. I would like some clarification and to know if I have understood correctly what Ms. Atwin wants to do with her amendment. I would also like to know whether she wants, for the sake of consistency, her intention to be reflected also in paragraph 12(d), where it talks about representation.

[*English*]

The Chair: Mrs. Atwin, you heard what Madame Gill had to say. Would you care to respond to her?

Mrs. Jenica Atwin: Yes, Mr. Chair.

The wording that I put forward as far as gender diversity is concerned is meant to include men and women as well. It seems to me that it's accomplishing the same goal but with fewer words, and without an additional section to that subamendment.

I think it would be easier and clearer if we used that language up front, so I would seek unanimous consent to go back and do that.

The Chair: Before we put that up to see if there's unanimous consent, could you say specifically what you're seeking unanimous consent for?

Mrs. Jenica Atwin: The reference number may be different, but it was originally 12053674. It's the LIB-4 wording, but it goes with BQ-5: That Bill C-29, in clause 12, be amended by adding after line 16 on page 5 the following:

(2) The composition of the board of directors must also, to the extent possible, ensure and equitably reflect gender diversity.

I believe it's inclusive of men and women, as well as a non-binary version.

The Chair: If I'm hearing you properly, you're going back to say that LIB-4 should be adopted, because it covers BQ-5. Is that correct?

Mrs. Jenica Atwin: Yes, but it can also be seen as a subamendment to BQ-5, if that's an easier process.

• (1545)

The Chair: The legislative clerks have explained that what we would be seeking through unanimous consent is that BQ-5 be removed.

Does anybody wish to comment on that?

Okay. I would like to see—

[*Translation*]

Mrs. Marilène Gill: I would like to speak...

Excuse me, Mr. Chair, I had not raised my hand.

The Chair: There is no problem, Ms. Gill, I yield the floor to you.

Mrs. Marilène Gill: I just want to mention that the wording I had proposed in my amendment was stronger, in this case the expression “equal representation”. Ms. Atwin's amendment talks about equitably reflecting gender diversity. This is, all things considered, rather vague. It is also an ideal.

Personally, I don't object to it, I don't mind it at all. We can amend amendment BQ-5, as originally intended, or we can leave it

as is. I'm equally comfortable with either of those options. I will accept unanimous consent.

The Chair: The legislative clerk tells me that the only choice here, given the amendment that has been proposed by Ms. Atwin, is to withdraw amendment BQ-5.

Mrs. Marilène Gill: That's fine. So let's keep the wording that Ms. Atwin proposed. I have no problem with that.

[*English*]

The Chair: Is there unanimous consent for BQ-5 to be removed?

[*Translation*]

Mrs. Marilène Gill: I repeat that I agree, Mr. Chair, if it will make my colleagues more comfortable.

The Chair: That is very gracious of you, Ms. Gill. Thank you.

[*English*]

Is it the unanimous consent of this committee that amendment BQ-5 to clause 12 be removed?

(Amendment withdrawn)

The Chair: To finish the process, given this change that we made just a minute ago, shall clause 12 with all of the changes—

[*Translation*]

Mrs. Marilène Gill: Mr. Chair, while the debate is still open, I would like to take advantage of the presence of our guests to ask a question regarding paragraph 12(b), where it refers to “peoples”. I would like to know what meaning is given to this word, in this context.

Actually, this is a question I have asked before, but I have not received an answer. It's just a question of information. I don't know if it's possible to get an answer. As I did not receive an answer to my question, I could not decide whether I was going to propose an amendment or not. I had asked for a written answer, but we did not receive it.

I don't know if the people who were involved in drafting the bill could answer my question.

The Chair: You are asking this question for information purposes, is that right?

Mrs. Marilène Gill: Yes. As I said, I cannot move an amendment, as I have not received an answer to my question and I do not know the meaning of the word.

Of course, I do not intend to move an amendment.

The Chair: Unfortunately, Ms. Gill, we cannot go back to articles that have already been amended and adopted, except for the particular case that arose that should have been addressed at the last meeting.

The question I have to ask the committee is, does clause 12, as modified by the amendments, in addition to what we decided today by unanimous consent—

Mrs. Marilène Gill: Actually, Mr. Chair, we discussed it before we got unanimous consent, so it amounts to a double standard, in my opinion. We went back to articles that had already been passed.

The Chair: We did so by unanimous consent.

Mrs. Marilène Gill: Yes, but we had discussed this before.

The Chair: If you are calling clause 12 into question because you are not sure what the word “peoples” means, that is something different from what we have decided today.

Mrs. Marilène Gill: In fact, Mr. Chair, I am being deprived of one of my rights as an MP. They are unable to explain to me what the word “peoples” means in this bill, and I am going to have to pass it not knowing what “peoples” means. In my opinion, it is important to know.

I have decided to be open. I could ask for unanimous consent. To me, the debate on clause 12 was closed. We had even passed clause 12, at the end of the last meeting. We were to start with amendment NDP-5 at today's meeting. So the committee reopened, without unanimous consent, a conversation about that. Then unanimous consent was sought, and I graciously gave my consent.

Now I want to get a clarification, but no one can tell me what the word “peoples” means in the bill. I would like to know.

The Chair: Ms. Gill, the clerks tell me that you can ask the question. However, if it leads to an amendment, it will require unanimous consent.

• (1550)

Mrs. Marilène Gill: I completely agree, Mr. Chair. I don't want to overstep my bounds, but I want an answer to a semantic question.

The Chair: Very well.

Mrs. Marilène Gill: Thank you very much, Mr. Chair.

My thanks to the committee, too.

The Chair: May we ask the witnesses to answer the question regarding the definition of “peoples”?

Mrs. Marilène Gill: I can ask them my question.

Paragraph 12(a) refers to “First Nations, Inuit and the Métis”. Paragraph 12(b) refers to “other peoples in Canada”. I had asked some of the witnesses to clarify what was meant by “other peoples in Canada”. I was told that we would be given the answer in writing. However, things move very quickly at the committee, and I have not had the opportunity to receive the answer. I don't know if it will be sent or if it has already been sent.

I would just like clarification on what is meant by “other peoples in Canada”, excluding First Nations, Inuit and Métis.

Thank you very much, Mr. Chair.

[English]

Mr. Andy Garrow (Director, Planning and Partnerships, Reconciliation Secretariat, Policy and Strategic Direction, Department of Crown-Indigenous Relations and Northern Affairs): Thank you, Mr. Chair.

In the legislation, following “First Nations, Inuit and the Métis”, which refers to first nations, Inuit and Métis people, there is “other peoples in Canada”, which would mean not first nations, Inuit or Métis. In other words, it's the non-indigenous people. That would be the reference there.

[Translation]

The Chair: Do you want to follow up, Ms. Gill?

Mrs. Marilène Gill: We are talking about “peoples” here, which has a different meaning from the word “non-indigenous”. It is plural. If they had wanted to talk about allochthones, they would have written “allochthones”, but they have written “peoples”.

Is it possible to define who these people are?

[English]

Mr. Andy Garrow: That's correct, yes.

[Translation]

Mrs. Marilène Gill: In fact, I asked if we could define who these people are, because “allochthones” does not equate to “peoples”.

[English]

Mr. Andy Garrow: It's difficult to define, because it's really reflective of the clause that's right in front of it, which says “First Nations, Inuit and the Métis”. So it means peoples other than those. It was intended to have representation on the council for other people—new Canadians, Canadians who have been here for generations, inclusive of—

[Translation]

Mrs. Marilène Gill: Am I to understand from this that new Canadians are a people?

The Chair: If I understand correctly, it includes everyone else.

Mrs. Marilène Gill: I understood that, but I also understood that new Canadians were a people and it was not clear what “peoples” meant. I'm fine with saying that we don't know exactly what it covers. I would imagine that it will be the members of the council who will define what “peoples” means as part of the bill.

That will be all, Mr. Chair. Thank you.

The Chair: Very well, Ms. Gill.

[English]

Getting back to clause 12, shall clause 12 carry with the amendments that were approved last time? Of course, that's done, but I mean with the specific unanimous consent that was arrived at today, which we agreed to.

(Clause 12 as amended agreed to [See Minutes of Proceedings])

The Chair: Very good. Clause 12 carries with those amendments. Thank you.

(On clause 13)

The Chair: We'll now go to clause 13.

Madame Idlout, are you ready to move amendment NDP-5 and discuss it?

Ms. Lori Idlout: I am. Thank you.

• (1555)

The Chair: Please go ahead.

Ms. Lori Idlout: I just want to thank Madame Gill for asking all those questions. It did help me to understand better what her line of thinking is. I do appreciate the staff who are helping to explain that. I do understand that, just in relation to that, it is important to not specifically define those other peoples, because I think we will end up going into a deep hole. I think it is a good signal to the future board that this board is going to be inclusive of other peoples. I do appreciate that discussion very much.

I will move on to my amendment.

I move that reference number 12027909 be considered. The purpose of this amendment is to add to clause 13 in terms of the knowledge and experience. I will read the provision just so the purpose of the amendment is clear.

(2) To ensure that Indigenous views are heard in relation to the advancement of reconciliation with Indigenous peoples, the Council must consult with a variety of persons with relevant knowledge, expertise or experience, including elders, survivors of the discriminatory and assimilationist policies of the Government of Canada and Indigenous law practitioners.

Qujannamiik.

The Chair: Thank you.

Is there debate on the amendment?

Go ahead, please.

Mr. Gary Vidal (Desnethé—Missinippi—Churchill River, CPC): Lori, does the fact that we've included all those groups of people on the council through the amendments to clause 12 last week make it redundant at all to have this as well? I'm thinking we've already done it by adding them into the council, so does that make this redundant?.

I'm not opposed to it. I'm just thinking we've already done it, if that makes sense.

Ms. Lori Idlout: That's a great question, Gary.

I added this after our witnesses from the interim board because it became evident to me that it's going to be important for the board not in terms of its directorship but so it can hear from these groups through, for example, advisory committees. It's not necessarily with respect to the board membership but so it can hear from these groups of people as advisers.

The Chair: Mr. Battiste, go ahead.

Mr. Jaime Battiste: I think we will support this motion, because it gives the ability for the national council on reconciliation to actually set up subcommittees, possibly of survivors, of elders, without actually being prescriptive in a sense of saying that they have to, but that in their deliberations, if they should deem it important to hear from indigenous residential school survivors directly in some communities, this would give them the ability to do that.

That's why we're in support of this.

The Chair: Seeing no further debate, shall NDP-5 carry? I see unanimity.

(Amendment agreed to)

The Chair: Shall clause 13 as amended carry?

(Clause 13 as amended agreed to [*See Minutes of Proceedings*])

(Clauses 14 and 15 agreed to)

(On clause 16)

The Chair: We'll begin with amendment PV-2, which is deemed moved already, as Ms. May will know.

I have an additional notice to everyone: If PV-2 is adopted, CPC-10 and LIB-5 cannot be moved, as they amend the same line.

With that in mind, Ms. May, would you like to discuss your amendment before we go to debate?

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Thank you, Mr. Chair.

I need to begin with this for just a moment, and I hope you'll forgive me. This is my first time appearing before the indigenous affairs committee and the nature of my involvement procedurally is unusual, so I want to canvass that quickly for members.

I'm here as a result of a motion that this committee carried under the fiction—and it is a fiction—that committees are masters of their own process. Identical language passes in every committee at the same time every year, following an election, to limit my rights.

My rights under our current Standing Orders would include moving any substantive amendment at report stage before the whole Parliament for everyone to vote on it. Now, that right that I have exists in theory, but every time committees pass the motion that you've passed, my rights are limited, because you've given me the opportunity to show up in each and every committee with 48 hours' notice to produce clause-by-clause amendments. They are deemed moved, as the chair has just indicated, because I have no rights before this committee but for the motion you passed that requires me to be here if I have amendments.

That said, it also means that I can't withdraw my own amendment. I've had conversations with the minister and with others about the 30-day timeline I proposed. I am totally prepared to accept the minister's proposition to me that what he hears—and I believe it—is that 30 days is not going to be feasible for the department in producing and for the government to propose the information for the council from 30 days.

I'm in your hands at this point, Mr. Chair. I cannot remove my own amendment, nor could I move it. This committee can, as you are just looking at it, unanimously remove my amendment or you can vote it down. I have very important amendments subsequent to this one that I do believe should be carried, but I leave it with other members. I can't withdraw my own amendment. If I could, I would.

Thank you.

• (1600)

The Chair: Thank you, Ms. May.

From my understanding of what you expressed there, you would be open, from your point of view, given your explanation, that if there is unanimous consent in the committee to withdraw PV-2, that would be acceptable to you.

Ms. Elizabeth May: It is absolutely acceptable, and if it were unacceptable and I violently objected, I would have no impact on the conversation, but thank you for your graciousness.

The Chair: My comment is slightly academic, but I'm trying to be constructive.

Members, is there unanimous consent to withdraw PV-2?

(Amendment withdrawn)

The Chair: Given that, CPC-10 can be put forward.

Mr. Vidal, do you want to move CPC-10 and discuss it?

Mr. Gary Vidal: I do, Mr. Chair.

I would move that amendment CPC-10, identified as reference number 12004983, be considered by the committee. My purpose in putting forward this proposed amendment is that it removes from the minister the responsibility for developing a protocol, in clause 16, and puts it solely in the hands of the council. I would make the case that this would be a more independent process, and I believe it truly honours the theory put forward in call to action 53 to create a truly independent process as this council is going to be holding the government to account.

So it removes the minister from that process of setting the protocol for what information would be provided.

Thank you.

The Chair: Thank you, Mr. Vidal.

I will just remind everyone that, as I said before, if amendment CPC-10 is adopted, then amendment LIB-5 cannot be adopted because it affects the same line.

Go ahead, Mr. Baptiste.

Mr. Jaime Battiste: I'd really like to hear from the technicians with respect to this framing right here, because I do believe it is important to have the minister involved to work collaboratively with the council on various things.

I can understand Mr. Vidal's wish for independence, and I share that wish to see independence, but where it's beneficial for the minister to be collaboratively working with the council on things is that, while we've had one fund set aside in this budget, it's possible that in subsequent years we might need that collaboration to discuss finances, to discuss further movement.

I think the discussion that takes place between the minister and the council is very beneficial for the future of this council, and I'd like to hear from the technicians whether they could give us a little bit of a sense of what this clause on a protocol was really meant to get at.

The Chair: Dr. Sunga, go ahead.

Dr. Seetal Sunga: Mr. Chair, this particular wording reflects the placing of an obligation on the minister to come to agreement on an information protocol with the council, and it gives him some time

to develop such a protocol once the council is set up, thereby recognizing and respecting its independence as opposed to imposing any particular roles in legislation.

The involvement of the minister in this case to come to an agreement and then abide by that agreement is really what is intended with this particular wording, as opposed to having the council develop a unilateral protocol under which it would not have the ability to bind the minister.

The Chair: Thank you, Dr. Sunga.

Mr. Battiste, go ahead.

Mr. Jaime Battiste: With that in mind, I think I understand that wording, but I also understand that voting in favour of this would then mean that amendment LIB-5 is not there, and LIB-5 has an important place in this. I know that Mr. Weiler could probably speak to that.

For those reasons, we're going to oppose this, because we think amendment LIB-5 has some strong wording around time frames that are important to this legislation, which maybe Mr. Weiler could speak to as well.

• (1605)

The Chair: Go ahead, Mr. Weiler.

Mr. Patrick Weiler (West Vancouver—Sunshine Coast—Sea to Sky Country, Lib.): Thank you. Just on the amendment that I'd like to make here, there are really two things that I think are important.

First of all, the amendment I want to move would ensure that within six months of the council's being incorporated, a protocol would be concluded such that the work would start. The second part of the amendment that I would like to move would strengthen the language to enhance the actual effect of this information-sharing protocol.

The original legislation reads, “develop a protocol respecting the disclosure by the Government of Canada to the Council of information that is relevant to the Council's purpose.” I don't think that is quite strong enough. What I propose here is “The protocol must allow for the fulfilment by the Council of its purpose.” This would ensure a much stronger information-sharing protocol, which would enable the council to operate effectively.

The Chair: Thank you, Mr. Weiler, for explaining what you will be proposing or may be proposing.

Getting back to CPC-10, is there further debate?

I see Madame Gill.

[*Translation*]

Mrs. Marilène Gill: Thank you, Mr. Chair

I would like to ask Mr. Weiler a question regarding subclause (2) that his amendment would add to clause 16. The wording would read: “The protocol must allow for the fulfilment by the council of its purpose.” I would imagine that the body that will judge whether or not the protocol enables the council to fulfil its purpose is the council itself, correct?

[English]

The Chair: Mr. Weiler, go ahead.

Mr. Patrick Weiler: Yes, I think that's a great question.

If the protocol itself was insufficient.... This really guards against the risk that you could have the government propose or agree to only a very insufficient information-sharing protocol. This will ensure it is more robust, because in the absence of that, it won't allow the purpose to be fulfilled by this.

[Translation]

The Chair: Does this answer your question, Ms. Gill?

Mrs. Marilène Gill: Actually, I didn't really get a response. There is a desire to strengthen the protocol, I understand that. However, I want to know who will judge whether it allows the council to fulfil its purpose. Is it the council itself? If it is not stated here, would it be possible to do so?

I know there are two different amendments seeking to make changes in the same place, but would it be possible to strengthen this one to say that it will be the council itself that will be able to judge whether the information available to it is sufficient for it to fulfil its purpose?

[English]

The Chair: Thank you.

Do you want to add any further clarification?

We are going to go, of course, to CPC-10. This was to inform people about what LIB-5 might contain.

Mr. Patrick Weiler: Yes, we can return to it at that point.

I think there are always ways we can amend an amendment to make it even stronger. If you'd like to consider something along the lines of "the protocol must allow for the fulfillment by the council of its purpose in the opinion of the council", things like that could very much be on the table.

Your point is very well taken.

The Chair: Bear in mind, of course, that if CPC-10 is adopted, then it's a moot point.

Going back to CPC-10, Mr. Vidal, you had your hand up.

Mr. Gary Vidal: Thank you, Mr. Chair.

May I suggest, if it's important, that we add subclause 16(2) about strengthened language around the protocol. That could be considered as a subamendment to my amendment, and we could have both.

The Chair: Would anybody in the room wish to propose a subamendment?

Go ahead, Mr. Battiste.

● (1610)

Mr. Jaime Battiste: Well, actually, after hearing about the importance of the minister working collaboratively, we are going to oppose CPC-10.

The Chair: Okay.

Does anybody else want to propose a subamendment?

Not seeing any hands raised, we're going to go to a recorded vote on CPC-10.

(Amendment negatived: nays 6; yeas 5 [See Minutes of Proceedings])

The Chair: I declare CPC-10 not carried.

We'll now go to LIB-5.

Mr. Weiler, would you move LIB-5?

Mr. Patrick Weiler: Thank you, Mr. Chair.

I gladly move LIB-5, which is under the reference number 12049620.

I feel like I'll be repeating myself if I go through it.

The Chair: It's your choice.

Mr. Patrick Weiler: Maybe I'll just leave it at that, because we just did that.

The Chair: Very good.

Is there a wish to debate?

[Translation]

Mrs. Marilène Gill: I do not want to debate the amendment, but I would like to propose a subamendment, in the light of what my colleague said earlier.

It is very simple, I would add a clarification after the word "council". So it would be, "The protocol must enable the council, in the opinion of the council, to fulfil its purpose."

I can send it to the committee in writing so that you can have it in English and French.

The Chair: Yes, that must be done.

Mrs. Marilène Gill: I can write it up immediately. It will be very quick. In the meantime, people can debate it.

[English]

The Chair: We will temporarily suspend while we await the written subamendment proposed by Ms. Gill.

● (1610)

(Pause)

● (1620)

The Chair: Colleagues, we are resuming.

I'm told that the subamendment has been sent to you for examination, so I'll give you a minute to look at it. Then we will proceed to a vote on it unless there's further debate.

● (1625)

Mr. Jaime Battiste: Is it possible to get the technicians to give us their thoughts on the subamendment as presented?

The Chair: Yes, it is.

We have to make sure they receive the subamendment.

Mr. Jaime Battiste: Perhaps Madame Gill could read it for them so they can respond.

The Clerk of the Committee (Ms. Vanessa Davies): I'm happy to send it to the witnesses.

The Chair: Yes, please.

We'll suspend just briefly.

• (1625) _____ (Pause) _____

• (1625)

The Chair: Resuming, we'll now hear from Crown-Indigenous Relations and Northern Affairs.

Ms. Ledgerwood, are you ready to give your opinion? Go ahead.

Ms. Kate Ledgerwood (Director General, Reconciliation Secretariat, Policy and Strategic Direction, Department of Crown-Indigenous Relations and Northern Affairs): Thank you, Mr. Chair.

I apologize for taking a little bit of time to consider this very thoughtfully proposed subamendment.

Perhaps I'll provide a little context, if possible, around what was originally envisioned for the information-sharing protocol. Really, what that was designed to do was.... Recognizing that, as an independent organization, the council would have access to existing legislative mechanisms around the Access to Information Act and the Privacy Act to solicit information, the protocol was envisioned to be something that would help facilitate a streamlined, efficient process for them so that they would not have to go through that.

I would suggest that, in looking at this as it's being suggested, the protocol, in being developed, would need to be something that is agreed to by both parties, both the minister and the council. However, we would want to reflect on the fact that when it says, "must allow the council to receive all information", it would need to take into account that there might be information that, from other perspectives, might not be able to be released. I'm thinking particularly around privacy information—currently, there is legislation that protects the release of information that is of a private nature—and the concern that there might be certain information that the government might not be in a position to release as a result of other legislation that prevents it from being provided.

That would be something that we would put forward for members' consideration around the proposed subamendment.

I don't know if my colleague from the Department of Justice would like to add anything to that point.

• (1630)

Dr. Seetal Sunga: I think you covered it.

Really, there is a regime in place to protect personal information, and we want to make sure that this law is in accordance with that broader information management regime that's governed by legislation.

The Chair: Thank you very much.

If I understand it, you need to do some further research to make sure that it's in accordance with other legislation.

Dr. Seetal Sunga: I think I'm just raising that concern in alignment with Ms. Ledgerwood's point that you would want to respect the fact that there are things like personal information and other exceptions in the Access to Information Act and the Privacy Act that would potentially make it not possible to provide all the information that the council requests.

The Chair: Thank you.

You're making that observation. That's really what it is.

Dr. Seetal Sunga: Yes.

The Chair: Okay. Thank you very much.

Is there any further debate on the subamendment as written?

Mr. Jaime Battiste: I'm going to need a time out here, because I'm still trying to process what I've just heard and whether that's in LIB-5 or just in the subamendment. Can we take a time out just to huddle so that I could ask what we'd like to do?

The Chair: Yes. We'll suspend briefly. Let me know as soon as you're ready to resume.

• (1630) _____ (Pause) _____

• (1635)

The Chair: Colleagues, we're resuming.

Mr. Battiste, go ahead.

Mr. Jaime Battiste: Mr. Chair, there have been some conversations among the parties, and based on what we've heard—I know I can't make a subamendment to a subamendment—I'm wondering if we can seek unanimous consent to approve the wording to put in, before "all", the words "to the extent possible".

The Chair: Thank you, Mr. Battiste.

Under normal circumstances, we would vote on the subamendment, and if it was defeated, a new subamendment could be proposed to the effect that you're talking about, but in this particular case you tell me you've talked to everybody, so we could look at this from a unanimous consent point of view, as long as it is very clear to everybody exactly what that minor change to the subamendment is.

Could you spell it out one more time for everybody to hear, and then I'll seek unanimous consent? Then we'll have to check that the French is also in proper form.

• (1640)

Mr. Jaime Battiste: Before the words "all information", we would suggest the amendment be "to the extent possible", based on the privacy concerns raised just now.

The Chair: Okay.

The legislative clerk will read what she has interpreted you to have said.

The Clerk of the Committee (Ms. Émilie Thivierge): It would read, “the protocol must allow the Council to receive, to the extent possible, all the information it judges relevant to fulfill its mission”.

[*Translation*]

The Chair: Is there unanimous consent for this subamendment to amendment LIB-5?

Some hon. members: Agreed.

[*English*]

(Subamendment agreed to [*See Minutes of Proceedings*])

The Chair: The subamendment to amendment LIB-5 proposed by Madame Gill, with a slight revision by Mr. Battiste, carries.

Shall amendment LIB-5, as amended by the subamendment and the friendly additional words, carry?

(Amendment as amended agreed to [*See Minutes of Proceedings*])

The Chair: Very good.

Without repeating myself, shall clause 16 as amended carry?

(Clause 16 as amended agreed to)

The Chair: We'll now proceed with a new clause 16.1, which is really amendment PV-3, which is deemed to be moved.

Ms. May, would you like to explain PV-3 before we go to debate it?

Ms. Elizabeth May: Yes, absolutely. Thank you very much, Mr. Chair.

It is a long amendment, but I hope the wording is familiar to all of you. This is the very same language that's found in the calls to action of the Truth and Reconciliation Commission, for which this legislation is an important step to fulfill those recommendations and those calls to action.

The legislation, Bill C-29, fails to include the actual requirements—the minimum requirements—of the contents of the annual report. I've had some conversations informally with other members and understand a desire to not be prescriptive and say that's the only thing that the annual report must cover. I certainly would, if I were a member of this committee, amend my own motion by adding a paragraph (h) to say “and any other matters as the Council deems appropriate”, but I do think it's important, at a minimum, to include the mandate of the calls to action of the Truth and Reconciliation Commission as they appear in the report.

I think it would be most unfortunate, Mr. Chair, if in the first few reports the minister tabled.... The minister must submit to the council an annual report. Imagine if it didn't include any of these things that the Truth and Reconciliation Commission required. It would be a very large failing of our process here in this committee if a report were tabled by the minister—a future minister, this minister, a minister 20 years from now, whatever—who decided, “I don't want to let the public know or the council know the number of indigenous and non-indigenous children in care, and I really don't think I want

to share the comparison in funding for education for indigenous children on and off reserves.”

These are the minimum requirements from the calls to action of the Truth and Reconciliation Commission. I hope that colleagues around the table will see the benefit, even if you feel that you want to amend it to make sure you're not ruling out other things that the minister might want. I don't think, when there's a list of things, an annual report setting out (a) through (g), that it in any way, given the context of the whole act, restricts what the minister would be able to put in a report to the council.

Without this language, I don't think Parliament and the government are fulfilling the commitments that were made to follow through on every single call to action. It's not enough, I think, to put a tick box next to this to say, okay, now we've created the reconciliation council, and it exists. On the calls to action, it's only a few paragraphs, but they're highly specific. I really do think it's an error—however well intentioned—and it would be a serious mistake to leave out this language.

Thank you, Mr. Chair.

• (1645)

The Chair: Thank you, Ms. May.

Is there a wish to discuss?

Go ahead, Mr. Battiste.

Mr. Jaime Battiste: Yes. During the study, we heard from members of the transitional committee on the national council for reconciliation, and it was described by them that while the focus is on the TRC calls to action now, in 10 years, if we fulfill them, the committee should be able to grow and expand.

Understanding that Ms. May's intention on this is not to be too prescriptive but to make sure that these are part of that, we're prepared to support it.

The Chair: Thank you, Mr. Battiste.

Next is Mr. Vidal.

Mr. Gary Vidal: My only comment would be that in CPC-3, which we all supported together on Monday, we've already included language that would say to “monitor and report on the progress made on measurable outcomes, including in relation to the Truth and Reconciliation Commission of Canada's Call to Action number 55”. As I explained on Monday, the absolute intent of that addition was to include these specific things but not to be limited to those specific things.

In response to Ms. May not wanting it to be limited to just those, I would submit that we've already done in CPC-3 what she's asking to do here.

The Chair: Thank you, Mr. Vidal.

Would anybody else like to comment?

I have Madame Gill.

[*Translation*]

Mrs. Marilène Gill: Mr. Chair, this is just a matter of consistency.

Shouldn't this new clause be numbered 17.1 and be under the heading "Annual Report"? I know that the proposed new clause would be inserted before line 5 on page 6 and that, according to the amendment, it would be numbered 16.1, but it is more concerned with the annual report than the protocol.

The Chair: As currently drafted, if amendment PV-3 were adopted, it would create clause 16.1, which would contain all the words the amendment proposes to add.

Mrs. Marilène Gill: So this would be the chosen numbering, even though it is not relevant to the protocol.

All right, thank you.

[*English*]

The Chair: Ms. Idlout, did you have your hand up?

Ms. Lori Idlout: *Qujannamiik, Iksivautaq.*

Having reviewed amendments CPC-3 and PV-3, I do notice some differences between the two amendments. I'm willing to support it. We have also supported CPC-3, but PV-3 is a little bit more prescriptive, in that it needs to happen within six months and it sets out some very specific items based on the TRC calls to action.

I think it is slightly different and I'm willing to support the motion as well.

The Chair: Thank you, Ms. Idlout.

Mr. Weiler, go ahead.

Mr. Patrick Weiler: Maybe just briefly to respond to Ms. Gill's question here, the annual report is separate. The annual report will be submitted by the council itself. This, I think, does fit under the disclosure of information, but it would be separate from the protocol that will be developed first, and this would be an ongoing thing.

It would be part of the disclosure of information, but separate from the protocol, which would be the first action that would be taken.

The Chair: Thank you.

I'm going to put this to a vote.

The question concerns whether we will vote in favour of amendment PV-3.

(Amendment agreed to: yeas 7; nays 4 [*See Minutes of Proceedings*])

(On clause 17)

• (1650)

The Chair: We'll now go to clause 17, beginning with amendment CPC-11.

Mr. Vidal, would you move it and discuss it?

Mr. Gary Vidal: Thank you, Mr. Chair.

I would move that amendment CPC-11, identified as reference number 11961197, be considered by the committee.

The purpose of the two items in this proposed amendment is simply to shorten the time frames. In subclause 17(1), six months is

shortened to three months, and then in subclause 17(3), 120 days is shortened to 60 days.

Just to explain my purpose, I'll go back to my professional career as an accountant. When I was dealing with financial matters for people and we dealt with results at the end of a fiscal year, if we didn't actually have an opportunity to respond to those results until almost a year into it—in this case, it would be 11 months if this played out—we'd already be a year down the road before we could respond to the concerns or the issues raised in that report.

My purpose in this would be simply to shorten the time frames to potentially a five-month window rather than an 11-month window so the government of the day could be more reactive to the recommendations that are coming from the council.

I think it's pretty clear what my purpose is there.

The Chair: Thank you, Mr. Vidal.

Is there debate?

Mr. Battiste, go ahead.

Mr. Jaime Battiste: I'd like to hear from the team as to whether they think these timelines are reasonable. We see this as possibly being difficult to achieve. As a government, we want to make sure we hit some of our timelines. When we don't hit our timelines, we often get called out in the House for that. It's for us to see if we're creating reasonable expectations with the timelines within this amendment.

The Chair: Do any of our witnesses care to comment?

Ms. Kate Ledgerwood: Sure. Thank you for the question, Mr. Chair.

In terms of the reasonableness of timelines, perhaps I'll provide a little context in terms of how the original timelines were identified for this.

Speaking first around the government response, the proposed 120 days was actually taken to reflect the current standards that are in place for the House committees. When a committee of your nature issues a report, the government provides 120 days. That was used as a model for the council in terms of the government response.

For the initial council, I'll allow my colleagues to speak to this if they have more knowledge around it, but I think six months was to ensure that the council was provided with adequate time to be able to produce a very thoughtful report, given the breadth of work that is anticipated to be before it. Especially since, as we know, the end of fiscal year certainly can be quite busy, for this organization, as it's being set up, we wanted to make sure that six months was the maximum time, we'll say, but that does not prevent them from reporting earlier.

Certainly we'd be ready to respond if it did come in earlier, but in wanting to ensure maximum flexibility, six months was seen as what would be able to provide that.

I don't know if colleagues want to add to that.

Mr. Andy Garrow: I'd add just one thing.

It also reflects the requirements for disclosure of information. It allows time for that to happen. It's expecting the council on an annual basis to determine what their information needs are, giving the government time to respond to that, and the council being able to analyze that information and develop the report. That was also factored into that six-month timeline.

Thank you.

The Chair: Thank you.

Go ahead, Mr. Battiste.

Mr. Jaime Battiste: Based on those very thoughtful considerations, and the consistency that I think we've looked at from committees all across Canada, we will be opposing that. While I'm in a hurry to see reconciliation in Canada, I don't want to rush things and make mistakes.

The Chair: Thank you, Mr. Battiste.

Yes, Ms. Idlout.

Ms. Lori Idlout: I'd like to ask the witnesses about the work of the interim board and how much of that preparatory work will help contribute to ensuring that this important work could be reported sooner rather than later.

I do agree that first nations, Métis and Inuit have already been forced to wait years for a lot of this information. I agree with the Conservatives' motion that there is a sense of urgency for this kind of information. There is an interim board that's already functioning. I wonder if that would help make sure that this amendment could be supported.

Qujannamiik.

• (1655)

Mr. Andy Garrow: The interim board was established to help set up the council. They're there to do the incorporation process and to now co-name the first board members. Then it will become the duty of the council to take this on. The interim board won't be taking over these responsibilities. Once the council is set up, they will start to take on these responsibilities for doing the report. It won't be the interim board.

The Chair: Thank you.

I'm going to put this to a vote. Is there any further comment?

Yes, Mr. Vidal.

Mr. Gary Vidal: I'm going to respond to the talk about the interim board of directors and the transitional committee. If I understood correctly from the departmental briefing I sat on when this bill was going to be introduced, the interim board of directors did all of its work from January to June 2018, after being appointed in December 2017. The transitional committee did all its work, after being appointed in December 2021, by March 2022, in 90 days.

In theory, those prior entities working on this important work were six months and three months. I think these timelines are reasonable. I think there should be an urgency to this.

The Chair: Thank you, Mr. Vidal.

Are there any further comments before we go to a vote on amendment CPC-11?

(Amendment agreed to: yeas 6; nays 5 [*See Minutes of Proceedings*])

The Chair: Now we'll go to PV-4.

I have two comments here. Of course, PV-4 is deemed already moved. Second, this is one of these similar situations that we've experienced before. If PV-4 is adopted, then NDP-6, CPC-13 and G-3 cannot be moved, as they amend the same line, so bear that in mind as we go forward.

With that, Ms. May, would you like to speak to PV-4?

Ms. Elizabeth May: Thank you, Mr. Chair.

I haven't had an opportunity to say this before.

[*Translation*]

I want to specify that "PV" stands for *Parti Vert*, Green Party. The first time I participated in a clause-by-clause study, someone suggested that Green Party amendments should be designated with the letter G, for "Green Party". Now, that would have been a problem, since that letter refers to "government".

[*English*]

Maybe some day, but it's not right now.

[*Translation*]

This is why we use "PV" to refer to the Green Party amendments.

[*English*]

This is, again, an attempt to ensure that Bill C-29 as closely as possible tracks the recommendations from the Truth and Reconciliation Commission.

In Bill C-29, at first reading, the role of the Prime Minister in tabling the report was replaced with the minister. Now, I see by looking ahead.... As you've noted, Mr. Chair, if my amendment is accepted, then the government's amendment...where the "G" doesn't stand for "Green Party"; it's the government, and they're not very green. I'm just moving along here. It's a small dig to cheer up my Conservative friends.

Voices: Oh, oh!

The Chair: Let's try to refrain from editorializing.

Voices: Oh, oh!

Ms. Elizabeth May: It's really hard, when I get my moments, you know.

Here's the thing. The G-3 amendment does, in fact, ensure that the Prime Minister has a role in this council, something that was removed in the first reading. If G-3 is carried, clearly the bill will track much more closely to what was recommended by the TRC.

I would be forcefully arguing for my amendment if G-3 didn't exist. I can't vote on my amendment. I put it to you that it's an attempt to make sure that the Prime Minister has a requirement of engagement in tabling the report, and in that light, I'll leave it to you. As long as you pass G-3, I won't feel that my efforts have come to naught.

Thank you.

• (1700)

The Chair: Thank you.

Mr. Battiste, go ahead.

Mr. Jaime Battiste: I think this is one of the ones where we've done a lot of good work around the table in strengthening it. I think that, in discussions with the Prime Minister, he was open to this and actually quite excited about the possibility of being the first Prime Minister to table a statement on this, and that's why we have G-3.

It's quite consistent with CPC-13, which is a shock to me. With that said, we do feel that it's appropriate for the Prime Minister to table the government's response. However, as the committee is an independent national council, we feel that it's probably better that the Speaker, or someone else, tables the report on behalf of the council. That's why we feel the wording of CPC-13 and G-3 is much stronger than that provided by the Green Party and the NDP.

Whichever one we decide to support is fine, but we think the wording of CPC-13 and G-3 is most consistent with what we want to do here.

For that reason, we'll be voting against.

The Chair: Seeing no further debate, I'm going to ask for a vote on PV-4.

Mr. Jaime Battiste: Just wait a second. I'm being asked to suspend for a second while I confirm with my team that I have said the right things.

Voices: Oh, oh!

The Chair: Okay. We'll suspend momentarily.

• (1700)

(Pause)

• (1700)

The Chair: We will now take a recorded vote on amendment PV-4.

Ms. Lori Idlout: Sorry, I just need some clarification before we vote.

Isn't it better to do a subamendment to replace the Prime Minister with the Speaker? Then approving the subamendment will mean that we don't need to discuss the rest of the similar amendments.

Mr. Jaime Battiste: Consistent with what Ms. May said, we feel that by voting down the.... Instead of amending them, we can just cover it with CPC-13 and vote on that one. It covers all the bases.

We're all on the same page here. It's just the wording.

• (1705)

The Chair: Does that answer your question, Ms. Idlout? Very good.

Let's proceed with the vote, please.

(Amendment negated: nays 11; yeas 0 [*See Minutes of Proceedings*])

The Chair: Based on that, PV-4 does not carry.

Next in the order, we are going to NDP-6.

Mr. Jaime Battiste: It's the same rationale. Our government will be voting against, because CPC-13 will cover that with better wording.

The Chair: Thank you, Mr. Battiste.

Are there any other comments?

Go ahead, Ms. Idlout.

Ms. Lori Idlout: Can I move to withdraw my motion, reference number 12027230?

The Chair: It was a mistake on my part. I didn't ask you to move it, which is what I'm now asking.

Do you wish to move it?

Ms. Lori Idlout: Yes. I wish to withdraw my motion.

The Chair: So you are not moving it. Therefore, NDP-6—

Ms. Lori Idlout: English is my second language. Double negatives are hard to do for me.

The Chair: I understand.

You are not moving it. Amendment NDP-6 has been withdrawn.

We are now going to go to CPC-12, which is next in order.

Go ahead, Mr. Vidal.

Mr. Gary Vidal: Thank you.

It seems ironic that we're going to do this one in between all this other discussion.

CPC-12, identified as number 12005013, is simply going way back to where we were in the beginning to remove the words “efforts for” from paragraph 17(1)(b).

I have to identify, before I get into trouble, that in the French, there is a correction that needs to be made, as we talked about last week: “du” needs to become “au”, for clarity. That's a minor adjustment in the French translation of the amendment.

The Chair: Thank you, Mr. Vidal.

Is there any discussion before we vote on CPC-12?

(Amendment agreed to [*See Minutes of Proceedings*])

The Chair: We'll now go to CPC-13.

Go ahead, Mr. Vidal.

Mr. Gary Vidal: Mr. Chair, I move CPC-13, identified as reference number 11960388. I really don't think this needs any further explanation. I think we can just move on.

The Chair: Thank you, Mr. Vidal.

Is there any wish to debate? I see unanimity.

(Amendment agreed to [*See Minutes of Proceedings*])

The Chair: CPC-13 is carried. Therefore, G-3 cannot be moved.

[*Translation*]

Shall clause 17, as amended by CPC-11, CPC-12 and CPC-13, carry?

[*English*]

(Clause 17 as amended agreed to)

(Clauses 18 to 20 inclusive agreed to)

(On the preamble)

The Chair: We'll now go to the preamble.

With that, I will turn to Ms. Idlout to move NDP-7 and perhaps discuss what's behind the amendment.

• (1710)

Ms. Lori Idlout: *Qujannamiik, Iksivautaq.*

I move that reference number 12043323 be considered.

The purpose of this amendment to the preamble is just to put into a better context why reconciliation is so important and to state the fact that indigenous peoples thrived before colonialism, that they “managed and governed their Indigenous lands” and that “since the arrival of the settlers and colonization, Indigenous peoples have experienced assimilationist policies, which must be addressed through reconciliation”.

Qujannamiik.

The Chair: Thank you.

Is there discussion on NDP-7?

We have Madame Gill.

[*Translation*]

Mrs. Marilène Gill: Thank you, Mr. Chair.

I was wondering if it was possible to add a reference or allusion to the British Crown. The amendment refers to the arrival of settlers and colonization, but these are also policies that are state-based. So I would add a reference to the British Crown to that paragraph in the preamble.

The Chair: In that case, can you read the paragraph as you would like it amended?

Mrs. Marilène Gill: Yes.

I couldn't write “since the arrival of the British Crown”. I'd have to figure out how to insert it where it says “the arrival of the settlers and colonization”, Mr. Chair.

In short, I would insert a reference to the British Crown somewhere in the text, before “Indigenous peoples have experienced assimilationist policies, which must be addressed through reconciliation”.

The Chair: So you want to add a mention of the British Crown.

Mrs. Marilène Gill: Yes.

[*English*]

The Chair: Under normal circumstances, that would require a subamendment, but we'll see what people have to say.

Go ahead, Ms. Idlout.

Ms. Lori Idlout: As much as I appreciate the intent of the proposal, I would be inclined to reject it, because then we would also have to add all the other settler groups that had their colonial policies, like the Hudson's Bay corporation, the churches and all these other places that had quite negative impacts on indigenous people. I'd prefer that we focus on just “the arrival of settlers and colonization”.

Qujannamiik.

The Chair: Very good. Thank you, Ms. Idlout.

Is there any further debate?

[*Translation*]

Mrs. Marilène Gill: I would like to add something, Mr. Chair, in response to Ms. Idlout.

I agree with her, in a way. Having said that, I find that the amendment refers to settlers individually. I know that, when it comes to colonization, we do have a collective responsibility to some extent. However, I was looking for a stronger term, rather than putting assimilation on the shoulders of the population, people who were not part of the Hudson's Bay Company or who were not aware that there was, for example, a policy that Inuit sled dogs be killed.

For me, assimilation was not just about individuals, but about institutions. It wasn't just religious colonization or whatever. I agree that, yes, the Church and the Hudson's Bay Company were part of it, but I was looking for another term.

I don't know if the members of the committee are open to a discussion to find a broader term than “the British Crown”. I fully agree with the principle of the amendment, but I would not want assimilation to be blamed only on individual settlers. After all, there are people among them who did not have this desire and did not participate in the implementation of such policies.

[*English*]

The Chair: Ms. Idlout, would you like to respond to that?

Ms. Lori Idlout: I guess, given that this is inserted into the preamble to provide a context of what happened in the past, I don't know that we need to try to define who the populations are or exclude other people.

I think that generally in the preamble—and maybe this is something that the team could respond to as well—I've been trying to make it so that it's a general acknowledgement of what happened in the past: that indigenous peoples did thrive before settlers and other groups arrived and forced colonial policies to be implemented.

I don't know that we can have a specific word to try to define it. Maybe this is something that the team can try to respond to.

• (1715)

[*Translation*]

Mrs. Marilène Gill: What would you say to the term “settler agents”?

The Chair: Ms. Gill, if you want to move a subamendment, you're going to have to submit it in writing.

Is that the case?

Mrs. Marilène Gill: I would propose a very simple term: “settler agents”. In the notion of agency, there is both a will and an action. I don't know if the committee would agree. It could be something else, too.

The Chair: Where do you want to add it, specifically?

Mrs. Marilène Gill: That is a good question. It could also replace another term.

Actually, I just want to say that the responsibility for assimilation does not lie with the settlers themselves. We could talk about colonization in general and remove “settlers”. That would satisfy me too. I don't want it to rest on individuals.

The Chair: Yes, but I would need something specific, Ms. Gill.

Mrs. Marilène Gill: Yes, I understand. I'm looking to Ms. Idlout at the same time.

[*English*]

Ms. Lori Idlout: If I may, I know that “settlers” is also an academic term that is generally used and it's not meant to focus only on settlers who were individuals, but again I remind you that this is a part of the preamble to provide context as to what the realities were, that there were indeed settlers and people—agents—both of whom were having negative impacts on the lives of indigenous peoples.

I think encompassing it as “the arrival of settlers and colonization” provides that context to show why reconciliation is so important.

[*Translation*]

The Chair: Go ahead, Mr. Battiste.

[*English*]

Mr. Jaime Battiste: I think the framing “Whereas, since the arrival of settlers and colonization, Indigenous peoples have experienced assimilationist policies, which must be addressed through reconciliation” is very accurate. I don't think it needs to be amended to be softened or to be more specific, so if there is any amend-

ment coming that talks about agents of colonization—I don't know what those are—we wouldn't be supporting that.

We think what's there is okay with us. We're going to go with the original wording.

The Chair: Thank you, Mr. Battiste.

[*Translation*]

Mrs. Marilène Gill: I just have a comment before we wrap up the discussion, Mr. Chair. I don't at all want to go to war over this.

In my view, the words “settlers” and “colonization” have two meanings, even if they are used in academic or historical literature. One is, of course, pejorative, and the other is ameliorative, so I was hoping the wording would take that into account. Not everything is black and white; it's all about the shades of grey.

That's why my preference is to refer to the beginning of colonization, itself, without tying it to individuals. As I understand it, the point, here, is to highlight a historical date, and that date is the beginning of colonization—hence the idea to remove the word “settlers”.

Of course, if the committee wishes to keep the word, I don't think it softens the language. I absolutely agree on the impact of colonization, but my preference is to refer to the overall movement, so to speak, rather than the individuals.

The Chair: I want to make sure I understand what you mean, Ms. Gill. Do you still wish to move a subamendment?

Mrs. Marilène Gill: I'm quite amenable. I would say yes to wording along the lines of “since colonization” or “since the beginning of colonization”, but if the committee doesn't agree, I'm fine with that. I just wanted to bring it up.

The Chair: Very good.

[*English*]

With that said, I'm going to ask whether amendment NDP-7 shall carry.

Mr. Jaime Battiste: On a point of order, is that with that amendment or without?

The Chair: No, it's without that amendment. It's just NDP-7.

(Amendment agreed to [*See Minutes of Proceedings*])

The Chair: We'll now go to amendment G-4.

Mr. Battiste, go ahead.

• (1720)

Mr. Jaime Battiste: This is a recognition of the importance of indigenous language. Adding that to the preamble, I think, is important.

I'm not going to go too far into it, because we have 10 minutes.

The Chair: Does anybody wish to debate?

[*Translation*]

Does that work for you, Ms. Gill?

Mrs. Marilène Gill: Yes, that's fine. I don't have any comment.

[English]

The Chair: Shall amendment G-4 carry?

(Amendment agreed to [See Minutes of Proceedings])

The Chair: We'll now go to amendment NDP-8.

Ms. Idlout, would you like to move NDP-8 and discuss it?

Ms. Lori Idlout: Yes. I move that reference number 12026958, also known as NDP-8, be considered.

The purpose of this amendment is to add to the preamble “the progress being made towards reconciliation, including in relation to respect for and the protection and promotion of the rights of Indigenous peoples”.

The Chair: Is there any debate?

(Amendment agreed to [See Minutes of Proceedings])

The Chair: We now go to CPC-14.

Go ahead, Mr. Vidal.

Mr. Gary Vidal: Thank you, Mr. Chair.

I would move that CPC-14, identified by reference number 11957466, be considered by the committee at this time.

The purpose of this amendment is simply to get rid of the language that says “including, as appropriate, through the provision of information relevant to its purpose”. That's the part that's being removed.

The purpose was just to strengthen the language around making sure that information identified in call to action 55 is going to be provided. It was simply strengthening the language that I thought was softer than it had to be.

The Chair: Thank you, Mr. Vidal.

Is there any debate on this amendment?

(Amendment agreed to [See Minutes of Proceedings])

[Translation]

The Chair: Given everything we have just discussed, shall the preamble as amended carry?

Some hon. members: Agreed.

[English]

The Chair: Shall the short title carry?

Some hon. members: Agreed.

[Translation]

The Chair: Shall the title carry?

Some hon. members: Agreed.

[English]

The Chair: Shall the bill as amended carry?

Some hon. members: Agreed.

The Chair: Shall the chair report the bill as amended to the House?

Some hon. members: Agreed.

The Chair: Shall the committee order a reprint of the bill as amended for the use of the House at report stage?

Some hon. members: Agreed.

The Chair: Thank you very much, everybody, for your wonderful spirit of conciliation.

We were going to go into committee business, but given the late hour, I propose that we adjourn.

Do I have your consent for that?

• (1725)

Mr. Jamie Schmale (Haliburton—Kawartha Lakes—Brock, CPC): What's the next step in terms of the agenda? I don't think we have anything after this.

The Chair: Next Monday, at our next meeting, we will go into committee business. There are a number of things we should discuss. One of them is the travel issue. Second is final approval of the NIHB report, and then there will be other business, future studies and other matters that you may wish to bring up. It will be committee business in camera next Monday.

With that, I declare the meeting adjourned.

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