



DEBATES OF THE SENATE

1st SESSION • 42nd PARLIAMENT • VOLUME 150 • NUMBER 93

OFFICIAL REPORT
(HANSARD)

Tuesday, February 7, 2017

The Honourable GEORGE J. FUREY
Speaker

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

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Publications Centre: Kim Laughren, National Press Building, Room 926, Tel. 613-947-0609

Published by the Senate
Available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Tuesday, February 7, 2017

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

Prayers.

SENATORS' STATEMENTS

THE LATE CHESLEY DANIEL PENNEY, C.M., O.N.L.

Hon. David M. Wells: Honourable senators, I rise today to pay tribute to Newfoundland and Labrador's most iconic business leader and humanitarian, Mr. Ches Penney. He passed away at home on January 26, 2017, at age 84, surrounded by those who loved him.

Ches Penney was founder and Chairman of The Penney Group of companies. He was born in 1932 in Carbonear, a small town in Newfoundland and Labrador. He was the eldest of 12 children. Mr. Penney lived a long and prosperous life, and during his lifespan he was undoubtedly one of the greatest contributors to the success of my home province.

His legacy includes the many companies that bear his name. After his start in banking, he built The Penney Group of companies. His industrial influence covers a wide range of industries including construction, engineering, automobile dealerships, property management and development, shipping and fisheries. The Penney Group is one of Newfoundland and Labrador's largest private commercial enterprises and employs thousands of people in my home province and further afield.

Ches Penney's awards and recognitions are also many. He received the Order of Canada in 2010 and the Order of Newfoundland and Labrador in 2011. He also received an honorary doctorate from Memorial University of Newfoundland, was named to the Junior Achievement Newfoundland and Labrador Business Hall of Fame, was named EY Atlantic Entrepreneur of the Year and is a Paul Harris Fellow with Rotary International.

Colleagues, he was more than a successful industrialist. Humble and generous, Ches Penney was a man of few words and a man close to his roots. His generosity was unparalleled and his legacy will live on through all the people and organizations he helped. In 2009, he donated \$1 million towards a new YMCA in St. John's. He was quoted as saying:

We have a number of businesses here and they've all done well, reasonably well. It's the community that's made us successful and we feel we have to give back.

Ches Penney, a proud Newfoundlander, has left his mark on our province and our country through his immense involvement in our economic growth, industrial development and our community. I know that, through the many recipients of his generosity, knowledge and advice, his positive influence will continue.

Colleagues, our generation is, and future generations in Newfoundland and Labrador will be, deeply indebted to Ches Penney. He embodies the notion that it's not what you take, but what you leave. On behalf of the Senate of Canada, I wish to say to his beloved wife Iris, his children, grandchildren, great-grandchild and his extended family that his memory and legacy will survive not only in you but in all of us. Thank you.

PRINCE EDWARD ISLAND

LUKE POIRIER

Hon. Elizabeth Hubley (Deputy Leader of the Senate Liberals): Honourable senators, I'm extremely pleased to rise today to highlight the work of Luke Poirier from Cascumpec, Prince Edward Island. Luke, a PhD candidate studying Environmental Sciences in the Department of Biology at the University of Prince Edward Island, is one of many young Islanders whose work and research directly impact and benefit our Island.

Luke's current project links invasive species research with shellfish resource management by addressing the concerns of Prince Edward Island shell fishers in addressing the invasive European Green Crab. This species of crab is one of the 10 most unwanted species in the world and threatens Atlantic Canadian ecosystems. Working closely with local stakeholders, he hopes to commercialize a soft-shelled crab product that holds high value in overseas markets. He is applying creative measures to protect local ecosystems from this invasive species while also supporting Prince Edward Island's world-famous shellfish industry.

Luke's research is one example of the university's strong relationship with rural communities in P.E.I.

In November 2015, Luke was named one of Atlantic Canada's Top 50 under-40 leaders by 21inc. He also participated as a panellist at the conference session entitled "Higher Ed: A long view on the education system." He remains with the organization as a part of a growing network of young leaders who wish to see Atlantic Canada mobilize and create their own positive change.

Closer to home, Luke is involved with Fusion Charlottetown, a network of youth in Charlottetown dedicated to making the city a better place to live, and is a member of their sustainability committee.

Luke is active in science education. He performs outreach through Let's Talk Science at UPEI, which conducts science and technology outreach to local public schools to provide fun and educational hands-on activities for children. Additionally, he is currently employed as an instructor at Mount Allison University in Sackville, New Brunswick.

Luke is a member of the P.E.I. Youth Futures Council, a province-wide youth advisory body established by the provincial government to enhance programs, policies, strategies and resources for young Island youth.

After the completion of his PhD, Luke hopes to continue in the marine science sector, either in government or academia. He remains passionate about research at UPEI and hopes to further the engagement of scientists in public policy.

It is the exceptional contribution of young Islanders like Luke Poirier that continues to drive our province forward. You are making our home a better place to live. Thank you.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of representatives of the Steering Committee of the Canadian HIV/AIDS Black, African and Caribbean Network, CHABAC: Lori Root, co-chair, and MaryStella Anidi, member. They are guests of the Honourable Senator Bernard.

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

AFRICAN, CARIBBEAN AND BLACK CANADIAN HIV/AIDS AWARENESS DAY

Hon. Wanda Thomas Bernard: Honourable senators, I rise to bring to your attention that today, February 7, 2017, is African, Caribbean and Black Canadian HIV/AIDS Awareness Day.

The Canadian HIV/AIDS Black, African and Caribbean Network, or CHABAC, and its partners coordinated the first awareness day in Canada on February 7, 2015. We all need to be concerned about this growing health issue, and the theme for this year is timely and appropriate: “Start a conversation. Know your health options. End the stigma.”

Honourable colleagues, as you are aware, February is Black History Month, a time when we celebrate and recognize the achievements of African Canadians. February 7 is thereby the opportune time to pause and start a conversation about HIV and AIDS in the African Canadian community.

Despite efforts to prevent the spread of HIV/AIDS, people from African Canadian communities are disproportionately affected. In 2014, they represented an estimated 16 per cent, or one in seven, of people living with HIV in Canada, while representing only 2.5 per cent of the population. This is a disturbing statistic that ought to concern us.

• (1410)

Many factors increase the vulnerability of African Canadians, including the impact of racism and discrimination based on race, gender, sexual identity, sexual orientation and socio-economic status. These factors affect access to information, resources and services. Given this broader context, it is important to raise awareness about HIV to promote HIV prevention and regular testing.

The reality of HIV-related stigma within African-Canadian communities needs great attention. Such stigma may originate from religious beliefs and uncomfortable silence about health,

healthy sexuality and homophobia. Regardless of the source, stigma forces people of African descent living with HIV to isolate themselves and discourages many from seeking testing, treatment or support services.

Therefore, honourable colleagues, I invite all of you to help start a conversation about HIV/AIDS in our communities. Perhaps you can take part in a local event or join the conversation by posting on social media, using the hashtag “#BlackHIVDay.”

Please join me in thanking CHABAC for all of their hard work in bringing awareness to all Canadians about HIV/AIDS and their realities in African, Caribbean and Black communities across the country. Thank you.

[Translation]

INTERNATIONAL HOLOCAUST REMEMBRANCE DAY

Hon. Marc Gold: Honourable senators, I rise today to mark International Holocaust Remembrance Day, which took place on Friday, January 27, 2017, just a few days before we returned to this chamber.

The United Nations chose January 27 to commemorate the Holocaust because it was on that day, 72 years ago, that the Allied forces liberated the Auschwitz-Birkenau death camps. Honourable senators, the Holocaust was a genocide perpetrated against Jews — a deliberate, systematic program to wipe an entire people off the face of the earth. As Elie Wiesel has said, although not all victims were Jews, all Jews were victims. The Holocaust affects all human beings, regardless of religion, colour or creed, because it stands as a symbol of the denial of human rights in its most extreme form.

[English]

How bitterly sad it is, therefore, that just two days after Holocaust Remembrance Day, in Sainte-Foy, Quebec, 6 Muslim Quebecers were murdered and 19 others were wounded as they concluded their daily prayers.

These acts were an assault on our most fundamental shared values and a rejection of what we stand for as a liberal, democratic and inclusive society. But they are also a reminder — a tragic reminder — that we still have not yet fully learned nor have we fully absorbed the lessons that the Holocaust teaches us. For the Holocaust, like other genocides before it, and sadly and tragically after it, did not happen in a vacuum. It started with the demonization of the Jew as other, the outsider, the threat to the identity and values of the settled majority. It was nurtured by a climate of intolerance and exclusion, a willingness to accept and legitimate hateful words and acts and to defend them in the name of some higher collective good.

It was abetted by the silence and acquiescence of otherwise ordinary and good people, who, swayed by the siren song of a populist and racist rhetoric, excused and accepted the slow but steady, systematic erosion of the social and political rights of the Jewish minority in the years preceding the Holocaust.

Above all, the Holocaust teaches us — no, it demands of us — that we never be passive or silent in the face of prejudice and intolerance, whether in words or in deeds.

The murders in Sainte-Foy were crimes of hate against individual Muslims in their community because of their differences in religious belief and practice, because they were deemed to be the other, the threat to the identity and settled values of the majority.

Words are important, but just as words have always failed to do justice to the 6 million Jews and the other victims of the Nazi murder machine, words alone cannot soothe the pain of those who lost loved ones and friends in Sainte-Foy, nor calm the fears of our brothers and sisters of the Muslim faith across this country.

And so, as a Canadian, as a Quebecer and as a Jew, I stand here with you in this august chamber and together we mourn, together we bear witness, together we stand on guard, and together, above all, we remember. Thank you.

Hon. Senators: Hear, hear!

ALBERTA

CALGARY—INFRASTRUCTURE BANK

Hon. Douglas Black: Honourable senators, I rise today to make the case for Calgary as the home for Canada's new infrastructure bank.

As senators know, the creation of an infrastructure bank has been proposed by the Prime Minister's Economic Advisory Council. The purpose of the bank will be to facilitate investment in building or upgrading the infrastructure in Canada.

I suggest that Calgary is the natural home for that bank, and here is why. Calgary knows about infrastructure and financing infrastructure because of our decades of involvement in the infrastructure intensive energy industry.

Calgary is a centre of finance and financial innovation, with many Calgarians having broad experience at raising equity, debt and private capital — something we've been doing since the 1950s for both companies and entrepreneurs.

And then, of course, there are today's market realities in Calgary that make the establishment of the bank so timely. Given the economic downturn in Alberta, there has never been a better time to utilize the skills of Calgarians in the finance and infrastructure space who have been displaced — and there has never been a better moment to lease office space in downtown Calgary.

Finally, Calgary is justifiably proud that for several years it has been selected by *The Economist* magazine as one of the world's most liveable cities. This fact, coupled with Calgary having non-stop flights to financial capitals, including all major American cities, as well as London, Frankfurt, Tokyo and Beijing, makes Calgary a very attractive home for both the bank and its employees.

[Senator Gold]

Albertans and Calgarians are proud of the economic contribution we have made to Canada. Given the tough economic circumstances that have confronted the city over the last couple of years, I hope senators might agree with me that locating the Canadian infrastructure bank in Calgary can help the city diversify its economic base and demonstrate to both Albertans and Canadians that the federal government recognizes Calgary's and Alberta's contribution to Canada and wants to help Calgary's return to prosperity for the benefit of Canadians.

ROUTINE PROCEEDINGS

STUDY ON ISSUES RELATING TO FOREIGN RELATIONS AND INTERNATIONAL TRADE GENERALLY

SEVENTH REPORT OF FOREIGN AFFAIRS
AND INTERNATIONAL TRADE
COMMITTEE TABLED WITH CLERK DURING
ADJOURNMENT OF THE SENATE

Hon. Percy E. Downe: Honourable senators, I have the honour to inform the Senate that pursuant to the order of reference adopted on January 27, 2016, the Standing Senate Committee on Foreign Affairs and International Trade deposited with the Clerk of the Senate, on Tuesday, February 7, 2017, its seventh report entitled *Free Trade Agreements: A Tool for Economic Prosperity*, and I move that the report be placed on the Orders of the Day for consideration at the next sitting.

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

• (1420)

JUSTICE FOR VICTIMS OF CORRUPT FOREIGN OFFICIALS BILL (SERGEI MAGNITSKY LAW)

BILL TO AMEND—EIGHTH REPORT OF FOREIGN
AFFAIRS AND INTERNATIONAL TRADE
COMMITTEE PRESENTED

Hon. Percy E. Downe, Deputy Chair of the Standing Senate Committee on Foreign Affairs and International Trade, presented the following report:

Tuesday, February 7, 2017

The Standing Senate Committee on Foreign Affairs and International Trade has the honour to present its

EIGHTH REPORT

Your committee, to which was referred Bill S-226, An Act to provide for the taking of restrictive measures in respect of foreign nationals responsible for gross violations of internationally recognized human rights and to make related amendments to the Special Economic Measures Act and the Immigration and Refugee Protection Act, has, in

obedience to the order of reference of November 17, 2016, examined the said bill and now reports the same without amendment.

Respectfully submitted,

PERCY E. DOWNE

Deputy Chair

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

(On motion of Senator Downe, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.)

STUDY ON USER FEE PROPOSAL

INNOVATION, SCIENCE AND ECONOMIC
DEVELOPMENT—PATENT FEES—TENTH REPORT OF
BANKING, TRADE AND COMMERCE
COMMITTEE TABLED

Hon. David Tkachuk: Honourable senators, I have the honour to table, in both official languages, the tenth report of the Standing Senate Committee on Banking, Trade and Commerce, entitled *Canadian Intellectual Property Office's User Fee Proposal, dated September 2016, for changes to patent fees.*

INNOVATION, SCIENCE AND ECONOMIC
DEVELOPMENT—TRADEMARK FEES—ELEVENTH
REPORT OF BANKING, TRADE AND COMMERCE
COMMITTEE TABLED

Hon. David Tkachuk: Honourable senators, I have the honour to table, in both official languages, the eleventh report of the Standing Senate Committee on Banking, Trade and Commerce, entitled *Canadian Intellectual Property Office's User Fee Proposal, dated September 2016, for changes to trademark fees.*

NATIONAL STRATEGY FOR ALZHEIMER'S DISEASE AND OTHER DEMENTIAS BILL

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-233, An Act respecting a national strategy for Alzheimer's disease and other dementias.

(Bill read first time.)

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

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

ETHICS AND CONFLICT OF INTEREST FOR SENATORS

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

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

That, for the duration of the current session, the Standing Committee on Ethics and Conflict of Interest for Senators be authorized to sit even though the Senate may then be sitting and that rule 12-18(1) be suspended in relation thereto.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO
REFER PAPERS AND DOCUMENTS FROM THE
SECOND SESSION OF THE FORTY-FIRST
PARLIAMENT AND THE INTERSESSIONAL
AUTHORITY TO CURRENT SESSION

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

That the papers and documents received and/or produced by the Standing Committee on Ethics and Conflict of Interest for Senators during the Second Session of the Forty-first Parliament, and by the Intersessional Authority be referred to the Standing Committee on Ethics and Conflict of Interest for Senators.

QUESTION PERIOD

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, pursuant to the motion adopted in this chamber on Thursday, February 2, 2017, Question Period will take place at 3:30 p.m.

ANSWERS TO ORDER PAPER QUESTIONS TABLED

PUBLIC SAFETY AND EMERGENCY PREPAREDNESS—
CORRECTIONAL SERVICE CANADA

Hon. Peter Harder (Government Representative in the Senate) tabled the answer to Question No. 22 on the Order Paper by Senator Runciman.

PUBLIC SAFETY AND EMERGENCY PREPAREDNESS—
GOODS IN TRANSIT

Hon. Peter Harder (Government Representative in the Senate) tabled the answer to Question No. 23 on the Order Paper by Senator Downe.

FINANCE—FEDERAL TAXATION

Hon. Peter Harder (Government Representative in the Senate) tabled the answer to Question No. 24 on the Order Paper by Senator Carignan.

TRANSPORT—OFFENDERS WHO BROKE CANADA'S
NEW RAIL SAFETY RULES

Hon. Peter Harder (Government Representative in the Senate) tabled the answer to Question No. 29 on the Order Paper by Senator Carignan.

TRANSPORT—MONEY SPENT BY
TRANSPORT CANADA

Hon. Peter Harder (Government Representative in the Senate) tabled the answer to Question No. 30 on the Order Paper by Senator Carignan.

change the Order Paper process, particularly the process for so-called “stood” items, in line with the following elements:

1. Senators wishing to speak on any item on the Order Paper would provide notice to their respective caucus leadership, group convenor, or group facilitator, or only to the Chamber Operations and Procedure Office.
2. Items on which notice has been given would be compiled into a single list and added to the daily scroll. This information would be shared among all senators. The possibility that this information might be posted on the Senate website so that the public could know what items of business will be debated in the Chamber could be explored in the future.
3. Instead of calling all items on the Order Paper, the Reading Clerk would only call items for which a Senator has given notice of his or her intention to speak.
4. Once all items for which a Senator has given notice have been called, the Speaker would ask Senators if they wish to revert, with unanimous consent, to prior items on which they wish to speak.
5. Items not called would be deemed to have been stood and would be put over to the next sitting, where the proposed process would be repeated.
6. Once the process has been completed for the Order Paper, a similar process would be repeated for the Notice Paper.”.

ORDERS OF THE DAY

SENATE MODERNIZATION

FOURTH REPORT OF SPECIAL COMMITTEE—MOTION
IN AMENDMENT—DEBATE SUSPENDED

On the Order:

Resuming debate on the motion of the Honourable Senator Greene, seconded by the Honourable Senator Andreychuk, for the adoption of the fourth report (interim) of the Special Senate Committee on Senate Modernization, entitled *Senate Modernization: Moving Forward (Order Paper)*, presented in the Senate on October 4, 2016.

And on the motion in amendment of the Honourable Senator Tannas, seconded by the Honourable Senator Unger:

That the Fourth Report of the Special Senate Committee on Senate Modernization be not now adopted, but that it be amended by replacing the third paragraph with the following:

“That the Standing Committee on Rules, Procedures and the Rights of Parliament develop and recommend to the Senate amendments to the *Rules of the Senate* to

Hon. Frances Lankin: Honourable senators may remember that on Thursday of last week we had a discussion of report No. 4 and that Senator Tannas moved an amendment. We had a little bit of back and forth, questions, answers and discussion, and determined that two points of view were both important and should be considered. We've proceeded to have more discussion and determine how we might proceed.

So that everybody is on the same page, let me remind you that report No. 2 deals with the Modernization Committee's recommendation to try to move us away from the Order Paper process that we have now whereby if nobody is speaking to a particular bill, a report, a motion, we say “stand.” As you know, we say “stand” many times in any given day.

• (1430)

This recommendation would suggest that those members who want to speak to various items on the Order Paper would inform, through the usual mechanisms and processes at the scroll meeting of the morning that they intend to speak. We would then proceed through the order of business aligned with those who indicated they wanted to speak.

There was a provision within the original recommendation that said at the end of the day it is wise to ask if any senator wants to rise on a previous matter. Or a senator could rise and say, “I

would like to revert to a matter and speak.” Therein, the first question was raised.

There was a concern that at some point in time towards the end of the day, you might have a smaller number of senators present. Someone might want to revert to a bill to speak to it but notice hadn’t been given, so people who wanted to be in the house to hear that presentation and/or engage in it may not be present or it may move to a vote without that opposite point of view, if there was one being shared with the chamber. The essence of the amendment that Senator Tannas moved was to say that in order to revert to that item it had to be with unanimous consent.

That raised a concern on the other side with the longstanding principle in this chamber that any honourable senator has a right to speak. That would allow one member to take away that right to speak. That presents a problem on the other side. Both of those are legitimate concerns and so we wanted to think through how to resolve this. As we talked about it we recognized that, of course, this motion is to refer the recommendation to the Rules Committee, and the Rules Committee will be looking at it. Perhaps that would be a better place rather than here in the chamber and trying to get the right wording that accommodates both of those concerns, with the understanding that those of us who are on the Rules Committee will take up this discussion and concern from the chamber that has been raised on both sides. We assure all of you that we will pay attention to this and will attempt to find a way to square the circle for both legitimate concerns, along with some of the other suggestions made yesterday. That is, maybe it is at the end of each section that someone can revert or stand to speak if they have not given notice at the scroll meeting. We can consider all of that at the Rules Committee.

Regarding the conversation that went on, you’ll note what is on the Order Paper today is with the words that Senator Tannas moved the amendment, namely, “with unanimous consent.” My understanding is that, when I finish speaking, Senator Tannas will stand and request to withdraw that particular amendment. So we will be voting on the original recommendation without those words “with unanimous consent.” It will then be referred to the Rules Committee and we will take it up there.

My other understanding is that once that is removed or withdrawn, the original recommendation under Order No. 2 might be at a point in time in the chamber where we are ready to vote on it, but we’ll see how that unfolds.

With that, I will give notice to Senator Tannas that I am about to sit down and put the show over to him.

MOTION IN AMENDMENT WITHDRAWN

Hon. Scott Tannas: With permission, Your Honour, I would like to withdraw my amendment.

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

Hon. Senators: Agreed.

An Hon. Senator: Question.

Hon. Yonah Martin (Acting Leader of the Opposition): Your Honour, I move the adjournment of the debate.

Some Hon. Senators: No.

The Hon. the Speaker: It is moved by the Honourable Senator Martin, seconded by the Honourable Senator Marshall, that further debate be adjourned to the next sitting of the Senate.

Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: No.

Some Hon. Senators: Yes.

Senator Martin: If I may —

The Hon. the Speaker: Before honourable senators rise, we will call for a voice vote, if senators will kindly remain in their seats.

All those honourable senators in favour of the motion will please say “yea.”

Some Hon. Senators: Yea.

The Hon. the Speaker: All those honourable senators opposed will please say “nay.”

Some Hon. Senators: Nay.

The Hon. the Speaker: In my opinion, the “nays” have it.

And two honourable senators having risen:

The Hon. the Speaker: I see two senators rising. Do we have an agreement on the bell?

Senator Wells: Fifteen minutes.

The Hon. the Speaker: The vote will take place at 2:49.

Call in the senators.

• (1450)

Motion negated on the following division:

YEAS THE HONOURABLE SENATORS

Ataullahjan	Ogilvie
Batters	Oh
Beyak	Plett
Boisvenu	Poirier
Cools	Raine
Enverga	Runciman
Housakos	Seidman
Lang	Smith
MacDonald	Stewart Olsen
Manning	Tkachuk
Marshall	Unger
Martin	Wells
McIntyre	White—27
Ngo	

NAYS THE HONOURABLE SENATORS

Baker	Kenny
Bellemare	Lankin

Bernard	Lovlace Nicholas
Black	McCoy
Boniface	McInnis
Bovey	McPhedran
Brazeau	Mégie
Campbell	Mercer
Christmas	Merchant
Cordy	Mitchell
Cormier	Moncion
Dawson	Munson
Day	Omidvar
Dean	Pate
Downe	Petitclerc
Duffy	Pratte
Dyck	Ringuette
Eggleton	Saint-Germain
Forest	Sinclair
Gagné	Tardif
Gold	Verner
Greene	Wallin
Harder	Watt
Hubley	Wetston
Jaffer	Woo—51
Joyal	

ABSTENTIONS
THE HONOURABLE SENATORS

Tannas—1

(Debate suspended.)

• (1500)

ADJOURNMENT

MOTION

Hon. Donald Neil Plett: Your Honour, I would like to move the adjournment of the Senate.

The Hon. the Speaker: It was moved by the Honourable Senator Plett, seconded by the Honourable Senator Ataullahjan, that the Senate do now adjourn.

Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: Yes.

Some Hon. Senators: No.

The Hon. the Speaker: All those in favour of the motion will please say “yea.”

Some Hon. Senators: Yea.

The Hon. the Speaker: All those opposed to the motion will please say “nay.”

Some Hon. Senators: Nay.

[The Hon. the Speaker]

The Hon. the Speaker: In my opinion, the “nays” have it.

And two honourable senators having risen:

The Hon. the Speaker: Call in the senators.

Is there agreement on the bell?

Honourable senators, it will be a one-hour bell. The bells will start ringing now for one half hour. According to a previous order of the chamber, Question Period will take place from 3:30 p.m. until 4:10 p.m. The additional half hour for the one-hour bell will go to 4:40 p.m. The vote will then take place at 4:40 p.m.

• (1540)

QUESTION PERIOD

Pursuant to the order adopted by the Senate on December 10, 2015, to receive a Minister of the Crown, the Honourable Carolyn Bennett, the Minister of Indigenous and Northern Affairs appeared before honourable senators during Question Period.

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, today we have for Question Period the Honourable Carolyn Bennett, P.C., M.P., Minister of Indigenous and Northern Affairs.

On behalf of all senators, welcome to the Senate.

Honourable senators, in order to accommodate the minister who was tied up in the other house with votes, the bell continued to ring beyond 3:30. Once we’ve finished, the vote will still take place at 4:40. Question Period will last for 40 minutes.

MINISTRY OF INDIGENOUS AND
NORTHERN AFFAIRS

INFRASTRUCTURE PROJECTS

Hon. Elizabeth (Beth) Marshall (Acting Deputy Leader of the Opposition): Thank you, minister, for being here today. Welcome to the Senate of Canada.

Last week, the Parliamentary Budget Officer released a report on your government’s new infrastructure plan. The plan provides \$13 billion in funding for this fiscal year and next year for infrastructure.

Your department has been allocated \$1.9 billion, second only to the allocation provided to Infrastructure Canada. Yet the report indicates that of your \$1.9 billion allocation, only \$240 million in

projects have been identified. This is only 12 per cent of your funding, whereas Infrastructure Canada has identified projects for 60 per cent of its funding.

We're all aware of the significant challenges facing your department. My question is this: Why is there a delay in identifying worthy projects for your department to fund?

Hon. Carolyn Bennett, P.C., M.P., Minister of Indigenous and Northern Affairs: Thank you very much, Your Honour.

Thank you, senator, for the question. It's an honour to be here.

I am very happy with the first question because I think this is one of the concerns we have that people don't really understand. From the time of the Parliamentary Budget Officer to now, we are extraordinarily happy with the pace at which the money is going out the door.

In the regions now, they can approve up to \$50 million without us having to process that at the centre. In the past, there has sometimes been a lack of communication or a lack of us understanding for which projects have gone forward. But I am very pleased to say that by the end of March, 100 per cent of the money has been identified and will be out the door. We were at almost 90 per cent in mid-September.

• (1550)

It's very exciting and we have, for any of the senators, the projects in your provinces that have been identified. We'd be happy to let you know where those projects have been in terms of the schools, the water projects and the housing that has been approved. It's a very exciting story.

Senator Marshall: Thank you, minister, for that response. That leads me into my second question.

Except for Infrastructure Canada, no other department is publishing a list of projects. Can you give us assurances of your commitment to transparency and accountability to ensure that this information on individual projects is provided on your website?

Ms. Bennett: Absolutely. Thank you, senator.

Again, it is new for our department to assemble all these projects here at head office, but we are well on the way to that. Senator, I think you will be very happy that next week, particularly on the water projects, which we know are near the heart of all Canadians, we will be able to very quickly release a process so all Canadians can find those projects that have been approved and the 18 boil water advisories that have been lifted.

People can watch our progress as we go forward. We think this is really important to the story and to the reconciliation. That means we have to have all Canadians with us as we go forward. This kind of information is hugely important to having Canadians with us as we go down this path of reconciliation.

SURPLUS DEPARTMENT BUDGETS

Hon. Lillian Eva Dyck: Welcome, minister.

Last year, \$900 million was left unspent by your department, at a time where there remains an urgent need for schools, new drinking water systems and especially mental health services to help address the suicide epidemic amongst Aboriginal youth across Canada.

Indigenous and Northern Affairs Canada, INAC, seems to have a consistent history of pulling back money from their budget instead of spending it to support Aboriginal communities that are in dire need of support.

Two weeks ago, a confidential Privy Council report card gave INAC an incomplete mark, citing bureaucratic lethargy. According to the *National Post*, INAC "is widely seen as one of the most sclerotic bureaucracies in the federal government," and this grade does nothing but reaffirm what indigenous leaders and political staffers who deal with the department have been saying year in and year out for decades.

All of this comes after Auditor General Michael Ferguson's biting criticism of your department in November of last year stating that:

This is now more than a decade's worth of audits showing that programs have failed to effectively serve Canada's Indigenous peoples.

My question to you, honourable minister, is this: Why is your department consistently not spending its allocated budget, leaving desperate First Nations communities in dire need of resources and assistance?

Hon. Carolyn Bennett, P.C., M.P., Minister of Indigenous and Northern Affairs: Thank you very much. As you know, senator, I was the critic of this department for four years and those were definitely my concerns and observations.

On the \$900 million, I'm pleased to tell you that that money is ring-fenced for settling specific claims and residential school claims. That money has to sit there such that as soon as a claim is settled, the money flows to the claimant. That money is not available for the kinds of needs that you have identified.

I also want to tell you that far from sclerotic, I am so inspired every day by the people working in my department, the almost 30 per cent indigenous members of my department who are energized in knowing that they can make a difference in the way forward towards reconciliation in terms of righting these historic wrongs and also closing the gaps on outcomes.

You've identified a very important point, and I think this is the reason that the Prime Minister keeps all of us as ministers on a very short leash. We need to report into him on results that we're getting. I must say from my department, I have to prepare those reports very regularly and it is inspiring when we see how much money is out the door and how many kids are in new schools. These kinds of metrics matter. We are watching this carefully and are very inspired by the results this year.

INCENTIVES FOR REDUCED SPENDING

Hon. Lillian Eva Dyck: INAC has about 4,000 to 5,000 employees, and it is widely believed that within that department there is a repulsive policy of rewarding staff with bonuses for cutting back funds to First Nations. Is that true? If so, has that policy been terminated?

Hon. Carolyn Bennett, P.C., M.P., Minister of Indigenous and Northern Affairs: Senator, I have no awareness of that kind of policy. Our aspiration for the department is about getting results. We know we can only get results when we work with First Nations, Inuit and Metis on their priorities and being able to invest in the things that matter to them, and also us being accountable for the results we're getting with the money spent.

I again reiterate the 30 per cent of our department — and we are aiming to get it to 50 per cent indigenous public servants in our department — that are very much interested in getting positive results, closing those gaps as we go forward on this path on reconciliation.

FIRST NATIONS LAND CLAIMS

Hon. Nancy Greene Raine: Thank you for being here, minister. I'm from British Columbia, from the Interior of B.C., and I'm well aware of the challenges the whole province is facing with regard to unsettled Aboriginal claims.

A lot of work needs to be done to resolve these indigenous land claims. Certainly, advancing negotiations is an important step, acknowledging the signing of the letter of understanding last week with the T'lesqox First Nations. This is another positive step in advancing reconciliation between the Government of Canada and the Tsilhqot'in people in B.C. who, as you know, have an agreement now.

Last week, I also heard that 11 tourist operators received formal notices from one of the Tsilhqot'in First Nations — this is the Xení Gwet'in First Nation — that they are to cease any promotion of their operations on land recently recognized as having Native title.

These businesses have operated alongside First Nations in the area for generations, and I urge senators to Google "Chilco Experiences" and you'll see what they have built over many years. They are heavily invested in the area and have worked alongside their indigenous neighbours.

Will you ensure that the interests of the private land owners, business operators, farmers, ranchers and, of course, local hunters and anglers, are heard and protected?

Hon. Carolyn Bennett, P.C., M.P., Minister of Indigenous and Northern Affairs: Thank you very much, senator. It's an excellent question as we move forward exploring what is a land claim and a settlement and what is traditional territorial land. These are the kinds of conversations that we need to be having with all First Nations.

As you reference, and as you know, the Supreme Court gave the title claim to the Tsilhqot'in people. It was a game changer in terms of the way Canada now views what are indigenous rights. Also, you've referenced the fact that we've signed a memorandum of understanding with that nation in an exploratory table.

Instead of it sometimes taking 20 years to get to a full self-government agreement or full land claim, we now are having conversations through the treaty and Aboriginal government on the pieces of jurisdiction that a nation would like to draw down, whether it's fisheries, whether it's education, the kinds of areas where they would now like to be able to make their own policies, their own laws, on a specific part.

• (1600)

So when it comes to land, as you know, there are overlapping concerns amongst the First Nations themselves, but I think that, again, this is a time where we all need to work together. I wasn't aware of that particular letter, but I would be happy to look into it with you.

Senator Raine: It's a very difficult situation. You have people here who have invested many times, generations of families, in operations on what is now land that belongs to the First Nations. As soon as a First Nation makes a claim, the value of a property immediately is basically wiped out because nobody wants to buy anything, a lodge or a ranch, if there is a First Nation claim on that territory. You'd be crazy to buy it.

I guess what I'm asking is this: How can you, as minister responsible at the federal level, implement a policy of avoid, mitigate and compensate when the interests of third parties are affected by treaty and land claim settlements across Canada? These are all good people. To have a thriving economy on First Nations territory, we all need to work together, but relationships can break down when somebody thinks and starts to feel like their rights are being trampled. So it has to come from the top, this recognition that other people in those territories also have rights.

Ms. Bennett: Absolutely, senator. I think that private lands and the difference between private lands and reserve lands and traditional territory are about respect for rights and are often resolved with a conversation. So on traditional territorial lands, private lands are respected.

So this is, again, a conversation with there is a lot of misinformation and fear, but I think that we are not, at the moment, in the business of drawing lines on maps. We are having those conversations about where we can find that kind of certainty, which is what bolsters an economy when people know exactly what the rules are and how we will all work together.

[Translation]

DEPARTMENTAL MALAISE

Hon. Chantal Petitclerc: Minister, like many Canadians, I am quite concerned and saddened by what is happening with Aboriginal youth, especially when it comes to health.

[English]

I have no doubt that you have the best of intentions, but my concern today is with the administrative structure to achieve that goal. I realize some things are confidential, so I will not ask you to comment on a recent confidential Privy Council report card that gave your department an incomplete mark. That was from the *National Post*, as you know. But those critics are, unfortunately, recurrent.

For years, Aboriginal leaders have had the same perception. In the most recent report, the Auditor General complained about what he called a long history of inaction and indifference at your department that failed to effectively serve Canada's indigenous people. We all want to see results, impact, improvements. Is this bureaucratic situation or perception being acknowledged, and how is it being addressed?

Hon. Carolyn Bennett, P.C., M.P., Minister of Indigenous and Northern Affairs: Thank you, senator for the question. As you know, leadership starts at the top, and the Prime Minister has stated that this is the most important relationship — with indigenous people — to him and to Canada.

As you know, in the mandate letters of ministers, it was clear that all ministers have to take this nation-to-nation relationship and to renew the relationship based on a recognition of rights, respect, cooperation and partnership. I believe that the public service now is very excited by the loyal implementation of that expectation and those aspirational goals for our department but also in taking concrete steps that can actually get the irritants out of there for us to be able to actually meet these kinds of goals that are about health, economic and educational outcomes.

But part of it is us really, I believe, underlining the need for language and culture, the understanding that, for these outcomes that you referred to at the beginning, we will only get there when young people have a secure personal cultural identity that's about self-esteem and about being a proud indigenous person. I believe that all of our policies, from putting language and culture dollars into curricula, to on-the-land programming, to the kinds of things that we know, to the new legislation that will be coming on indigenous languages, represent a big shift, and I think we're really moving in the right direction.

STANDARD OF LIVING IN THE NORTH

[Editor's Note: Senator Watt spoke in Inuktitut.]

Hon. Charlie Watt: Minister, thank you for being here, and you're very welcome in the Senate.

Last week, Statistics Canada released a new report called *Food insecurity among Inuit living in Inuit Nunangat*. A 2012 overall study found more than half, or about 52 per cent, of Inuit adults in Inuit Nunangat suffered from food insecurity. What is this government doing to improve the reality of northerners?

Hon. Carolyn Bennett, P.C., M.P., Minister of Indigenous and Northern Affairs: Senator, thank you for all of the amazing work that you have done over the years in terms of the needs of the

Inuit people and our understanding of the North as being not only land and sea but ice, and how that is hugely important to how we go forward.

Food security in the North, or insecurity, has been a preoccupation of mine for a very long time, and we know that the solutions will be found in the North. It is about us having to revamp Nutrition North, listening to northerners. It is about making sure that hunters and fishermen have what it takes to be able to feed their families as they used to in the past.

As you know, we've been consulting coast to coast to coast about what the changes to Nutrition North need to be. I will have a report shortly from my department, as well as other reports, and we hope that we will have your advice on this as well.

As you know, my parliamentary secretary, Yvonne Jones, from Labrador is very involved in this file, but it is going to have to be a different way of thinking about this in that the system was broken. Leese Papatsie from Feeding My Family says that it used to be that they could feed their families. These subsidies don't seem to have worked because other prices went up for laundry detergent or diapers, so as they move their shopping cart out at the end of the week, it costs more. Again, this is actually devastating for family members.

I think that our investments in housing also matter because, again, it's around disposable income, as you know. So we're trying to make sure, by working with northerners and the land claim organizations — the Prime Minister will be in Iqaluit on Thursday with ITK — that we will work in partnership with northerners to get this fixed.

• (1610)

Senator Watt: Thank you for your response, minister. It is an important matter to the people in the North — very much so. The price and the high cost are not getting any better. It's getting worse and worse as the years go by.

On that account, we might have to start looking outside the box and see how we can improve the quality of life in the North. I think this is an urgent matter, and I'm sure that your department is going to deal with that. You mentioned the fact that you're coming out with a report. I'm looking forward to reading it. Maybe I will have an opportunity to provide some input for it. Thank you for your report that is coming.

Ms. Bennett: Again, this is also about mental health and dignity. People need to be able to feed their families, and the sea and ice were places of abundance. There is this change in life that has been devastating to northerners.

The difficult challenge — and we would appreciate the help of you and all honourable senators — will be: Are things like Nutrition North, a fairness program for northerners who also get a northern subsidy, particularly for the people from the South living and working up there, or should it be an actual food security social policy that is about the preschoolers, 70 per cent of whom are food insecure?

We're going to have to decide whether this is a social program or a fairness issue. As we look at some of the foods in the grocery stores that, again, maybe we're going to have to handle a little

differently if we're going to make this work. That will have to be after listening to northerners to help us make that difficult decision.

YOUTH MENTAL HEALTH

Hon. Murray Sinclair: Good afternoon, minister, and welcome. I want to pick up on the issue of mental health for youth in the North, particularly. As was the case with many Canadians, I was particularly concerned to learn that Health Canada had decided not to fund the youth mental health initiative in the community of Wapekeka last year, despite the stated certainty of leaders in the community that such a program was needed in order to address the increased potential and increasing risk of youth suicide in the community. Either by coincidence or result, two young 12-year-old girls took their own lives earlier this year following that decision.

Does your department accept as part of its special responsibility for indigenous people, and given it's a special relationship with indigenous people, that, within government, you as a minister also have a special responsibility to ensure that other ministries act in a manner that is more consistent with that responsibility and with the United Nations Declaration on the Rights of Indigenous Peoples to ensure that the legacy of residential schools, of which youth suicide is clearly one, is halted and not exacerbated through government inaction?

Hon. Carolyn Bennett, P.C., M.P., Minister of Indigenous and Northern Affairs: Unfortunately, there are those tragic events that are teachable moments for all of us. As you know, Wapekeka was the centre of activity of Ralph Rowe, who abused over 500 boys in northwestern Ontario, 100 of whom are dead, either from suicide or overdose. This is a terrible, terrible legacy of child abuse, as you heard so often in your amazing work.

I take my job in explaining trauma and the way we make decisions, but I am also in the business, across all of government, of getting out of funding programs and building institutions that are First Nations-, Inuit- and Metis-led. I don't think it should be our departments making those kinds of decisions of red light/green light on a proposal. We're going to have to do much better on this.

Dr. Philpott and I met 10 days ago with some of the indigenous health leaders. We met again this morning with Dr. Alika Lafontaine. We can do this in a much better way, but we have to understand our responsibility, as we did through the gatherings on missing and murdered indigenous women. It's not what's the matter with them; it's what happened to them that should be the questions we're asking in all of this kind of programming. We're going to have to do a much better job as we build the capacity and the health systems that will deal with this.

We also need to look at what happens now — the idea of a closed Facebook chat with a suicide pact in La Ronge, Saskatchewan or what seems to have been a suicide pact in Wapekeka and other places. We're going to have to find out the role of bullying and what is happening online. We need trusted people for how we get help into those communities.

It was very interesting that a number of health professionals suggested that midwives would be a very important way of

building trust through a community as a safe place to disclose and a safe place to build capacity back in. I look for your advice.

But these terrible stories about lives — that just ripples through communities and through a whole region — we have to stop it at the root causes.

LAWS, POLICIES AND PRACTICES

Hon. Murray Sinclair: In keeping with my question with regard to your special responsibility, I note that, in your mandate letter from the Prime Minister, you were given 13 priorities to focus upon. The third priority stated that your department ought to:

Undertake, with advice from the Minister of Justice, in full partnership and consultation with First Nations, Inuit, and the Métis Nation, a review of laws, policies, and operational practices to ensure that the Crown is fully executing its consultation and accommodation obligations, in accordance with its constitutional and international human rights obligations, including Aboriginal and Treaty rights.

Could you explain what it is that you as minister are doing to implement this particular priority?

Hon. Carolyn Bennett, P.C., M.P., Minister of Indigenous and Northern Affairs: This project ended up being a much bigger project than we could ever have known, from the Species at Risk Act, which is very irritating to certain First Nations, to all the others, like the First Nations Financial Transparency Act that we are now in the process of. The Department of Justice will lead this initiative now with our assistance, so there has been a bit of a flip in how we do this in a good way. But it will be in full cooperation with First Nations, Inuit and Metis. It's mainly First Nations, the laws of the nation — in the bilateral relationships that the Prime Minister has sorted out in terms of distinctions, First Nations separate from Metis separate from Inuit, that there will be opportunities in those bilateral processes to identify the real irritants and priorities of getting the laws and policies changed.

But it is about us working every day to get people out from under the Indian Act. You will be happy to hear that we have over 40 exploratory tables now — that would be almost a third of First Nations — beginning to think about which jurisdictions they want to draw down and that makes me very happy.

• (1620)

REGULATION REVIEW

Hon. Daniel Lang: Minister, once again, welcome. I'd like to ask a question about the region that I represent, which is Yukon. As you know, over the past week, members of the Yukon First Nations and the territorial government have been in Ottawa and I want to say that your attendance last evening at the Yukon Nights reception was very much appreciated.

Minister, it's estimated that Yukon has approximately \$3 billion worth of mining projects poised to come on stream in the next number of years, which is a very bright light, I think, for

Canada's economy. Unfortunately, as you know, there remain some concerns about the regulatory process and uncertainty around reassessments and timelines, but that's not where my question is.

There is also a question about the concerns about the capacity of communities and the First Nations to participate meaningfully in the regulatory process. Minister, as you probably know, the Yukon Environmental Socio-economic Assessment Act, in paragraph 122, provides — I think it's important to be specific — for:

... establishing a funding program to facilitate the participation of specified classes of persons or groups in reviews of projects.

Minister, this act has been in place since June 2015. Can you tell us when Yukon's First Nations and other community groups can expect to gain access to much-needed capacity funding so they can participate meaningfully in the assessment process?

Hon. Carolyn Bennett, P.C., M.P., Minister of Indigenous and Northern Affairs: Thank you, senator, for the question, because I think that Yukon is an unbelievably special place because of the self-governing nations that are there. It really is an example for the country, but we expect them to have the kind of resources that you described in order to be able to meaningfully participate in regulation and the changes that affect them as peoples and as nations. So we are absolutely committed to making sure that First Nations have the resources they need in order to meaningfully participate, and I look forward to being in your territory in the middle of March to meet with the premier and the First Nations as we hold our annual meeting to, again, set the priorities and listen to the First Nations about their needs.

Senator Lang: Minister, I agree. It is a very special place. But I also want to go a bit further here on this particular issue because it's for the First Nations and for their ability to participate meaningfully in the regulatory process, but the legislation also provides for other groups and organizations, such as municipalities, where they are affected.

The question I have is: Has money been set aside for this particular program, and can you tell me how much money has been set aside?

Ms. Bennett: Thanks for that. I don't have the specifics now but I can assure you that the money will be available in terms of what, again, the First Nations say they need. It is, I think, part of our good faith that we want them to have a voice.

I can remember being in the Chamber of Commerce in Whitehorse where there were First Nations on this side and the mining companies on this side and everyone knew they needed one another. It was exemplary in terms of the kind of communication and conversation, but when it comes to actual regulation and those kinds of formal conversations, the First Nations need to be able to know that they've got the best possible advice and that they are listened to when it comes to making and changing regulations.

YOUTH MENTAL HEALTH

Hon. Gwen Boniface: Thank you, minister, for being here. My question follows from Senator Sinclair's with respect to Wapekeka First Nation and the suicides that took place there recently.

I heard your explanation and I agree that the root causes are an important exploration, but I also think it's important to have a better understanding of your short-term strategy and what's happening for communities beyond Wapekeka. What is the government's broader strategy, until those identifications of root causes and a strategy can be put together?

Hon. Carolyn Bennett, P.C., M.P., Minister of Indigenous and Northern Affairs: Thank you very much and thank you for the question.

Obviously, it's something that Dr. Philpott and I worked closely together on and, again, today, with Grand Chief Alvin Fiddler together with the MKO Grand Chief and FSIN Chief we are looking to build better systems. I met a young boy from Deer Lake who has been a mental health worker for four years with no training. The Band-Aids don't work. I think most people feel that for decades we thought that we could keep sending in more people with no training who accidentally trigger, but this is a very serious reform in the system that we need. We need teachers who can identify kids at risk and who can see a kid who is not themselves. We are going to have to make sure that in all aspects of community that we can do a better job.

One of the things that is inspiring me coast-to-coast-to-coast is the ability of communities to conduct comprehensive community plans. So when communities prepare these plans, where it's not just chief and council, but when the principal, the police chief, teachers and the nurse from the health unit all come together in identifying the problems and solutions together, with the elders and the youth, I think they are able to plot a course that we can assist with. Because it's going to have to work bottom-up and it's going to have to involve actually having home-grown teachers, home-grown nurses and social workers. Having people come in so the kid asks the teacher on Labour Day, "How long are you staying?" doesn't work.

And so I think, as you say, I'm giving a long-term answer but we do know we will have to find the hope and aspiration for those kids.

In the meantime, what we know works is land-based programming and that it should not be just for addictions and treatment. If you get kids out on the land, secure in their competency on the land and water and you have them be proud, we know that's preventative and we know that the kind of leadership that comes out of those programs is huge.

We know that by investing in language and culture in the schools and early childhood education programs, my view is that the more land-based programs we can get going the better off we're going to be. We know from the Chandler and Lalonde study in British Columbia that when communities are in charge of their health, education, law and back doing their ceremonies the suicide rate can go to zero.

That doesn't take that long, really, in terms of people asserting that jurisdiction, and it is about the kind of leadership. I'm inspired by the youth councils. I'm inspired by what they know they need in language and culture and by having these inspiring young leaders I think if we would listen to the youth we would get this fixed a lot faster.

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, the time for Question Period has expired. I'm certain all senators would like to join me in thanking Minister Bennett for being with us today, and we look forward to seeing you on the next occasion.

Honourable senators, as indicated before Question Period, the bells will now resume ringing for the balance of the hour before the vote is taken, and the vote will remain at 4:40.

Boniface
Bovey
Campbell
Christmas
Cordy
Cormier
Dawson
Day
Dean
Downe
Duffy
Dupuis
Eggleton
Forest
Gagné
Harder
Hubley
Jaffer
Joyal
Kenny

McPhedran
Mégie
Mercer
Merchant
Mitchell
Moncion
Munson
Omidvar
Pate
Petitclerc
Pratte
Ringuette
Saint-Germain
Sinclair
Tardif
Wallin
Watt
Wetston
Woo—45

• (1640)

ORDERS OF THE DAY

ADJOURNMENT

MOTION NEGATIVED

Motion negatived on the following division:

YEAS THE HONOURABLE SENATORS

Andreychuk
Ataullahjan
Batters
Beyak
Boisvenu
Carignan
Dagenais
Doyle
Enverga
Housakos
Lang
MacDonald
Maltais
Manning
Marshall
Martin

McInnis
McIntyre
Ngo
Oh
Plett
Poirier
Raine
Runciman
Seidman
Smith
Stewart Olsen
Tannas
Tkachuk
Unger
Wells—31

NAYS THE HONOURABLE SENATORS

Bellemare
Bernard
Black

Lankin
Lovelace Nicholas
McCoy

[Ms. Bennett]

ABSTENTIONS THE HONOURABLE SENATORS

Cools

Greene—2

[*Translation*]

AGRICULTURE AND FORESTRY

COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

Hon. Ghislain Maltais: Honourable senators, with leave of the Senate and notwithstanding rule 5-5(j), I move:

That the Standing Senate Committee on Agriculture and Forestry have the power to meet on Tuesday, February 7, 2017, at 5 p.m., even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

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

Hon. Senators: Agreed.

• (1650)

Senator Maltais: Since it is getting late, I move adoption of this motion. Thank you.

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

Hon. Senators: Agreed.

(Motion agreed to.)

SENATE MODERNIZATION

FOURTH REPORT OF SPECIAL COMMITTEE—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Greene, seconded by the Honourable Senator Andreychuk, for the adoption of the fourth report (interim) of the Special Senate Committee on Senate Modernization, entitled *Senate Modernization: Moving Forward (Order Paper)*, presented in the Senate on October 4, 2016.

Hon. Claude Carignan (Leader of the Opposition): Honourable senators, I missed part of the debate on the withdrawal of the amendment, which I heard was extremely interesting. I indicated that I wanted to talk about the main motion. I was not expecting to have to debate this issue today. I would therefore like to be able to share my thoughts on this issue tomorrow or Thursday at the latest. I move the adjournment of the debate in my name for the remainder of my time.

(On motion of Senator Carignan, debate adjourned.)

[English]

THIRD REPORT OF SPECIAL COMMITTEE—MOTION IN
AMENDMENT—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Eggleton, P.C., seconded by the Honourable Senator Day, for the adoption of the third report (interim) of the Special Senate Committee on Senate Modernization, entitled *Senate Modernization: Moving Forward (Committees)*, presented in the Senate on October 4, 2016.

And on the motion in amendment of the Honourable Senator Tannas, seconded by the Honourable Senator Unger:

That the Third Report of the Special Senate Committee on Senate Modernization be not now adopted, but that it be amended by replacing the third paragraph, starting with the words “That the Senate direct”, with the following:

“That:

1. the Clerk of the Senate be instructed to prepare and recommend to the Standing Committee on Rules, Procedures and the Rights of Parliament draft amendments to the *Rules of the Senate* to change the process for determining the composition of the Committee of Selection and each standing committee, using the process set out below as the basis for such amendments and taking into consideration the objectives identified by the committee and the principles underlying those objectives; and

2. the Standing Committee on Rules, Procedures and the Rights of Parliament examine and consider those recommendations and report to the Senate with its recommendations.”.

Hon. Scott Tannas: Honourable senators, I’d like to ask leave of the Senate for me to have an opportunity to correct the record on this subject.

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

Hon. Senators: Agreed.

Senator Tannas: Thank you. I’ll be very brief. When I spoke to my amendments last week on this particular report, I said there were two things that would be accomplished. One was that we would instruct the administration to help facilitate the committee. I also said that my amendment on this particular report removed a deadline that was there of November 30.

I’m afraid I was flustered from the previous situation and got my notes mixed up. It is the next one that we will talk about that has a deadline. This particular report had no deadline. My amendments are still fine. They’re all around the instruction of the administration, but I wanted to correct the record. There is no deadline and never was on this particular recommendation.

The Hon. the Speaker: On debate.

Hon. Art Eggleton: Colleagues, I rise to speak to the amendment to propose a subamendment, which will put a time frame on this, and finally to ask that after I’m finished speaking or anybody else who wishes to speak today has spoken, that it continue to be held in the name of Senator Fraser.

The Hon. the Speaker: Honourable senators, is it agreed?

Hon. Senators: Agreed.

Senator Eggleton: I appreciate the clear message that we got from Senator Tannas with respect to his motion, which as it is actually written is a good motion.

Some of the recommendations in the report do say that the “Rules Committee be instructed,” which is unusual to specifically instruct a committee. I think what he is saying is we should instruct Senate staff to prepare the recommendations for the consideration of the Rules Committee based on what the Modernization Committee has proposed. I think that’s a good, orderly and polite way of doing it, so I support that.

MOTION IN SUBAMENDMENT

Hon. Art Eggleton: Therefore, honourable senators, I move in subamendment:

That the motion in amendment be not now adopted, but that it be amended by replacing the words “report to the Senate” by the words “report to the Senate by May 1, 2017.”.

I have spoken with Senator Tannas, who agrees with that as well.

I do that because I think time is of the essence in dealing with this particular recommendation. This is the one that deals with the committee structure. This is recommendation 21 in the main report. It outlines in some detail what the procedures should be in setting up the Selection Committee and the different standing committees and how they should be populated.

I don't think it will take an awful lot of time for staff to be able to get it into the legalese of a proper rule and for the Rules Committee to be able to consider what is being requested by the Senate through the report of the Modernization Committee.

I think it's important, though, to put that date on there because, as has been mentioned, there could be a prorogation. We could face that coming, let's say, sometime in the summer. If it does come, then we would be caught without having a permanent rule in place, as permanent as any rule can be in this evolutionary state of our being, but certainly the rule for the next session should be in place before we go to the point of prorogation. The longer we leave this, the more risky that we could end up there. I don't know that there's going to be a prorogation; there's no indication of that, but it does happen frequently as you near the halfway mark, so it's quite possible.

What I'm concerned about is that if we don't put a date on this, it could end up sitting around over the summertime and we could find ourselves in that situation. So it would be best to get this back to the chamber by May 1. That gives us enough time before the summer recess to be able to debate it further, if we wish to do so, and to be able to put it in place so that when there is a prorogation, we'll be in a position to have the proper set of rules in place to be able to populate the committee structure.

With that subamendment, I would certainly support the amendment put forward by Senator Tannas, and I would be delighted to see this move on. I think we're starting to see some progress on some of these Modernization Committee reports. Let's keep it up. Let's keep getting these things completed and finished. I hope this one will be completed in a very short period of time.

I am pleased to move my subamendment, putting in "report to the Senate by May 1, 2017."

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

Senator Ringuette, do you have a question for Senator Eggleton?

Hon. Pierrette Ringuette: Yes. Senator Eggleton, I certainly agree with the intent, but I would like you to reflect on the wording of your subamendment, because I don't have it in writing here. If I understood you carefully, your subamendment is putting a date to report, but it is removing the three words "with its recommendations."

[Senator Eggleton]

What I understand is that it would put a time frame on the Senate Rules Committee to report but not necessarily on the recommendation change to the Rules. I don't have it in writing. Maybe I misunderstood you.

If the words "with its recommendations" are removed from the main amendment, then it completely changes your intention, I believe, that the committee report its recommendations by May 1.

Senator Eggleton: I didn't remove the word "recommendations." Instead of "report to the Senate," I put in the words "report to the Senate by May 1, 2017," comma.

• (1700)

Senator Ringuette: And the words "with its recommendations"?

Senator Eggleton: I didn't touch the words "with its recommendations."

Senator Ringuette: Thank you for clarifying that.

Senator Eggleton: I just put the date in, nothing else.

Senator Ringuette: What I had understood from what you were saying is that you were adding a date, "report to the Senate by May 1," and a period afterwards.

Senator Eggleton: When you get the recommendation in writing, you will see what it is.

Hon. Yonah Martin (Acting Leader of the Opposition): Point of order. I'm trying to follow the conversation. Do we have a copy of your amendment, Senator Eggleton?

Senator Eggleton: They are bringing it around.

Senator Martin: It's hard to follow exactly what Senator Ringuette is referring to, so it would be helpful to have a copy on our desks.

The Hon. the Speaker: Indeed it would, Senator Martin. But if you're rising on a point of order, it's quite simple what Senator Eggleton is saying. All he's doing is adding "report to the Senate by May 1." That's all; nothing else changes. "With its recommendations" remains the same.

[Translation]

Hon. Renée Dupuis: To add to the clarification, it is a question of knowing whether the Rules Committee must report to the Senate by May 1 with its recommendations.

[English]

If I'm reading the English version, that's what it says, not the French version. The French version should be modified to add "with its recommendations" at the end of the sentence, after "by May 1, 2017."

The Hon. the Speaker: Senator Dupuis, I believe that in the copy I have, it's already there. It says:

[*Translation*]

... examine and consider those recommendations and report to the Senate with its recommendations.

Senator Dupuis: I just want to make sure that we all understand what we're voting on. If I read the English version, the Rules Committee must examine and consider the recommendations that are in the report of the Modernization Committee and report to the Senate with its own recommendations. The French version needs to be changed to indicate that the Senate expects to hear recommendations from the Rules Committee once that committee has analyzed and examined everything.

[*English*]

Senator Eggleton: Let me make it quite clear that even in the French part, it's taking out certain words and putting in other words, but it doesn't take out anything dealing with recommendations. Remember, it's a subamendment. If the subamendment is carried, here's what you would be passing if you pass the amendment of Senator Tannas: "2. the Standing Committee on Rules, Procedures and the Rights of Parliament examine and consider those recommendations and report to the Senate by May 1, 2017, with its recommendations." That's it.

Senator Ringuette: Senator Eggleton, I want to highlight that I honestly believe that, in rereading carefully, Senator Dupuis is right with regard to the amendment, and maybe it comes from the official recommendation. In French, the main amendment does not correspond to the English. I do believe that she is right, when one reads it.

I'm sorry, Senator Eggleton. I don't want to put you on the spot. But to your knowledge, as a member of the group, is the wording in the main amendment that you're amending the exact same wording as the original recommendation from the Modernization Committee? I believe we have a technical issue that can become a serious issue.

Senator Eggleton: I don't see a technical issue here. The amendment from Senator Tannas is outlined on page 9. You can see it right there as the amendment to the report. The third report, which is Recommendation 21, dealing with the committee structures and population of the committees, is as it is. What he is saying here is that the Clerk of the Senate helped prepare the rule itself, in accordance with the Modernization Committee report, and that, in part 2 — this is the part that I amended — "the Standing Committee on Rules, Procedures and the Rights of Parliament examine and consider those recommendations and report to the Senate by May 1, 2017, with its recommendations." They're doing it on the basis of what the Modernization Committee has reported.

The Hon. the Speaker: Honourable senators, a hard copy of the amendment is being passed out. We've already agreed that the matter will stand adjourned in Senator Fraser's name. That will give senators an opportunity to review the hard copy of the proposed subamendment and, tomorrow or the next day, to debate it further if you wish.

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

Hon. Senators: Agreed.

(On motion of Senator Fraser, debate adjourned.)

• (1710)

THE SENATE

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

Hon. Pana Merchant, pursuant to notice of December 14, 2016, moved:

That the Senate call upon the government of Canada:

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

She said: Honourable senators, 353,000 Pontian Greeks were reported killed in systematic massacres, persecutions and death marches between 1916 and 1923. Together, the Armenian, Assyrian, and Pontian genocide constituted the first massive genocide of the 20th century.

The defeat of the Ottoman Empire in the Balkan Wars in 1912 and 1913 resulted in the sudden yielding of Turkish-dominated European territories.

The Ottomans implemented a program of deliberate and systematic expulsions and forcible migrations, focusing on Greeks of the Pontian region — that is, the Constantinople, Istanbul and Black Sea area, down the coast of Asia Minor; what is today Turkey — and Anatolia, with special organization units referred to as the Young Turks.

These units attacked Greek villages and intimidated its Greek inhabitants to abandon their ancestral homeland, to be replaced by Muslims.

The Greek presence in the Pontus region has been dated to at least the time of Homer, around 800 BC.

The geographer Strabo, born in 63 BC, referred to the city of Smyrna, today's Izmir, as the first Greek city in Asia Minor.

As a consequence of the policy of "Turkey for Turks," 3 million Armenians, Assyrians and Greeks were murdered, or were victims of the "white death," a term used to describe all deaths that

resulted from lack of food, disease and exposure to the elements during deportations and death marches. The massive murders were followed by destruction of monuments, churches and homes, and the renaming of regions.

Before the creation of the word “genocide,” the destruction of the Greeks was known as “the Massacre,” “the Great Catastrophe” or “the Great Tragedy.”

The term “genocide,” from the Greek word *genos*, which means race, tribe, family, and the Latin word *cida*, to kill, was coined at the time of the Holocaust by Professor Raphael Lemkin of Duke University, a Polish lawyer of Jewish descent whose work became the base of the terminology the United Nations used in 1948 to make the Convention on the Prosecution and Punishment of the Crime of Genocide.

In his writings on genocide, Lemkin is known to have detailed the fate of the Greeks and Armenians living in the Ottoman Empire, their historic homeland, where their ancestors had lived for thousands of years before the Turkish invasions.

The *New York Times* of August 1946 informed:

The massacres of Greeks and Armenians by the Turks prompted diplomatic action without punishment. If Professor Lemkin has his way genocide will be established as an international crime.

Article II of the UN Convention on the Prevention and Punishment of the Crime of Genocide reads:

. . . any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.

Not one, but every one of these acts applies to the wrongs committed against the Pontian Greeks.

The Center for the Study of Genocide and Human Rights at Rutgers University provides the following overview:

They began singling out all able-bodied Greek men, forcibly conscripting them into labor battalions which performed slave labor for the Turkish . . . society. Greek villages were brutally plundered and terrorized under the pretext of internal security. Indeed, as with the Armenians, the Greeks

were generally accused as a disloyal and traitorous “fifth-column,” and eventually most of the population was rounded up and forcibly deported to the interior.

[*Translation*]

Honourable senators, when the First World War broke out, Asia Minor was ethnically very diverse, and large Armenian, Greek and Syrian populations settled there. This led some Turks to believe that, in order to establish a modern nation-state, the ethnic groups that could threaten the integrity of a future modern Turkish state had to be eliminated.

For their part, the Pontian Greeks had managed to resist for many centuries the overwhelming pressure to convert to Islam. They had thus been able to keep alive their traditions, which were deeply rooted in religion, as well as their distinctive culture and language.

[*English*]

Professor Andre Gerolymatos, from the Centre for Hellenic Studies at Simon Fraser University, provides the following:

During the First World War, the Ottoman government, embarked on a course of reprehensible acts that led to the genocide of the Armenian and Pontic Greek Orthodox, conducted sadistically, to instill terror in the minds of the surviving minorities in the Ottoman Empire.

The genocide included: mass rape, wonton destruction, torture for the sake of torture, regardless of gender and age; children raped, often in front of their parents, before the entire family was put to death.

IAGS, the International Association of Genocide Scholars, voted overwhelmingly in 2007 for a resolution officially recognizing the Armenian genocide and “. . . qualitatively similar genocides against other Christian minorities of the Ottoman Empire,” including Pontian Greeks in the years between 1914 and 1923; and released supporting documentation detailing why they determined these actions constituted “genocide.” IAGS President Gregory Stanton stated:

This resolution is one more repudiation by the world’s leading genocide scholars of the Turkish government’s ninety year denial of the Ottoman Empire’s genocides against its Christian populations, including Assyrians, Greeks, and Armenians. The history of these genocides is clear, and there is no more excuse for the current Turkish government, which did not itself commit the crimes, to deny the facts. The current German government has forthrightly acknowledged the facts of the Holocaust. The Turkish government should learn from the German government’s exemplary acknowledgment of Germany’s past, so that Turkey can move forward to reconciliation with its neighbours.

[*Translation*]

It was a Canadian, IAGS member Adam Jones, who drafted the resolution. In a speech delivered to members of that association during their conference in Sarajevo in July 2007, Mr. Jones paid

tribute to the efforts of representatives of the Greek and Assyrian communities, efforts that sought to draw public attention to the genocides inflicted on their respective populations and to call on the current Turkish government to recognize those genocides.

• (1720)

Mr. Jones said that although the work of activists and scholars resulted in the widespread acceptance of the Armenian genocide, qualitatively similar genocides against other Christian minorities in the Ottoman Empire were given very little recognition. The per capita killing of Assyrians and Pontian Greeks was equivalent in scale to the massacre of the Armenian population of the empire and involved much the same methods, including mass executions, death marches and starvation.

According to Mr. Jones:

The overwhelming backing given to this resolution by the world's leading genocide scholars organization will help to raise consciousness about the Assyrian and Greek genocides. It will also act as a powerful counter to those, especially in present-day Turkey, who still ignore or deny outright the genocides of the Ottoman Christian minorities.

[English]

The IAGS resolution decreed that “denial . . . is widely recognized as the final stage of genocide, enshrining impunity for the perpetrators . . . and demonstrably paving the way for future genocides.”

Diplomatic records and historical documents, such as those from German, Austrian and American consuls, the American ambassador to Turkey, the British Foreign Office, the Turkish Prime Minister, the Minister of the Interior of the Prefect of Smyrna, the Austrian Chancellor Hollweg, all unequivocally confirm and corroborate that what took place was a systematic and deliberate extermination of the Pontic Hellenic population.

Terrorism, labour battalions, exiles, forced marches, rapes, hangings, fires and murders were planned, directed and executed by Turkish authorities.

Colleagues, contemporary witness accounts of deliberate and systematic Greek deportations and murders mandate action.

George Horton, U.S. Consul General in the Near East, wrote:

. . . from the Black Sea thousands fell by the wayside from exhaustion . . . walking for the three days journey through the snow and mud of the winter weather . . . Others came in groups of fifty, one hundred and five hundred, always under escort of Turkish gendarmes. . . a treatment more radical than a straight massacre such as the Armenians had suffered before.

The American Ambassador to Turkey from 1913 to 1916, Henry Morgenthau, who named the slaughter “murdering races” wrote:

The Armenians are not the only subject people in Turkey which have suffered from this policy of making

Turkey exclusively the country of the Turks. . . . Indeed the Greeks were the first victims

A March 20, 1922, memorandum by George William Rendel of the British Foreign Office reads of “serious persecutions . . . affecting 30,000 Christians . . . but the worst atrocities undoubtedly took place in the Pontic region against the Greek population of the coastal towns.”

A quote from Mustafa Kemal Ataturk, the founder and first President of the Republic of Turkey, in the *Los Angeles Examiner* of August 1, 1926, reads:

Those . . . left over from the former Young Turkish Party . . . should have been made to account for the lives of millions of our Christian subjects who were ruthlessly driven, en masse, from their homes and massacred

Honourable senators, a word that ignores the tragedies of the past is doomed to repeat them. It is important to recognize and remember this tragic chapter in our shared world history.

In reference to the Holocaust, Adolf Hitler queried: “Who, after all, speaks today of the . . . Armenians?”

The world chose to ignore the genocide of Armenians and Pontians, and as a result we had to confront the Nazi Holocaust of European Jews. We ignored Rwanda and now have to deal with small genocides implemented by ISIS.

In April 2015, on the anniversary of the Armenian genocide, the Austrian government issued a statement recognizing “the victims of violence, murder and expulsion, including tens of thousands of other Christian communities in the Ottoman Empire, including Syrians, Assyrians, Chaldeans and Pontic Greeks.”

Could I have five more minutes, please?

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

Hon. Senators: Agreed.

Senator Merchant: Thank you, colleagues.

Some days later, the Vienna City Council issued a resolution recognizing the “victims of violence, slaughter and deportation, as well as the tens of thousands of Ottoman nationals of other groups of Christian peoples, including the Arameans, Assyrians, Chaldeans, and Pontic Greeks.”

The Swedish, Dutch and Armenian governments have also had the courage to acknowledge and recognize the Greek Pontian genocide. Many state governments have passed motions recognizing the killing of Pontic Greeks during this period as a genocide: Florida, Georgia, Massachusetts, New Jersey, New York, Pennsylvania and South Carolina; and in Australia, New South Wales and South Australia. In Canada, the cities of Ottawa and Toronto have proclaimed May 19 as Greek Pontian Genocide Remembrance Day.

In September 1922, Turkish forces entered the ancient Greek city of Smyrna, instigating a massive anti-Greek pogrom. On September 13, a fire mysteriously broke out amidst the chaos, spreading without government control over the next two weeks. The Smyrna catastrophe took the lives of somewhere between 10,000 and 15,000 Greeks and marked the symbolic end of the Greek genocide.

Honourable senators, there are 600,000 Canadians of Greek ancestry living in Canada. Many, like me, are the descendants of the survivors of the Pontian Greek genocide. Governance is not personal but is typical of all the wronged.

My own father, a six-year-old living in the Smyrna region, the ancient Greek city in Asia Minor, saw his family ruthlessly uprooted in the panic of the Smyrna inferno. The family became separated. He, along with his mother and two young sisters, managed to board a vessel to become refugees. A third young daughter strayed and disappeared in the sea of human horror. She was never found.

Had she managed to escape? Had she drowned? Was she left behind?

Colleagues, remembrance matters; recognition matters. The ghosts of those who suffered and perished have the right to closure and condemnation of these wrongs. I respectfully seek your support to join other nations and legislatively recognize and acknowledge this genocide and crime against humanity.

(On motion of Senator Housakos, debate adjourned.)

• (1730)

MOTION TO URGE GOVERNMENT TO ESTABLISH A
NATIONAL PORTRAIT GALLERY—
DEBATE ADJOURNED

Leave having been given to revert to Motions, Order No. 139:

Hon. Serge Joyal, pursuant to notice of December 1, 2016, moved:

That with Canada celebrating 150 years as a nation and acknowledging the lasting contribution of the First Nations, early settlers, and the continuing immigration of peoples from around the world who have made and continue to make Canada the great nation that it is, the Senate urge the Government to commit to establishing a National Portrait Gallery using the former US Embassy across from Parliament Hill as a lasting legacy to mark this important milestone in Canada's history and in recognition of the people who contributed to its success.

He said: Honourable senators, I know it's late, and I will try to summarize my arguments in relation to this proposal.

This proposal, essentially, is to ask the government to realize a project that has been in the mill for the last 20 years, which is a National Portrait Gallery in the former building of the American Embassy, directly in front of Parliament Hill.

[Senator Merchant]

Let me remind honourable senator of some historical elements in relation to that building. That building was vacated 20 years ago, when the American government decided that they needed additional space. They built new premises on Sussex Drive in the vicinity of the Chateau Laurier.

The original building was bought by the National Capital Commission and is included in the buildings of the Parliamentary Precinct, but it has stayed vacant for 20 years, not only that building but the two plots of land that stand empty on both sides of the building.

In 1998, the former Senator Grafstein, the late Senator Lynch-Staunton, and the former Senator Meighan and I were walking on the hill and we said, "What a tremendous spot it is for Canadians to benefit from a location that is, in fact, the most prime location in the land, in front of Parliament." What is a better location to house a portrait gallery?

Senator Lynch-Staunton, who happened to be Vice-Chair of the Executive Committee of the City of Montreal, who I had known through his family, especially his father, was very much involved in the Montreal Museum of Fine Arts, asked, "Yes, but do we have portraits in Canada to hang there?"

We enquired about that and we got a report from the National Archives of Canada. The National Archives — not the National Gallery, the National Archives of Canada — has been collecting portraits for the last 100 years. They own 20,000 paintings, representing portraits from the 1690s to today, including miniatures, drawings and prints and over 4 million photographs and thousands of caricatures. Can you imagine the amount of artwork that there is there? All that is kept and protected in a vault in a warehouse, a very modern warehouse in Gatineau. But nobody gets to see them. Some of those items have been piled there for a century and more.

When I said that to Senator Lynch-Staunton and Senator Grafstein, we said, "What do we do with that?" We went to see the Prime Minister of the day, Mr. Chrétien, and we said, "Listen, this is a project that is important. It goes across the house in this chamber. It's not a Liberal project; it's not a Tory project. It's a Canadian project because it will help Canadians understand one another, link to one another, to appreciate better the diversity of Canada, to see how, from generation to generation, various groups of explorers, fur traders, farmers, business persons, teachers, professors, Aboriginal peoples, European colonizers, all those peoples that have made Canada from one generation to generation, whose portraits sit in that warehouse, will be available and will be part of a network of exchange all across the land with all those museums in Canada in each and every province."

As Senator Marshall will know, at Memorial University, they have a collection of portraits that nobody sees, really, because, after a while, when you don't tell the story of those people, the story is lost, and you lose interest in knowing your history.

So what do we have this year? This year is the one hundred and fiftieth anniversary of Confederation. What did they do in 1967 to mark the anniversary of Canada, the centennial, with a legacy? I insist on that. We will have, on July 1, a picnic, firecrackers throughout the land. Thousands and thousands of Canadians will celebrate, but, when it is over, when the grass is clean, we will all

have a memory of that but we won't have better instruments to appreciate the diversity of our history and the diversity of the peoples who make Canada.

In 1967, the National Arts Centre was built not far from here. Why? To give an opportunity to all of the Canadian artists to have a place to show off their talent in the capital and then to radiate across the land, to expand and reveal their talents across the land.

In the centennial year, they also built a flame, the Centennial Flame. That didn't exist before 1967. Each morning, when I drive my car or walk up to Parliament Hill, I see all of the people gathering around the flame, taking their pictures there. This is a legacy of 1967.

Honourable senators may ask: Will Canadians visit the portrait gallery? I checked what happened in Britain, in the United States and in Australia. In Britain, they have a portrait gallery in London. It's beside the National Gallery. I checked their attendance. I have all the figures of the attendance at the gallery since 1980.

The portrait gallery is the tenth-most visited site in London. They received 2,200,000 visitors in 2015. Do you know how many visitors went to see their Houses of Parliament? I will ask the question to Senator Tkachuk. Less than a million.

In other words, people are more attracted to see various heads and heroes and ordinary citizens that have helped to make the fabric of Britain than to see their members of the House of Commons and the House of Lords debating.

So I feel that we have a prime location in front of Parliament, where buses drop hundreds and hundreds of visitors each month to visit our Parliament, and they would only have to cross Wellington Street to see the many faces of Canadians and immigrants who came to build Canada, the Chinese community, the Italian community, the Greek community, those who sought refuge in Canada through the war, the Armenians. Today Senator Gold mentioned the Jewish people and the role that Canada played in the Holocaust and so on. That will be revealed there, with the portraits of those Canadians.

Honourable senators, this is a project that was announced by the government in 2003. The model was unveiled in 2005. The cost, at that time, was \$44 million; \$10 million was already engaged in the building of it. The project was stopped in 2006-07 for re-assessment, and the government decided that a better location for the gallery would be the Encana Tower in Calgary, on the ground floor. The promoter of Encana wanted to have some prestigious tenant, and they offered to house the portrait gallery.

Unfortunately, there was no budget for that. They were only offering the site. The government would have had to build the walls, all the fixtures and everything for operating the gallery, plus the added costs of, on average, \$2.5 million a year to move the portraits, each time there was an exhibition, from the warehouse in Gatineau to Calgary. So the project collapsed.

Then the Public Works Department proposed to offer the chance to show the portraits in various cities throughout Canada — Toronto, Ottawa, Montreal, Vancouver — if those cities would take it upon themselves to build the location. Hence, the same question: Who is going to pay for the building, and who is going to pay for the travel costs of everything?

So the project finally collapsed in 2009. The building has been sitting empty since then, across the street. Each day you pass in front of it, it's a "ghost building" on one of the prime locations where Canadians could learn about one another.

• (1740)

Honourable senators, I was reading the paper last week when Statistics Canada revealed the diversification of our population in the years to come. To quote the report:

Immigrants and second-generation individuals combined, who represented 38.2% of Canada's population in 2011, could account for nearly one in two people (between 44.2% and 49.7%) in 2036.

In less than 20 years, Canada's population will have changed drastically. Who is going to tell the new Canadians who we have been and who we are? Who will tell them how we have built this country and who has been contributing, from the Aboriginal people to the Syrian refugees we welcomed last year? Who will tell them how we have been approaching our capacity to determine a way of living together to count on the contribution of each and every Canadian?

A portrait gallery is not only testimony to the heroes; a portrait gallery is testimony to ordinary people — people in their daily lives — farmers, businesspeople, workers and the 3,000 nurses who, during the war, helped Canadian soldiers to fight on the battlefields of Europe. That story doesn't exist. You can't see it anywhere. The fight that the women had to get the right to vote — not only at the federal level, at the provincial level — is a fight that lasted almost 50 years.

This is what new Canadians have to learn: That this country has been built by the involvement of each and every Canadian. That is what they will see across the street in that building.

Honourable senators, I think there is money. You read the news same way as me. The government had \$13 million in unspent money last year from all of the infrastructure and building projects that were not used; they had to return it. We asked that question of the Minister of Indigenous and Northern Affairs today. Of course, there is a special budget for the sesquicentennial celebration — \$210 million. Think twice about what we are going to spend \$210 million on but we won't spend 20 per cent of that budget on a legacy that will benefit the future generation. That's essentially the question that I'm leaving with you with that project.

That's why I put that proposal on the table today, because we have to think of the legacy that we're going to leave to Canadians for future generations, generations that will be so diversified and different from what we have been. But they'll have to know that

what they are going to build as a society is on the shoulders of those generations, and that they will have the opportunity to better understand and know.

Honourable senators, again, this motion is not a government motion; it's not an opposition motion. It's a motion of the Senate. I'm very happy to count on the support of all of you in support of Senator Black, who has been with me and other senators promoting that with Senator Bovey, a former director of the Winnipeg Art Gallery, and with Senator Frum from Toronto, whose family has always been involved in the support of art in Canada. We think that it's by learning our history that we bind our country together.

There is no better history than the people's history. A portrait gallery is a people institution. It's not an institution only for celebrities and stars; it's a people's institution. That's why those figures of attendance in Britain, in Washington where there's a portrait gallery beside the Smithsonian and the national gallery and in Canberra, Australia — those institutions are so well

attended because people recognize themselves in those institutions. Ordinary citizens go there to see figures and real people.

This is why I think we have a very good opportunity now to support that proposal and ask the Minister of Heritage and the government to revive that project that this Senate was the first to promote 20 years ago.

With all of that, senators, I think we could mark the one hundred and fiftieth anniversary with a legacy the likes of which we will all be proud.

Thank you, honourable senators.

Some Hon. Senators: Hear, hear!

(On motion of Senator Bovey, debate adjourned.)

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

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