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The Honourable GEORGE J. FUREY,
Speaker

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THE SENATE

Thursday, February 20, 2020

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

Prayers.

SENATORS' STATEMENTS

ROY JORGEN SVENNINGSSEN

Hon. Scott Tannas: Honourable senators, on December 13, at the age of 84, Roy Svenningsen of Edmonton broke a world record by being the oldest person ever to complete a marathon in Antarctica. In accomplishing this amazing feat, this great Canadian proved to the world that age is merely a number. And even though he spent a year training for this event, he spoke about how even Canada could not prepare him fully for what he faced in Antarctica.

To touch on the race very quickly, the Antarctic Ice Marathon covers a total of 42.2 kilometres spread between two international research stations. The race is known for its extreme conditions, with temperatures reaching as low as -20 degrees Celsius, often made worse by strong katabatic winds. It takes place 80 degrees south latitude at the foot of the Ellsworth Mountains, only a few hundred miles from the South Pole.

Midway through the race, Roy felt weak and ill. Even after stopping for a soup break, he spoke about how the nausea and stomach cramps persisted. It was then that he decided time would not be of the essence; he just had to finish. With that in mind, he crossed the finish line with a time of 11 hours and 41 minutes.

Roy Svenningsen was born in Mayfair, Saskatchewan, in 1935. He grew up on a farm around 40 kilometres from North Battleford. He earned two degrees — a Bachelor of Science and a Bachelor of Education — from the University of Alberta. He spent much of his career in the oil and gas industry, working in Canada and around the world.

He has finished more than 50 marathons on five continents. His strangest marathon, I'm told, was the Persian marathon that he ran in Tehran in 1977 and again in 1978. Apparently, all the instructions and directions were given in Farsi, and Roy doesn't speak a word of that language. His fastest time is 2 hours and 38 minutes, which he accomplished in Helsinki, Finland. It's a time that puts him in very elite company.

Having now put the Antarctica adventure behind him, his next goal is to join what runners call the Seven Continents Club by running a marathon on every continent. With Europe, North America, Africa, Asia and now Antarctica under his belt, he aims to race in Australia and South America within the next two years, so stay tuned for future reports.

I'm proud today, senators, to pay tribute to this inspirational Edmontonian, a great Canadian and my beloved uncle Roy Svenningsen.

POLITICAL COURAGE

Hon. Brian Francis: Honourable senators, I speak today on behalf of our colleague Senator Daniel Christmas who, although he remains in mourning over the recent tragic loss of his wife, feels compelled to share a story of political courage with you all.

Just recently in Nova Scotia, we saw Premier Stephen McNeil undertake an act of political courage by closing the Northern Pulp mill to honour an agreement with the Pictou Landing First Nation. That act of political courage was outstanding to Senator Christmas, and it reminded him of an event 30 years ago to this very day, February 20, when he personally witnessed another act of amazing political courage — something so significant that it was seared into his memory, never to be forgotten.

The 1980s were a period of great difficulty for Nova Scotia and the Mi'kmaw. There were confrontations, arrests, court cases and much anger in the media. There was virtually no dialogue and no relationship between the provincial leadership and the Mi'kmaw. Add to this dynamic that the big news story of that day was all the about Donald Marshall Jr., released from prison in 1982. He was wrongfully jailed in the federal prison for 11 years for a murder he did not commit.

The extent of his tragedy didn't end there. When his case was reviewed by the Nova Scotia Court of Appeal, Donald Marshall Jr. was blamed again for his own misfortune. The public outcry was huge. The provincial government finally had to call a public inquiry into why Marshall was wrongfully convicted. The inquiry began in 1988 in Sydney, where the murder had taken place. Over a period of a year and a half, the inquiry unveiled the ugly story of the relationship — or lack thereof — between Nova Scotia and the Mi'kmaw.

The inquiry report was finally released in January 1990 and laid the blame squarely on the entire Nova Scotia justice system. It emphatically concluded that Donald Marshall Jr. was a victim of racism.

At the height of this tension, the government of Nova Scotia did the unthinkable or at least the wildly unexpected: It apologized. This could have been done by issuing a news release or by staging a press conference. Instead, the Attorney General of Nova Scotia at that time personally came to Sydney and to Membertou to meet with Donald Marshall Jr.'s family face to face and to apologize.

Senator Christmas was in the room that day and will never forget the impact of witnessing such an extraordinary display of political courage by the then-Nova Scotia Attorney General, a man who was none other than our esteemed colleague and Senator Christmas's friend, Senator Tom McInnis.

• (1340)

Thirty years on, Senator Christmas considers Tom McInnis's actions that day as one of the most unforgettable demonstrations of political courage he has ever witnessed.

And he thanks his honourable colleague for his humility and graciousness. Thank you, *Wela'loq*.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of family members of the late Christine Wilson. They are the guests of the Honourable Senator Munson.

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

Hon. Senators: Hear, hear!

THE LATE CHRISTINE WILSON

Hon. Jim Munson: What a big family. There are 19 of them here today.

Honourable senators, it is Kindness Week and I want to recognize one of the kindest persons to leave a mark on this city.

Christine Wilson was a national and an Ottawa treasure. She was a problem solver, a woman of action and a leader who inspired and led others into transformative initiatives. Christine Wilson lived a life of service, a life of action, a life of engagement. She is a model for the next generation.

It started, honourable senators, at a very early age at home. Her maiden name was Way, and did she ever have a way with people. Christine's parents were deaf, and Christine's first language was sign language. Imagine being a child and talking with your parents through the beauty of sign language.

Christine passed away suddenly last July. She was 69 years old. This kind and very special soul has left a trail of accomplishments too numerous to list in a three-minute statement. As a young nurse and recently married to Murray, she became very engaged in the world of people with disabilities. In their 20s, Christine and Murray brought Jamie into their lives. Jamie has multiple disabilities and is deaf.

As their family grew, and knowing that Jamie needed long-term care and that such facilities did not exist, Christine was the driving force in the creation of Total Communication Environment, or TCE, in 1979 — a non-profit organization that now provides a home for 90 people in 12 homes in Ottawa.

The vision of TCE is founded on inclusion and respect, and the belief that all people have the right to live as active members of their community. Their first resident was their son Jamie, who needed long-term care.

Honourable senators, Christine was just getting started. She then entered a professional career as a sign language interpreter. Those of you astute observers of politics who watched Question Period on television a number of years ago — something I happened to cover a number of years ago — will remember Christine in the corner of the screen providing sign language interpretation. She would be the voice of Pierre Elliott Trudeau or Ed Broadbent. As her husband has said, she gave their voices to those who couldn't hear them.

With her hands-on approach, so to speak, she helped create Sign Language Interpreting Associates Ottawa, which has now grown nationally with call centres across the country removing barriers to communication.

Christine was a tenacious advocate for equal health care for the deaf. Christine said:

My father, who was Deaf, died when I was 14 and did not have access to interpreters during the hospitalization. As a student nurse, I had the opportunity to attend a lecture by Elisabeth Kubler-Ross. I reflected that my father had not had access to palliative care. Dr. Kubler-Ross spoke about that. I knew at that time I would try to make things better for the Deaf community when they were nearing the end of their lives. The Deaf Palliative Care Team was created in 2009.

Honourable senators, it has always been about inclusion for Christine. Her obituary reads:

Christine . . . set an impossibly high bar for the rest of us to follow, but to try is perhaps the best way for us to celebrate her and remember the bright light she shone on this world.

Honourable senators, Christine Wilson was a saint. Thank you.

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Leia Swanberg, a representative of Canada's fertility specialists' sector. She is the guest of the Honourable Senator Moncion.

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

Hon. Senators: Hear, hear!

[Translation]

SUPPORT FOR CHILDREN AND YOUTH

Hon. Chantal Petitclerc: Honourable senators, we often hear that Canada is one of the best countries in the world. An Ipsos poll from 2019 found that 71% of Canadians believe that we rank 10th among wealthy countries for children's well-being.

However, is that really the case? It is definitely not, according to UNICEF's rankings. Of 41 European Union and OECD countries, Canada actually ranks 25th when it comes to the well-being of children.

According to Statistics Canada, one-third of children in Canada are obese or overweight. Only 13% of boys and 6% of girls get the recommended 60 minutes of physical activity per day. These facts about our young people are troubling.

What is worse, the 2019 report entitled *Raising Canada: A call to Action* indicates, and I quote:

[English]

Suicide is the second leading cause of death for children, ranking us in the top five countries in the world when it comes to youth suicide — not something to be proud of. One third of Canadians have experienced some form of child abuse before the age of 16. Research shows that 12% of Canadian kids grow up in poverty, including 50% of Indigenous children.

[Translation]

Clearly, our children are not as safe and healthy as we would like to believe.

I would first like to applaud the work of Children First Canada, the Observatoire des tout-petits and other organizations that advocate for our children's well-being and work tirelessly to raise our awareness of this issue.

If we are to find solutions, first we must all recognize that there is a problem. Like Senator Pearson and Senator Andreychuk, I sincerely believe that the Senate has a role to play in protecting our children, a role that I invite us all to play.

Let me leave you with these words from 12-year-old Roman Wolfli from Calgary:

[English]

People like to say that 'children are our future,' but we are also the present. We are Canadian citizens. If we could vote, perhaps the issues we face would be a greater focus. Listen to our voices and take action to support children. We are citizens of this country, present and future, disempowered, but as important as any adult. Eighteen is just a number.

THE HONOURABLE LANDON PEARSON, O.C.

Hon. Rosemary Moodie: Honourable senators, today I rise to acknowledge an outstanding Canadian and former senator, the Honourable Landon Pearson. While in the Senate for 11 years, the Honourable Senator Pearson worked tirelessly on behalf of children and youth everywhere, so much so that she became fondly known as the "children's senator," or the senator for children.

Well-known to many Canadians and around the world as a champion for children's rights, she also held the roles of vice-chairperson of the Canadian Commission for the International Year of the Child in 1979, and again president and chair of the Canadian Council on Children and Youth in 1984.

Following her retirement in 2005, Senator Pearson launched a resource centre in Carleton University to promote the rights of children and youth. I had the great pleasure of sitting down with

Senator Pearson earlier this week at Carleton University. Her passion remains as strong as ever and her insight as invaluable. This year, she celebrates her ninetieth birthday and she continues to work fervently and with complete devotion to uphold the rights of children. Her legacy has been inspiring and will be enduring.

Honourable senators, Canada is home to 8 million children. As senators, our role is to work on behalf of those who do not have a voice through our normal political channels. I want to acknowledge that many of you in this chamber have done just that.

We have had many accomplishments, but much remains to be done. Canada has been steadily dropping in global rankings with respect to the well-being of our children. One in three do not enjoy a safe and healthy childhood, and half of the First Nations children live on reserves in poverty.

• (1350)

Senator Pearson and I spoke of the need for an independent voice for the rights of children and youth, someone who would uphold the rights of children according to the United Nations Convention on the Rights of the Child, someone who would support Indigenous communities in taking care of their children and youth according to their culture, spiritual value and Indigenous law, someone who would hold the federal government accountable to its responsibilities according to the convention ratified here in 1991.

Honourable senators, the commissioner for children and youth would be an important step in fulfilling Canada's responsibility as a leader for human rights. As I work toward making this office a reality in line with Senator Pearson's legacy, I hope I can count on your support and wisdom as we seek to make Canada the best place in the world for a child to grow. Thank you.

Some Hon. Senators: Hear, hear.

ROUTINE PROCEEDINGS

THE ESTIMATES, 2019-20

SUPPLEMENTARY ESTIMATES (B) TABLED

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, I have the honour to table, in both official languages, the Supplementary Estimates (B), 2019-20.

NATIONAL FINANCE

NOTICE OF MOTION TO AFFECT COMMITTEE MEMBERSHIP

Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, notwithstanding rules 12-2(2) and 12-3(1) and usual practice, the Honourable Senators Bellemare, Boehm, Deacon (*Ontario*), Duncan, Forest, Forest-Niesing, Klyne, Marshall, Martin, Mockler, Smith, Tannas and Dawson be appointed to serve on the Standing Senate Committee on National Finance until the earlier of April 1, 2020, the adoption by the Senate of a report of the Committee of Selection recommending the senators to serve as members of the committee, or new members being otherwise named by the Senate.

[Translation]

NOTICE OF MOTION TO AUTHORIZE NATIONAL FINANCE COMMITTEE TO STUDY SUPPLEMENTARY ESTIMATES (B)

Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Supplementary Estimates (B) for the fiscal year ending March 31, 2020; and

That, for the purpose of this study, the committee have the power to meet, even though the Senate may then be sitting or adjourned, and that rules 12-18(1) and 12-18(2) be suspended in relation thereto.

[English]

ASSISTED HUMAN REPRODUCTION ACT

BILL TO AMEND—FIRST READING

Hon. Lucie Moncion introduced Bill S-216, An Act to amend the Assisted Human Reproduction Act.

(Bill read first time.)

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

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

CANADA-UNITED STATES INTER-PARLIAMENTARY GROUP

PACIFIC NORTHWEST ECONOMIC REGION ANNUAL SUMMIT, JULY 21-25, 2019—REPORT TABLED

Hon. Michael L. MacDonald: Honourable senators, I have the honour to table, in both official languages, the report of the Canada-United States Inter-Parliamentary Group concerning the Pacific Northwest Economic Region Twenty-ninth Annual Summit, held in Saskatoon, Saskatchewan, Canada, from July 21 to 25, 2019.

ANNUAL SUMMER MEETING OF THE NATIONAL GOVERNORS ASSOCIATION, JULY 24-26, 2019—REPORT TABLED

Hon. Michael L. MacDonald: Honourable senators, I have the honour to table, in both official languages, the report of the Canada-United States Inter-Parliamentary Group concerning the National Governors Association Annual Summer Meeting, held in Salt Lake City, Utah, United States of America, from July 24 to 26, 2019.

CANADIAN/AMERICAN BORDER TRADE ALLIANCE CONFERENCE, OCTOBER 6-8, 2019—REPORT TABLED

Hon. Michael L. MacDonald: Honourable senators, I have the honour to table, in both official languages, the report of the Canada-United States Inter-Parliamentary Group concerning the Canadian/American Border Trade Alliance Conference, held in Washington, D.C., United States of America, from October 6 to 8, 2019.

QUESTION PERIOD

INDIGENOUS AND NORTHERN AFFAIRS

BLOCKADE PROTESTS—RULE OF LAW

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, my question is again for the government leader in the Senate. Leader, yesterday VIA Rail announced close to 1,000 of its employees would be laid off. CN Rail is also laying off in excess of 450 workers. Almost 1,500 people are now out of work, all due to rail blockades which have gone on far too long.

Last year, leader, when SNC-Lavalin was said to be in danger of leaving Canada, allegedly losing 9,000 jobs which never materialized, the Prime Minister and his office got involved to the point of interfering in an independent criminal prosecution, all because they said they were trying to save jobs.

This year, our rail system is mostly shut down, leader. Rail workers and workers in small businesses are losing their jobs daily. We are seeing propane, chlorine and fertilizer shortages. Our ports are blocked and farmers cannot move their products. And what does the Prime Minister do in response? Next to nothing.

Senator Gold, how many more people will have to lose their jobs before this Prime Minister will act to end these blockades?

Hon. Marc Gold (Government Representative in the Senate): Thank you very much for the question. I think all Canadians share the frustration and indeed the hardship that we're experiencing in this time.

I've been advised, and the government has stated on a number of occasions, that it fully understands, it deeply understands the impact this is having on individual Canadians, on their businesses, on families, on farmers and indeed on the economy. It is, as the Prime Minister said just yesterday, unacceptable. The challenge, though, is finding the way in which to end this in an appropriate way that does not do more harm than good.

As the chamber knows, the government does not control police operations, whether the RCMP or provincial police, and in a democratic country we would want it no other way. The government's position is that nation-to-nation dialogue is still — frustrating though it is — the best path forward.

I do note that the RCMP has in fact made an offer to leave the Wet'suwet'en territory, which for a long time, as you know, was a condition for the hereditary chiefs being willing to meet with the Minister of Crown-Indigenous Relations. I think that is a good sign. National Chief of the Assembly of First Nations Perry Bellegarde also welcomed the offer, saying that it's an important opportunity for progress, dialogue and safety.

I know that the government remains determined to do everything it can to bring this unacceptable situation to a peaceful end as soon as possible.

Senator Plett: We've all heard the saying, "when Rome was burning, Nero was playing the flute." What musical instrument does Prime Minister Justin Trudeau play?

Senator Gold, both you and the Prime Minister have spoken of the need to resolve this quickly — quickly — but your government has done absolutely nothing quickly, or in fact nothing at all, to show any sense of urgency whatsoever. The Prime Minister will only talk with people who share his vision, while the situation gets worse. VIA Rail was supposed to resume its service between Montreal and Quebec City today, but due to a new blockade — instead of cleaning up blockades, a new blockade — those plans have been cancelled.

• (1400)

Senator Gold, the rail blockades began two weeks ago. This is not acting quickly. When will we see an action plan and a time frame — please, a time frame; we will end it by this day — from the Prime Minister for ending this crisis?

Senator Gold: Thank you again for your question. I'm not sure what instrument the Prime Minister plays, but he's not fiddling, as Nero did; on the contrary.

The efforts being made by the government and RCMP to work with all representatives of the First Nations — including hereditary chiefs and elected chiefs — although in the form of dialogue, is action. I understand, and the government understands, the frustration of seeing roadblocks go up and not being taken down. However, if we ignore our history, we're condemned to repeat it, as was said. Every time these challenges and obstacles are met with force rather than understanding, dialogue and negotiation, things get worse, not better.

The government's position, though frustrating and clearly difficult for all, remains to seek a peaceful, negotiated way out of this impasse.

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

BUSINESS OF COMMITTEE

Hon. Leo Housakos: Honourable senators, my question is for the Chair of Internal Economy, Senator Marwah, and relates to the harassment policy.

As a former Speaker and former chair of Rules, which completed two separate studies on privilege in recent years, I understand the delicacies around parliamentary privilege, whether it be the Senate's privilege as a whole or the privilege of individual senators. While I will defend privilege at all costs — certainly it is related to our ability to run our offices and to the protection of privileged documents, among other things — I also share the concern of many colleagues who have expressed their concern regarding individuals in terms of privilege being a shield to impede proper investigation of harassment complaints.

We know that Senator Saint-Germain and her Subcommittee on Human Resources recently deposited an interim report on the harassment policy, and of course that is the policy that the Senate has been following recently.

My question to you, Senator Marwah, is this: Have there been any complaints under the interim policy and process that have, as a result of privilege, impeded in any way investigations of harassment from going forward?

Hon. Sabi Marwah: Thank you for the question. At the outset, I would say that parliamentary privilege does not imply complete impunity to do whatever you want with whomever you want. The idea of referring to rules is to define the boundaries under which parliamentary privilege applies in terms of how we treat staff and senators.

In terms of whether the case is before Internal Economy, I'm afraid that is confidential and I cannot comment.

Senator Housakos: Honourable senators, that in itself is a problem. I'm not asking the Chair of Internal Economy to comment on any specific case. What I've simply asked — and I think all senators have a right to know — is whether any complaints of harassment have been filed to HR that have been

turned down because of privilege. This has nothing to do with breaching confidentiality of a claim, of a harassment complaint. We're not asking you to share details. That, of course, is privileged information that Internal Economy has to deal with. But have we had any recent complaints of harassment, under your leadership, that have not proceeded to an investigation because of privilege? I think we have the right to know that.

Senator Marwah: I think in one particular case a senator brought an issue to my attention where the matter was turned down and has since been brought to my attention. She advised me that it is no longer confidential. I would say that, yes, it had been turned down because of privilege. I cannot comment on the other cases.

[Translation]

SPORT AND PERSONS WITH DISABILITIES

SUPPORT FOR ATHLETES

Hon. Chantal Petitclerc: My question is for the Government Representative in the Senate. Like many Canadians, I was very upset by the disturbing revelations that appeared in the February 8 edition of *The Globe and Mail* regarding the athlete Megan Brown and sexual harassment within Canadian athletics. These kinds of situations are unacceptable, and athletes must be protected.

The Minister of Canadian Heritage's mandate letter states, and I quote:

Foster a national culture of safe sport, including physical safety, sporting environments free of harassment, promoting diversity and inclusion in sport and research into injury prevention.

What is the Government of Canada doing to achieve that goal?

More specifically, I wonder if the government can assure us that it will create a pan-Canadian mechanism to address abuse, violence and mistreatment in athletics that will be entirely independent of sports organizations and Sport Canada, as recommended by most national team athletes, leading researchers and many sports organizations.

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. I am just as shocked and dismayed as all senators by any situation of sexual harassment and abuse of power. I am assured that the government's top priority is the safety and security of the athletes, coaches, officials and volunteers. The government has zero tolerance for harassment, abuse and discrimination.

To answer your question more specifically, I am told that first, the government paid roughly \$209,000 to work with the Coaching Association of Canada on developing a national code of conduct on sports to be used as a reference to combat and prevent abuse in sport.

Second, the government supported AthletesCAN, an independent association, by conducting a study in 2019 with the University of Toronto on the baseline prevalence of all forms of harassment, abuse, and discrimination.

Third, and this is very important, the government will support a one-year pilot project made up of an independent investigation unit brought in by the Sport Dispute Resolution Centre of Canada, an independent centre created by members of the sports community. The pilot project will be reviewed when it ends in March 2020 to determine its future implementation.

I am also told that the government set aside \$30 million over five years in budget 2019 to help sports organizations implement measures to allow them to assume greater responsibility for the well-being and safety of their athletes.

I hope that answers your question.

[English]

INDIGENOUS AND NORTHERN AFFAIRS

RIGHTS OF INDIGENOUS WOMEN

Hon. Mary Jane McCallum: Honourable senators, my question is for the Leader of the Government in the Senate.

I would like to begin by registering my disappointment upon hearing yesterday that our Prime Minister, in high-level leadership meetings to discuss the Wet'suwet'en protests, did not include the Leader of the Opposition in those discussions. All voices have the right to be heard equally.

The exclusion of First Nations throughout history is one of the underlying issues in this crisis today. Dini ze' Smogelgem, hereditary chief of the Laksamshu, Fireweed and Owl Clan, said the Wet'suwet'en's application for judicial review of the Coastal GasLink pipeline certificate extension highlights, in part, a connection between this project and threat to women's safety.

• (1410)

"My cousins are listed among the murdered and missing women and girls," he said in a statement announcing the case. "B.C. must not be allowed to bend the rules to facilitate operations that are a threat to the safety of Wet'suwet'en women."

Caily DiPuma, legal counsel for the Wet'suwet'en with Woodward & Company, said the request for judicial review is about questioning the integrity of the environmental assessment process.

Coastal GasLink requested the Environmental Assessment Office grant them a permit extension since the company hadn't started construction within the five years of its environmental certificate being issued in 2014. When considering a permit extension, the Environmental Assessment Office did not properly conduct an assessment of risks to Indigenous women from the Coastal GasLink pipeline project, nor did they properly consider their compliance under the initial certificate.

We know there is a correlation between . . . ‘man camps,’ and violence against Indigenous girls and women and queer people.” DiPuma said, adding that the Calls to Action from the National Inquiry direct decision-makers “like the EAO to undertake an assessment of gender-based harms for these kinds of projects.”

The article goes on to say:

Coastal GasLink has also been found out of compliance with the conditions of its initial environmental certificate in more than 50 instances, according to the Environmental Assessment Office’s compliance program . . .

Despite these many instances of non-compliance, the Environmental Assessment Office decided the company’s permit should be extended, DiPuma said.

The Hon. the Speaker: Honourable senator, you are now over three minutes into asking your question. There are a number of senators who are still on the Order Paper for asking questions. I know this is a very important question, but please get to it as soon as you can.

Senator McCallum: What will the federal government do to protect the safety and security of Indigenous women as per the Charter of Rights and Freedoms? Specific to this case, what action is the federal government taking to uphold their duty to protect these women who fall under the unceded traditional territory of traditional hereditary chiefs — an area which the provincial government assumes they have jurisdiction — for this does not absolve federal responsibility? Canada itself must remember that it operates under a hereditary chief of its own, the Queen.

I respectfully request a written response from the government at their earliest convenience.

Hon. Marc Gold (Government Representative in the Senate): I thank the honourable senator for the question.

You’ve raised so many important issues. I will be happy to request and provide a written response.

TRANSPORT

NEW BRUNSWICK—FERRY TRAVEL

Hon. David Richards: Honourable senators, my question is for the Government Representative in the Senate. Congratulations on your appointment. I hope to ask many questions over the next few years of the Forty-third Parliament.

Senator Gold, once again, the citizens of Campobello Island have no direct access to their province but have to travel to and from the rest of New Brunswick through a foreign country, the U.S.A., where they are subject to both search and seizure. Private vehicles, mail trucks and merchandise going to the island have been searched on a daily basis. It brings commerce and civility with the rest of the country to a complete standstill.

New Brunswickers have told the U.S. border service that we are not the enemy, but this does not matter at all since our national policy on marijuana has changed.

The ferry service is and has been seasonal, so almost 1,000 Canadian citizens are vulnerable and continually subject to delay, interference and presumption from U.S. border guards. Their quality of life is seriously diminished by U.S. regulations.

My anger is not with the U.S. federal jurisdiction but with the Canadian inability to provide year-round ferry service to one of its most famous islands. I realize that our government is at times frightened to act and blinded by self-induced naiveté but something has to be done to alleviate this situation. This in my mind is a serious dereliction of responsibility. The mail is under federal jurisdiction.

When might the federal government realize they must help the provincial government to establish a year-round ferry service to mitigate this situation?

Hon. Marc Gold (Government Representative in the Senate): I thank the honourable senator for the question and for his ongoing attention to this important issue. I will make inquiries as to the state of the discussions between the respective federal and provincial governments and will be pleased to report back to the chamber.

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, perhaps I should remind you about asking questions. If you want to make a lengthy statement about a matter — and most of the questions do involve very important matters — you can always open an inquiry and have other senators take part in the inquiry. However, if you want to ask a question, please keep it terse because, every day, we have a long list of senators who want to ask questions.

TRANSPORT

BLOCKADE PROTESTS—RULE OF LAW

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, my question is also for the Leader of the Government in the Senate.

On Tuesday a coalition of 39 industry groups across Canada joined together to ask the Prime Minister to bring an end to the ongoing disruptions and to restore normal rail service without delay. These groups represent companies employing millions of workers across every sector of our economy. I’m concerned about the impact on small businesses that do not have the kinds of financial reserves and resources to weather any delay. Every day matters and every cent matters.

Senator Gold, we have heard cases of local businesses in various provinces laying off employees in recent days and in direct relation to these rail blockades. These businesses have the right to know: Are we any closer to the end of the dispute or, as you say, the complexity of what's going on? Is this just the beginning?

Hon. Marc Gold (Government Representative in the Senate): I thank the honourable senator for the question. I won't repeat what I've said before. I'm sure we all share the hope that the signs on which I reported — the willingness of the RCMP to redeploy and the openness of the hereditary chiefs to finally engage in some discussions — mark the beginning of progress in this. The government shares our desire to see this end as quickly as possible.

Senator Martin: You said the “beginning” of this. That is what I was wondering. Are we reaching the end or is this just the beginning of a very long process? In any event, thank you, Senator Gold.

As a supplementary question, on Tuesday the Canadian Federation of Independent Business asked that federal government agencies, particularly the Canada Revenue Agency, provide flexibility to small businesses that are severely affected by the ongoing rail blockade.

Leader, what is your government's response to this very specific request from the CFIB?

Senator Gold: I thank the honourable senator for the question. The position of the government is as they've stated; this situation is changing hour by hour. I'm not in a position to report on a specific response to the specific request. I think we all appreciate that efforts are focused right now on bringing this to an end as quickly as possible. As that information becomes available, I'd be more than happy to share it in the chamber.

Hon. Judith G. Seidman: Honourable senators, my question is for the Leader of the Government in the Senate.

Earlier this week the Premier of Quebec expressed his concern over the impact the rail blockades are having on the Port of Montreal where containers have been piling up and cannot be transported. Ships may soon have to be turned away from the port.

As a Montrealer, you will recognize the seriousness of that.

Premier Legault's concerns for the Port of Montreal are not misplaced. Just yesterday an American shipping company said that it would divert its cargo away from the Port of Halifax and into U.S. ports and railways due to the CN Rail service disruption.

Senator Gold, Premier Legault said yesterday that the rail service must be resolved in the next few days. What is your government doing to ensure that we do not see partial or complete shutdowns at the ports across Canada?

Senator Gold: I thank the honourable senator for the question. The government is very concerned about the impact on the economy. It's not just restricted, in the minds of government, to

the individuals and the businesses but includes Canada's reputation as a whole as a place to do business and a place for goods to be shipped. The government is seized with this issue, as am I. My family and I have a history with the Port of Montreal; thank you for reminding me how important it is to the economy of not only Montreal but of Canada.

• (1420)

Again, at the risk of boring you by repeating myself, the government's position is that this needs to be solved in a way that makes things better, not worse — better in the sense that blockades are not reintroduced and that violence is not precipitated. Though we would all wish this would be over yesterday, alas, that's not possible without risking doing more harm than good.

Senator Seidman: Senator Gold, you may remember that during last fall's strike at CN Rail, propane shortages across Quebec raised concerns for many of the province's hospitals and seniors' homes, which rely on the product. The province of Quebec receives about 85% of its propane by rail.

Is your government aware of any propane rationing or shortages impacting Quebec hospitals or seniors' residences during the current rail service disruption?

Senator Gold: I'm very aware of the importance of propane in Quebec and elsewhere, to the extent it arrives by rail; I'm just not aware that steps have had to be taken to ration. Let us hope that's not the case.

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

GOVERNMENT POLICY ON AFRICA

Hon. Ratna Omidvar: Honourable senators, my question is for the Leader of the Government in the Senate. He may be happy that we're going to pivot in my question to another place — or not so happy. I'd like to focus on Africa.

By 2050, the population of Africa is on track to be doubled, according to the UN, making up more than a quarter of the world's population. African leaders and civil society leaders are keen to engage with Africa not just on development issues but also on trade, security and diplomatic issues. There are 54 countries in Africa; Canada has missions in 21 of them. In the last 15 years, we have closed missions in Gabon, Guinea, Niger and Malawi, and we have no trade agreements with African countries.

What is Canada doing now to work with African countries and people to capitalize on this moment of opportunity, not just for the people in Africa, but for ourselves as well?

Hon. Marc Gold (Government Representative in the Senate): Thank you, senator, for your question. The Government of Canada is aware of how important and dynamic the continent is to the world economy and well-being. Some of the world's fastest-growing economies are found in Africa. I've been advised

the government is aware of the changing context of our relationship with African countries and has been working to modernize and strengthen our partnerships accordingly.

You mentioned, senator, the question of trade. Honourable senators, Canada supported the negotiations of the African Continental Free Trade Area, AfCFTA, which came into force in May 2019, and Canada was also the founding donor to the Africa Trade Policy Centre within the United Nations regional body for Africa, the Economic Commission for Africa.

I'm advised the government has been pursuing different innovative ways to finance sustainable development within the African countries. Budget 2018 allocated over \$900 million over five years for an International Assistance Innovation Program. The budget also included \$620 million for the Sovereign Loans Programs because the development of the economies of the country is also fundamentally tied to the investment in human capital and the ability of African countries to benefit from the window of opportunity, which you properly identified.

Finally, I will add that Canada places a particular emphasis on education and the education of girls in Africa, a key component both in advancing equality but also advancing economic well-being. That was made tangible with an investment of \$400 million to providing quality education to girls in conflict zones and in fragile settings for the well-being of the economy, society and ultimately for all of us in the world.

Senator Omidvar: There is a threat of another kind looming over parts of Africa, and that is the invasion of locusts. It is completely unimaginable to our contexts, but *National Geographic* has described it as something out of the book of Exodus, with swarms of locusts over Somalia, Ethiopia, Tanzania, Uganda, South Sudan — I have seen a map — and maybe into Pakistan. So I worry about the immediate impact, especially the food shortages that will impact millions of people and, in particular, 6.5 million children.

Can you tell us whether this issue was discussed with the Prime Minister when he visited Ethiopia and is the government willing to provide extraordinary assistance in this extraordinary situation?

Senator Gold: Thank you for the question. I share your concern with the devastation of desert locust infestations on all the issues you mentioned. Though I cannot tell you whether the issue was discussed, I am pleased to report in this chamber — and I think this is breaking news because I may be the first one to be announcing it on behalf of the government — that the government is contributing \$1 million to the United Nations Food and Agricultural Organization to support its larger appeal of \$76 million to help control the spread of the locust outbreak and to protect the lives and livelihoods of affected communities.

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, the time for Question Period has expired. I note there are still a number of senators on the list who wish to ask questions. May I remind honourable senators that when you're asking questions to keep them as short as possible, please.

If you wish to make a statement about something that's important to you, there's always an opportunity to begin an inquiry on the matter.

ORDERS OF THE DAY

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

MOTION TO AFFECT COMMITTEE MEMBERSHIP AND AUTHORIZE COMMITTEE TO STUDY SUBJECT MATTER OF BILL C-4 ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Gagné, seconded by the Honourable Senator Gold, P.C.:

That, notwithstanding rules 12-2(2), 12-3(1) and usual practice, the Honourable Senators Ataullahjan, Boehm, Bovey, Cordy, Coyle, Dawson, Dean, Greene, Housakos, Massicotte, Ngo, Plett and Saint-Germain be appointed to serve on the Standing Senate Committee on Foreign Affairs and International Trade until a report of the Committee of Selection recommending the senators to serve as members of the committee is adopted or the members are otherwise named by the Senate;

That the Standing Senate Committee on Foreign Affairs and International Trade be authorized to examine the subject matter of Bill C-4, An Act to implement the Agreement between Canada, the United States of America and the United Mexican States, introduced in the House of Commons on January 29, 2020, in advance of the said bill coming before the Senate; and

That, for the purpose of this study, the committee have the power to meet, even though the Senate may then be sitting or adjourned, and that rules 12-18(1) and 12-18(2) be suspended in relation thereto.

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

Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[Translation]

ADJOURNMENT

MOTION ADOPTED

Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of February 19, 2020, moved:

That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, February 25, 2020, at 2 p.m.

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

Hon. Senators: Agreed.

(Motion agreed to.)

• (1430)

[English]

CRIMINAL RECORDS ACT

BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

Hon. Kim Pate moved second reading of Bill S-214, An Act to amend the Criminal Records Act, to make consequential amendments to other Acts and to repeal a regulation.

She said: I rise to speak to Bill S-214, An Act to amend the Criminal Records Act, to make consequential amendments to other Acts and to repeal a regulation.

This year, the Criminal Records Act turns 50. In 1970, this legislation was introduced based on an understanding across party lines that all of us benefit when individuals who have been held accountable for their actions and fulfilled all aspects of their sentences are able to move on with their lives and contribute to their communities.

Fifty years ago, Conservative solicitor general critic Robert McCleave marked the creation of the pardon system with the following words:

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

Earlier in his speech he stated:

We have done something which would help a person obtain a pardon without going to frightful legal expense . . . the request is put in and it will be processed without any cost to the person concerned except the cost of the stamp and his own time in writing the letter.

In the years since then the name of the system has changed. It is no longer the pardon system; it is the record suspension system. As a result of changes to the rules, individuals now wait longer, pay more, have to meet more requirements and face the spectre of records ceasing to be suspended. These changes have been sold as ways to make us safer, but the available evidence indicates they do not. Rather, they punish and discriminate.

Bill S-214 proposes a streamlined system of record expiry, sometimes known as expungement, after two or five years pass without new convictions or pending charges. The bill is based on the understanding that accessible criminal record relief and public safety go hand in hand.

Given the paucity of reporting when it comes to violence against women and children, as most know and experts confirm, record checks alone are not an effective means of protecting women and children from harm. Nevertheless, as an exception to the streamlined deletion of criminal records, Bill S-214 would preserve the mechanism of vulnerable sector checks to detect expired records when someone applies to work with children or other vulnerable people.

Canadians value humanity, fairness and common sense, and there is a general consensus on the need for accessibility of record relief as a non-partisan issue.

In 2018, the House Public Safety Committee released a cross-party report that recognized the current criminal record system poses barriers to “employment, housing, education, travel, adoption and custody of children.”

Liberal, Conservative and NDP committee members agreed that it was time for the government to “examine a mechanism to make record suspensions automatic,” in at least some circumstances.

One of the most significant barriers to accessibility in the current system is cost. The cost of a record suspension has soared from the cost of a postage stamp to submit the application referred to by Mr. McCleave to \$50 in 1995, then to \$150 in 2010, and then to \$631 in 2012. This does not include the additional costs such as fingerprinting and obtaining original copies of records that can add hundreds of dollars. An automatic cost-of-living increase will add another \$13 this April, and in the not too distant future fees may exceed \$1,500.

[Translation]

Perhaps \$631 doesn't seem like much to some of us. However, most applicants try to obtain a record suspension in the hope of finding a job and, generally speaking, getting themselves and their family out of poverty.

[English]

Since the introduction of the \$631 fee in 2012, applications for record suspensions have decreased by 40%. Thousands of Canadians are unable to apply for record suspensions not because they are identified as a public risk but because they are poor.

When the \$631 fee was established, the stated rationale for the fee hike was cost recovery. The danger of cost recovery is that as fewer applicants come forward, the administration costs per application must rise as a result. Maintaining cost recovery will eventually cause fees to spiral even further out of reach.

The senselessness of adhering to this system is clear when contrasted with other available means of recuperating costs. Public safety officials recognize that every dollar invested in expiry of criminal records translates into \$2 of revenue for the government if individuals are able to secure employment and pay income tax. Public safety officials also indicate that record suspensions is the only program within their department held to this full cost recovery standard.

We can speculate as to reasons why. Record suspensions are often spoken of as if they are a privilege, but in most legal systems that are comparable to Canada's, the stigma of a record disappears if a person remains crime free for a number of years.

When the Criminal Records Act was introduced in 1970, a criminal record was not meant to be a permanent punishment. We have moved away from the terminology of pardon because it understandably conveyed the impression that it meant forgiving someone for their actions. In some cases, forgiveness for past wrongdoing may be sought or provided by victims or the community, but it may not always be an appropriate characterization of the post-conviction process. A record expiry scheme is not a scheme for forgiveness. It simply reflects the principle that punishment at some time must end or else risk perpetuating injustice.

Those who cannot afford a record suspension face punitive barriers to jobs, housing, education, volunteer work and even the ability to parent, all of which hinder rather than enhance public safety. They face a discriminatory system that turns historical convictions into lifelong sentences for those who are poorest.

Since the introduction of a previous version of this bill last year, our office has heard from Canadians and their families saving for record suspensions and working to navigate this punishingly complex system. Too often concerns about publicly exposing their own or a loved one's historical criminal record prevent them from speaking out. They have done their part. They are working to contribute to their communities. They have paid and continue to pay daily the price of our failure to act.

[Translation]

Bill S-214 addresses the concerns we heard by the Canadians affected, the Parole Board of Canada and other government representatives through public consultations, parliamentary committee meetings and minister's statements. It became obvious to us that the fees, red tape and length of the process for record suspensions are all too often insurmountable and give rise to a discriminatory system, especially for the poor.

[English]

In response, Bill S-214 sets out a single, less cumbersome system in which criminal convictions expire after a certain number of crime-free years in the community. Research demonstrates that after a few crime-free years, those with

historical convictions are no more likely to be subsequently convicted of a crime than a person who has never been convicted of a criminal offence. Beyond this point, there is no use or no justice in continuing to punish them with a criminal record. By allowing records to expire based on the passage of time without subsequent convictions we can reduce costs and eliminate punitive application fees. We can also ensure that the reach and impact of criminal records do not interfere with the ability of people to find places to live, work to support themselves and their families and otherwise contribute to their communities, all of which lead to successful, crime-free community integration.

• (1440)

Bill S-214 builds on this chamber's past work studying and calling attention to the need for accessible and effective criminal record relief.

Last year, Bill C-93 had the effect of adding more complexity to an already overburdened system. Before Bill C-93, the Parole Board of Canada was already struggling to administer three different streams of record applications — the general record suspension process, the former pardon process for those still entitled to use it and an expungement process for those criminalized as a result of historical discrimination against members of LGBTQ2S communities. To this, Bill C-93 added a new, fourth stream of applications, cannabis record suspensions.

When we passed Bill C-93 last year, we did so knowing that our work on the Criminal Records Act was not over. As then Public Safety Minister Ralph Goodale acknowledged, Bill C-93 "... deals with only one small part of the pardon process that is in need of broader reform ..." "due to sweeping problems of punitive costs and inaccessibility."

In addition, the effectiveness of expedited cannabis record suspensions has been limited because they are application-based. While the process does not require the \$631 application fee and wait time for up to 10 years faced by other record suspensions applicants, it still relies on a variation of the same record suspension process. It requires applicants to spend time and money, often hundreds of dollars, obtaining fingerprints and RCMP records and locating original documents from court and police record keepers in jurisdictions where the charges were originally laid.

As of December 2019, these obstacles had resulted in only 234 applications and 118 cannabis record suspensions granted. This is a mere 118 of an estimated 250,000 Canadians who have some form of cannabis possession conviction.

Each additional stream of application for record relief has increased complexity and further stretched Parole Board resources. The board expressed concerns to the Legal Committee about the complex and bureaucratic nature of the criminal records systems and testified that having an integrated system to support the streamlining of the process would be useful. Bill S-214 provides just such an efficient, simplified process of record expiry.

The lack of accessibility associated with current record suspension processes has been studied in-depth. Public consultation undertaken by the Department of Public Safety Canada in 2017 found that more than four out of five Canadians support some form of automatic record expiry, that is expiry of a record without the need for an application.

A 2018 study by the House Public Safety and National Security Committee unanimously recommended that the government review:

. . . the complexity of the record suspension process . . . consider other measures that could be put in place to support applicants through the record suspension process and make it more accessible . . . and examine a mechanism to make record suspensions automatic . . .

At the Legal Committee, experts, including the Canadian Bar Association and the Canadian Association of Black Lawyers, recommended that relief from cannabis records not require an application. The committee heard that a key barrier to this proposal was technological; it would require a national, comprehensive recordkeeping system.

Accordingly the committee, in its report on Bill C-93, called on the government to:

. . . accelerate reforms to the *Criminal Records Act* . . . examine how best to improve co-ordination of the management of records across Canadian jurisdictions and to implement the necessary technological advances to allow for a more automated approach to criminal records relief that would not require an application process or fee.

Bill S-214 will allow us to resolve the concerns emerging from the study of Bill C-93 by our Legal Committee and this chamber. This bill includes a provision to ensure that when criminal records are disclosed, they are all registered with the RCMP's Canadian Police Information Centre database, otherwise known as CPIC. CPIC would then serve as the centralized record system required to support automated record expiry, without the need for an application by the individual.

Honourable colleagues, we have not forgotten the concerns we heard as we debated Bill C-93. Bill S-214 offers a means to ensure that no one is barred from accessing criminal records relief to which they are entitled, and that no one is unjustly punished with the continuing stigma of a criminal record, simply because they lack legal or financial resources.

As criminal record relief has become more unattainable, the use of criminal record checks has proliferated increasing at approximately 7% per year. Many employers now require police background checks of applicants and all new employees. Criminal record checks extend well beyond employment to every facet of an individual's life from applications for housing, school, volunteer work and even as recently reported by the John Howard Society, for beds in nursing homes.

The ability of criminal record checks to increase public safety has long been contested. Research shows that past criminal convictions are not correlated with likelihood to commit an

offence in the future. Yet these screening tools persist and directly affect the capacity of individuals to successfully integrate into society and impair self-sufficiency.

The punitive nature of criminal records and record checks disproportionately burdens those who are already unjustly stigmatized. Today individuals of African descent account for 8% of federal prisoners, 30% of those in federal prisons are Indigenous — 42% if you look at women in federal penitentiaries alone.

Denial of criminal record relief exacerbates the burden and stigma of a criminal record on those most likely to experience discrimination. It affects job prospects, housing situations and well-being, not only for those who have been criminalized but also their families, children and generations to come.

Honourable senators, a growing body of government and legislative work continues to expose and underscore injustices within the criminal record system. We know that criminal records discriminate against those who are poor, those who are racialized and those with past histories of trauma and resulting mental health and addiction issues. They interfere with efforts to find employment, education and housing. We know that they create barriers to successful integration and can undermine, rather than enhance, public safety. We know that the process for suspending criminal records is punishingly expensive and unnecessarily complex. It is time for legislative change.

Honourable senators, let us work together to bring about long overdue, evidence-based changes to the criminal records system in Canada. I look forward to your much appreciated contribution to this bill.

Meegwetich, thank you.

(On motion of Senator Martin, debate adjourned.)

• (1450)

ARCTIC ISSUES

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Bovey, calling the attention of the Senate to the need to renew and further its interest in Arctic issues.

Hon. Mary Coyle: Honourable senators, I rose yesterday to speak to Senator Bovey's inquiry that calls upon the Senate to renew and further our interest in Arctic issues and to support her suggestion that we consider establishing a committee of some complexion — probably a special committee — to continue the important work of our previous committee.

Today, I will wrap up the case I was making by first quoting again the four remarkable Arctic women leaders I mentioned yesterday.

Nunavik's Sheila Watt-Cloutier, former International Chair of the Inuit Circumpolar Council and author of *The Right to be Cold*, said:

For the Inuit, ice is much more than frozen water, it is our highways, our training ground and our life force.

She also says:

If you protect the Arctic, you save the planet. What happens in the Arctic does not stay in the Arctic. Everything is connected through our common atmosphere, not to mention our common spirit and our common humanity.

Fellow Nunavik leader, Mary Simon, published her report in 2017 on a New Shared Arctic Leadership Model. In the report, Mary Simon said:

I heard repeated accounts of the impact of a warming Arctic on food security, infrastructure, housing, and safety on the land and sea. The message was very clear: an adaptation strategy and implementation plan for the Arctic must become a national priority within Canada's climate change commitments.

Aluki Kotierk, President of the Nunavut Tunngavik Inc., recently wrote to me in an email:

I am glad to hear you're working to revive the special committee on the Arctic. The Arctic is part of Canada. It has the longest Canadian coastline and has an incredibly deep imprint on the Canadian identity. Inuit have contributed as human flagpoles to Canadian sovereignty, and Canada takes pride in symbols of identity that come from Inuit culture, such as the inukshuk, kayak, etc.

She continues:

Inuit are Canadians, yet the social determinants of health indicate that Inuit fall far below other Canadians in terms of food security, high school graduation, health access, employment numbers, etc and are much higher in terms of suicides completed, incarceration, violence, etc. This requires special attention to be able to address these issues face on and ensure that all Canadians are able to enjoy the same standards.

We know that 7 out of 10 Inuit children go to bed hungry every night, and so we need to see the growth in economy translate into the pockets of the Inuit.

Another Arctic woman leader, Caroline Cochrane, Premier of the Northwest Territories, said:

I came to the table looking at not only what we could do for the North, but also what the North can do for the rest of Canada.

Let's think about that.

Colleagues, we have the new Canada's Arctic and Northern Policy Framework with its eight goals, which I mentioned yesterday. It will guide the federal government's investments and activities over the next 10 years. The framework was shaped through a collaborative process, and the intention is to realize its vision, and implement its goals and objectives by working in partnership. This will be critical. There will need to be an ongoing commitment to that open cooperation, as well as very significant financial investments.

On our Senate Arctic Committee study visit to Nunavik, Nunavut, the Northwest Territories and the Yukon — we failed to land in Nain, Nunatsiavut, due to fog — but we heard over and over no matter where we were that self-determination and community-based decision-making are the keys to success.

The in-the-North, by-the-North, for-the-North mantra resonated loudly, whether we were meeting with Inuit, First Nations, Métis or non-Indigenous residents of the Arctic.

We also heard over and over that "youth are our biggest asset."

The new framework states that:

Canada sees a future in which the people of the Arctic and North are full participants in Canadian society, with access to the same services, opportunities and standards of living as those enjoyed by other Canadians. This ambition will require greater effort, focus, trust and collaboration amongst partners.

The people of the Arctic are calling for transformative change to close the many gaps and to further achieve their own diverse and ambitious visions. Colleagues, there is an important role for us to play in ensuring the new framework attains its goals and in accompanying our Arctic neighbours in pursuing their ambitions. A special Senate committee on the Arctic would be an appropriate and useful vehicle for the Senate of Canada to take up this task and demonstrate our commitment. I hope you will all agree.

Nakurmiik. Qujannamik. Ma'na. Quana. Quayanaini. Kooyanine ee. Thank you.

(On motion of Senator Duncan, for Senator Anderson, debate adjourned.)

THE SENATE

MOTION TO AMEND THE RULES OF THE SENATE—DEBATE

Hon. Tony Dean, pursuant to notice of December 12, 2019, moved:

That the *Rules of the Senate* be amended:

1. by:

- (a) deleting the word “and” at the end of rule 12-3(2)(e) in the English version; and
- (b) replacing the period at the end of rule 12-3(2)(f) by the following:

“; and

(g) the Standing Committee on Audit and Oversight, three Senators and two qualified external members.”;

2. by replacing rule 12-3(3) with the following:

“Ex officio members

12-3. (3) In addition to the membership provided for in subsections (1) and (2), the Leader of the Government, or the Deputy Leader if the Leader is absent, and the leader or facilitator of each recognized party and recognized parliamentary group, or a designate if a leader or facilitator is absent, are ex officio members of all committees except the Standing Committee on Ethics and Conflict of Interest for Senators, the Standing Committee on Audit and Oversight and the joint committees. The ex officio members of committees have all the rights and obligations of a member of a committee, but shall not vote.

Restriction on membership

12-3. (4) No Senator shall be a member of both the Standing Committee on Internal Economy, Budgets and Administration and the Standing Committee on Audit and Oversight.”;

3. by replacing the portion of rule 12-5 before paragraph (a) by the following:

“**12-5.** Changes in the membership of a committee, except for the ex officio members and members of the Standing Committee on Ethics and Conflict of Interest for Senators and the Standing Committee on Audit and Oversight, may be made by notice filed with the Clerk, who shall have the notice recorded in the *Journals of the Senate*. The notice shall be signed by:”;

4. by replacing rule 12-6 with the following:

“Quorum of standing committees

12-6. (1) Except as provided in subsection (2) and elsewhere in these Rules, the quorum of a standing committee shall be four of its members.

EXCEPTION

Rule 12-27(2): Quorum of committee

Audit and Oversight

12-6. (2) The quorum of the Standing Committee on Audit and Oversight shall be two Senators and one external member, except in the case of the organization meeting, for which the quorum shall be three Senators.”;

5. by:

- (a) deleting the word “and” at the end of rule 12-7(15) in the English version; and
- (b) replacing the period at the end of rule 12-7(16) by the following:

“; and

Audit and Oversight

12-7. (17) the Standing Committee on Audit and Oversight, which, for the purposes of integrity, independence, transparency and accountability, shall be authorized, on its own initiative, to:

- (a) retain the services of and oversee the external auditors and internal auditors;
- (b) supervise the Senate’s internal and external audits;
- (c) make recommendations to the Senate concerning the internal and external audit plans;
- (d) report to the Senate regarding the internal and external audits, including audit reports and other matters;
- (e) review the Senate Administration’s action plans to ensure:

(i) that they adequately address the recommendations and findings arising from internal and external audits, and

(ii) that they are effectively implemented;

(f) review the Senate’s Quarterly Financial Reports and the audited Financial Statements, and report them to the Senate; and

(g) report at least annually with observations and recommendations to the Senate.”;

6. by adding the following new rule 12-9(3):

“Audit and Oversight — access to information

12-9. (3) The Standing Committee on Audit and Oversight may review the in camera proceedings of other Senate committees, including any transcripts of meetings, as they relate to the mandate of the Audit and Oversight Committee.”;

7. by replacing rule 12-13 with the following:

“Organization meeting

12-13. (1) Once the Senate has agreed to the membership of a committee, the Clerk of the Senate shall, as soon as practicable, call an organization meeting of the committee at which it shall elect a chair.

Chair of Audit and Oversight

12-13. (2) The chair of the Standing Committee on Audit and Oversight shall be a Senator who is not a member of the recognized party or recognized parliamentary group to which the chair of the Standing Committee on Internal Economy, Budgets and Administration belongs.

Audit and Oversight — nomination of external members

12-13. (3) After electing its chair and deputy chair, the Standing Committee on Audit and Oversight shall adopt a report to the Senate nominating two qualified external members for the committee. This report must be agreed to by all three Senators who are members of the committee. The report shall include recommendations on remuneration and permissible expenses for the external members, which shall be paid from Senate funds once the report is adopted by the Senate.”;

8. by replacing rule 12-14 with the following:

“Participation of non-members

12-14. (1) Except as provided in subsection (2) and elsewhere in these Rules, a Senator who is not a member of a committee may attend and participate in its deliberations, but shall not vote.

EXCEPTIONS

Rule 12-28(2): Participation of non-members

Rule 15-7(2): Restrictions if declaration of interest

Rule 16-3(6): Speaking at conferences

Audit and Oversight

12-14. (2) Senators who are not members of the Standing Committee on Audit and Oversight shall not participate in its meetings, unless they are appearing as witnesses.”;

9. by replacing the portion of rule 12-16(1) before paragraph (a) by the following:

“**12-16.** (1) Except as provided in subsections (2) and (3) and elsewhere in these Rules, a committee may meet in camera only for the purpose of discussing.”;

10. by renumbering current rule 12-16(2) as 12-16(3), and by adding the following new rule 12-16(2):

“Audit and Oversight — in camera

12-16. (2) The Standing Committee on Audit and Oversight shall meet in camera whenever it deals with the in-camera proceedings of another committee.”;

11. by replacing the portion of rule 12-18(2) before paragraph (a) by the following:

“**12-18.** (2) Except as provided in subsection (3) and elsewhere in these Rules, a Senate committee may meet when the Senate is adjourned.”;

12. by adding the following new rule 12-18(3):

“Audit and Oversight

12-18. (3) The Standing Committee on Audit and Oversight may meet during any adjournment of the Senate.”;

13. by replacing rule 12-22(1) by the following:

“Majority conclusions

12-22. (1) Except as provided in subsection (7), a report of a Senate committee shall contain the conclusions agreed to by majority.”;

14. by replacing rule 12-22(2) by the following:

“Presentation or tabling

12-22. (2) Except as provided in subsection (8) and elsewhere in these Rules, a committee report shall be presented or tabled in the Senate by the chair or by a Senator designated by the chair.

EXCEPTION

Rule 12-31: Report deposited with the Clerk”;

15. by adding the following new rules 12-3(7) and (8):

“Reports of Audit and Oversight Committee — Content

12-3. (7) The Standing Committee on Audit and Oversight shall include the opinions of the external members in its reports.

Audit and Oversight — report deposited with the Clerk

12-22. (8) A report of the Standing Committee on Audit and Oversight may be deposited with the Clerk at any time the Senate stands adjourned, and the report shall be deemed to have been presented or tabled in the Senate.”;

16. by replacing the opening paragraph of the definition of “Committee” in Appendix I, starting with the words “A body of Senators, Members of the House of Commons or both,” by the following:

“A body of Senators, Members of the House of Commons, members of both houses, or others, appointed by one or both of the two houses to consider such matters as may be referred to it or that it may be empowered to examine, including bills. A Senate committee is, except in the case of the Standing Committee on Audit and Oversight, one composed solely of Senators (as opposed to a joint committee — see below). (*Comité*)”; and

17. by updating all cross references in the Rules, including the lists of exceptions, accordingly.

He said: Honourable senators, I rise today to speak to the proposed motion to establish a standing committee on audit and oversight within the Senate of Canada.

I arrived in the Senate in 2016, but I had been watching from a distance as this institution made strides toward modernization over the past several years. You have worked out ways to organize our review of bills, including agreement on themes and dates for debates, as you did with the debate on medical assistance in dying, and you have divided complex and important pieces of legislation for review by several committees to ensure thorough and fulsome consideration.

As we continue to evolve, we are now picking up on work previously completed by colleagues here on the establishment of an external audit and oversight committee. This is a further step in building a more modern and accountable Senate. I believe the approach proposed is reasonable. It is relatively consistent with the Auditor General’s 2015 report and responds to the sort of fiscal oversight the public is seeking in order to restore trust and confidence in the Senate of Canada. It also reflects compromise that is based on extensive discussion and consideration.

Honourable colleagues, before I speak to the substance of the motion, I will give a brief overview of what has happened so far.

You will recall that the Auditor General of Canada was asked to conduct an audit of the Senate, following some expense issues that arose in 2012. The Auditor General’s report in 2015, among other things, recommended that oversight of senators’ expenses should be performed by an oversight body with a majority of members and the chair being independent of the Senate.

The Standing Committee on Internal Economy, Budgets and Administration, CIBA, considered this proposal in 2017, and in view of its breadth, referred it to the Senate as a whole. The matter was then considered by the Senate’s Rules Committee, which reported progress to the Senate in 2018, certainly on the potential structure and mandate of an audit and oversight committee. However, there was no consensus on whether external members should be included on a new committee. At that point, the question of external representation was referred back to CIBA.

• (1500)

It’s worth pointing out that at this stage in a long biography of this initiative, the focus on the mandate had shifted away from senators’ expenses, as colleagues in this room had wrapped their arms around that and made our expenses the subject of much more rigorous oversight and, indeed, external transparency. The focus shifted to oversight of the internal audit function and advice on issues such as risk management, so a committee very similar to those that we find in business enterprises where we have an outside-in perspective on probity in our general approach to auditing.

Under the rubric of CIBA and charged with this question of external representation, Senator Saint-Germain and Senator Wells reviewed the file and considered several options prior to focusing on a model that envisaged minority external representation on an external audit and oversight committee. I was privileged and fortunate to be present at some of the meetings between our two colleagues, and I can attest to the diligence, hard work and effort put into this by Senator Wells and Senator Saint-Germain to find a practical compromise.

They did that, but the clock ran out on us. Despite best efforts, the tenth report of Rules died on the Order Paper at dissolution in the fall of 2019. We are today considering this proposal again, one that has been derived in part from the Auditor General’s recommendation but also from the hard work already conducted on this issue by a number of senators, including members of CIBA, the Subcommittee on Senate Estimates and the Rules Committee.

I want to particularly thank Senator Saint-Germain, Senator Massicotte and Senator Wells, as well as other senators and advisers in this place, for their valuable contributions to this proposal, which I now hope will become our collective proposal.

Honourable senators will have copies of the motion before them. I know you will have had time to consider this proposal over the course of the past couple of months. Since much of this proposal was based on the excellent work of the Rules Committee, I’d like to focus on what has been developed further.

This motion finds a good balance of interests. It proposes a three to two split of senators and external members respectively. The committee would be made up of non-CIBA members, and it would be chaired by a senator who belongs to a parliamentary group that differs from the chair of CIBA. We’re looking for balance and equity here. This will ensure fairness, accountability and provide for as much representation from various parliamentary groups and caucuses as possible.

After a great deal of deliberation and research, it was felt that this model would be an appropriate balance between external oversight — it would be consistent with the Auditor General's recommendations — and it would respect parliamentarians' jurisdiction fully. This motion would ensure that external members could voice dissenting opinions, albeit in a minority, in reports of the committee to guarantee transparency and accountability. Also, like witnesses and staff members participating in committee proceedings, external members would, as participants in the proceedings, be protected by the parliamentary privilege of freedom of speech.

I note that with this composition of 40% of external membership, the Senate would, in fact, be leading the way in terms of best oversight practices in comparison to other legislatures, such as the United Kingdom and Newfoundland and Labrador, which have oversight and audit committees, albeit with smaller membership ratios.

A key point here is we're not the first to do this. There's nothing revolutionary about it. There are precedents today in this country and in the United Kingdom.

In the U.K. House of Lords, the current composition of their audit and oversight committee is seven members, two of whom — or less than 30% — are external. Their Audit Committee is, in fact, chaired by an external member and considers internal and external audit reports and management responses, and provides advice to the Clerk of the Parliaments — in his role as the accounting officer — and senior management on the effectiveness of internal controls.

The model that's being proposed today is a little closer to the structure in Newfoundland and Labrador, where the committee was established via the Audit Committee Charter in October 2016 and consists of a maximum of eight members, including the Minister of Finance, the Deputy Minister of Finance, as well as up to six additional members to be appointed by the Minister of Finance. The six additional committee members are to consist of a minimum of one to a maximum of three external members who are appointed by the Finance Minister through a merit-based competitive process. This means that the maximum composition of lay members accounts for a little over one third of the committee.

Regarding other rule changes, this proposal ensures that there would be no ex officio status for leadership senators, and by changing rule 12-18, the standing Senate committee on audit and oversight may meet during any adjournment of the Senate in order to continue important business.

Finally, in terms of process, it's proposed that after electing its chair and deputy chair, the standing Senate committee on audit and oversight shall adopt a report to the Senate nominating two external members for the committee. This report must be agreed to by all three senators who are members of the committee and include recommendations on remuneration and permissible expenses for the external members, who will be paid from the Senate funds once the report is adopted by the Senate.

I know that many of us here, and I would hope all of us, are comfortable with the establishment of an audit and oversight committee. It will be fiscally responsible, prudent and

transparent, and it will be integral to our — and should I say “your” — efforts to modernize the Senate. I say “your efforts” because many of you were working hard to improve and reform the Senate long before I arrived.

We know that Canadians expect us to work together for responsible fiscal governance. Our collaboration on this important issue will be a tangible representation of our common efforts for a more transparent, accountable and modern Senate.

In closing, I understand that Senator Massicotte may well propose some amendments, and these are agreeable to me.

Colleagues, with this initiative, we're restoring the public's trust in the upper chamber. It's time to open the door to external oversight.

Some Hon. Senators: Hear, hear!

[Translation]

Hon. Paul J. Massicotte: Honourable senators, as you know, more than four and a half years after the publication of the Auditor General's report and two years after the recommendation by the Standing Committee on Internal Economy, an audit process adapted to the parliamentary context was finally proposed to review our parliamentary expenditures. Senator Dean moved a motion to amend the *Rules of the Senate* to create a standing committee on audit and oversight.

I rise today to express my support for the proposed process. This process is the result of a lengthy study and discussions aimed at finding a fair balance between the independence needed for a legitimate audit process and our parliamentary privilege to manage our own affairs, which guarantees us the freedom we need to carry out our duties.

I also want to take this opportunity to make five changes to the motion by way of amendment. Four of them simply seek to correct technical issues, and one is more substantial.

[English]

First, I would like to reaffirm why this new audit and oversight committee is so important in the context of our efforts to modernize the Senate and restore its legitimacy.

• (1510)

The main objective of this committee is to reassure taxpayers that senators spend their money wisely, all according to the most appropriate rules and policies. Our current model, where only senators via the Internal Economy Committee supervise, review and approve the expenses of their colleagues, does not meet the needs of the public for trust and reliability, nor is it remotely in sync with basic modern governance principles that are applied in other parts or organizations of our society, whether private or public.

[Translation]

The model proposed by the Auditor General in 2015 was quite radical. It proposed the creation of an audit committee where a majority of members, including the chair, would come from

outside the Senate. It also proposed a fully independent oversight and accounting body. That model is thorough, but also cumbersome and very costly, and would clearly conflict with our parliamentary privilege for self-management.

[English]

As an alternative to the Auditor General's recommendation, our then Internal Economy Committee suggested creating a committee on audit and oversight composed entirely of senators who did not sit on the Internal Economy Committee with the authority to employ auditors and experts to confirm that our spending is appropriate. However, this model did not really remedy the glaring weaknesses of our existing governance system, where, in the end, senators still approved other senators' expenses.

With Senator Dean's proposal, the introduction of two qualified external members out of the five members who compose the committee brings the crucial element of independence that was missing. Some will say that this is not enough, since senators will still hold a majority in the presidency of the committee. I've had the same reservation. If you recall, the last time I spoke about this issue — two years ago — I proposed to totally externalize the process to an auditor.

Of course, I understand that a majority of external members on the committee could be interpreted by the courts as a renunciation of our parliamentary privilege to manage our internal affairs without outside interference. This could bring about considerable legal risks for our institution.

[Translation]

To compensate for the impossibility of appointing a majority of external members to the committee, we have decided to publish their opinions in the annual reports.

Of course, it would be possible and desirable for votes by committee members who are senators to be made public. I think such a mechanism would give external members sufficient latitude to express their opinions during discussions with members who are senators. That would allay the concerns of Canadians who want the new committee, with a majority of senators, to be less partial than the current auditing system.

I will now present the amendments that I would like to make to Senator Dean's motion. If I may, I would like to ask for my colleagues' consent to distribute a copy of chapter 12 of the *Rules of the Senate* along with my motion to amend so they can see and better understand Senator Dean's and my proposed amendments.

Hon. Lucie Moncion (The Hon. the Acting Speaker): Is leave granted, honourable senators?

Hon. Senators: Yes.

Senator Massicotte: I'll begin with a substantive amendment, the most important one, which can be found in point number 2 of my motion. I propose to delete paragraph (c) of the new rule 12-7(17), created by point number 5 of Senator Dean's motion.

Paragraph (c) directs the Standing Committee on Audit and Oversight to do the following, and I quote:

make recommendations to the Senate concerning the internal and external audit plans;

This paragraph could be interpreted as an obligation on the committee's part to obtain Senate approval for each audit exercise it chooses to undertake. This goes against the principle of good governance, particularly the principle of independence, whereby an audit committee should be able to handle its own affairs, on its own, to do its work properly. I'm afraid that if we keep this paragraph, Canadians might be inclined to question our good faith and suspect the Senate of wanting to maintain some discretion to be able to avoid any audits likely to embarrass a senator.

That is why I propose deleting that paragraph, so as to avoid any risk of ambiguity.

[English]

Let me move to the explanation of the clerical corrections. We noticed some typos after Senator Dean tabled his motion in December. The first clerical modification I propose in point number one of my motion is in the French version of point number 3 of Senator Dean's motion. I suggest replacing the introduction of section 12.5 of the *Rules of the Senate* with an edited text.

The second clerical modification in point number 3 of my motion is within point number 14 of the French version of Senator Dean's motion. The numbering of the rule that is modified is actually rule 12-22(2) and not 12-22(1).

The third clerical modification in point number 4 of my motion is in the English version of the introductory wording in point number 15 of Senator Dean's motion. The rule that is modified is rule number 12-22(7) and (8) and not 12-3(7) and (8).

The last clerical correction in point number 5 of my motion is in number 15 of Senator Dean's motion. It creates a new rule number 12-22(7) that was wrongly numbered 12-23(7).

As Senator Dean's notice of motion was already signed and delivered, it was not possible to edit it. With his agreement, we chose to correct the errors in the same motion that also proposed to delete paragraph 12-27(17)(c).

To conclude, honourable senators, once these modifications are approved, I believe we will have reached the best audit and oversight system possible, given our need to vote, preserve the integrity of our parliamentary structure and restore public confidence in a key institution that is meant to serve Canadians. This can't wait any longer.

[Translation]

MOTION IN AMENDMENT

Hon. Paul J. Massicotte: Therefore, honourable senators, in amendment, I move:

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

1. in the French version of point number 3, by replacing the proposed new text by the following:

“12-5. Sauf dans le cas des membres d’office, des membres du Comité permanent sur l’éthique et les conflits d’intérêts des sénateurs et des membres du Comité permanent de l’audit et de la surveillance, le remplacement d’un membre d’un comité peut s’effectuer au moyen d’un avis remis au greffier du Sénat, qui le fait consigner aux *Journaux du Sénat*. Cet avis est signé :”;
2. in paragraph (b) of point number 5, by deleting paragraph (c) in the proposed new text and renumbering the remaining paragraphs in consequence;
3. in the French version of point number 14, in the proposed new text, by replacing the rule number “12-22. (1)” by “12-22. (2)”;
4. in the English version of point number 15, in the introductory wording, by replacing the words “new rules 12-3(7) and (8)” by “new rules 12-22(7) and (8)”;
5. in point number 15, in the proposed new text, by replacing the rule number “12-3. (7)” by “12-22. (7)”.

I’m certain that you all followed what I said and that you understand. It was very clear. Thank you very much for your attention.

[English]

The Hon. the Acting Speaker: On debate?

Hon. Jane Cordy: Senator Massicotte, may I ask a question?

Senator Massicotte: Yes, of course.

Senator Cordy: Thank you. Your being an accountant helps going through all of this.

Senator Plett: Keep your questions short.

Senator Cordy: Throughout the document, you refer to it as the audit and oversight committee. Calling it the audit and oversight committee concerns me because the committee, to the best of my understanding, is not going to be doing audits. It is in fact going to be doing oversight of audits that take place.

• (1520)

Could you comment on that? I think we have to be very clear when we vote on this. Whether yea or nay we have to vote, and I’m fine with an oversight of an audit but I’m not fine with a Senate standing committee doing an audit of senators.

Senator Massicotte: I appreciate the question. It’s obviously one of definition. The title is to be discussed but obviously the committee is not really there. To a large degree it will engage auditors to do internal and external audits. The committee itself will not spend an immense amount of time doing that work. If you look at corporations, they call them audit committees but the committee never does the audit. It employs other people to do the work, so I would argue the title remains appropriate. It doesn’t mean they do it themselves but they have the right to so engage.

The concentration should be on the responsibilities and the authorities we give this committee. There aren’t a lot of paragraphs, but that should be reviewed to make sure you agree with their authority and their job. I have no personal opinion regarding the title, but I see nothing significantly wrong with the existing one.

Hon. Carolyn Stewart Olsen: Senator Massicotte, would you take a question, please?

Senator Massicotte: Yes.

Senator Stewart Olsen: I haven’t reviewed this in depth, but I would like you to tell me who this audit committee will report to initially.

Senator Massicotte: That is a good question. It’s very important to note that this committee has no authority to do things. Its sole responsibility, as so enumerated, is to report to the Senate. If the Senate wants to respond to the recommendations they receive or to the findings of the audit committee, it’s up to the Senate. They have no capacity to execute the recommendations. It always remains with the Senate, and that’s where the power lies.

Senator Stewart Olsen: For clarification, then, you don’t go the route of reporting to the Internal Economy Committee or CIBA; you go directly to the Senate.

Senator Massicotte: Yes. The report will be deposited with the Senate, period.

[Translation]

Hon. Claude Carignan: I was looking at rule 12-13(2). Did you look at that rule and did you consider amending it? I would like your opinion on that. It reads:

The chair of the Standing Committee on Audit and Oversight shall be a Senator who is not a member of the recognized party or recognized parliamentary group to which the chair of the Standing Committee on Internal Economy, Budgets and Administration belongs.

I find that unusual, particularly considering the current move toward a more independent Senate. This rule seems completely superfluous to me.

Senator Massicotte: The goal is to ensure that the chair of the audit committee is not the same person as the chair of the Internal Economy Committee.

Senator Carignan: I completely agree that it should not be the same person. However, it doesn't make sense that the person must not be a member of the same party or the same recognized group since all senators here are independent.

Senator Massicotte: Indeed, the Chair of Internal Economy is often an independent member, and we want to ensure that the responsibilities are shared by two different people.

Hon. Raymonde Saint-Germain: Is it not because a recognized group of parliamentarians can include the ISG and that the whole point of all this is to have checks and balances?

Senator Massicotte: That is a very good question.

The Hon. the Acting Speaker: Are you asking for five more minutes?

Senator Massicotte: If necessary, yes.

[English]

The Hon. the Acting Speaker: Is leave granted?

Hon. Senators: Agreed. Five minutes.

[Translation]

Senator Saint-Germain: The answer to the question is twofold. The whole point of all this is to have checks and balances, and the Independent Senators Group is a recognized parliamentary group.

Senator Massicotte: The answer is yes.

(On motion of Senator Martin, debate adjourned.)

[English]

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

MOTION TO AUTHORIZE COMMITTEE TO STUDY THE CUMULATIVE IMPACTS OF RESOURCE EXTRACTION AND DEVELOPMENT—DEBATE ADJOURNED

Hon. Mary Jane McCallum, pursuant to notice of February 5, 2020, moved:

That the Standing Senate Committee on Energy, the Environment and Natural Resources be authorized to examine and report on the cumulative impacts of resource extraction and development, and their effects on environmental, economic and social considerations, when and if the committee is formed; and

That the committee submit its final report no later than December 31, 2020.

She said: Honourable senators, I rise today to speak to the motion which constitutes an order of reference for the Standing Senate Committee on Energy, the Environment and Natural Resources. As is indicated in the motion itself, I would like this committee to undertake a study of the cumulative impacts of resource extraction and development and their effects on environmental, economic and social considerations.

My interest in studying this matter in depth came from this committee's previous study of the highly contentious Bill C-69, known as the environmental Impact Assessment Act. Through the months-long study of this bill during the last Parliament, we were able to hear in a highly limited way from various stakeholders and community members of the impacts of resource extraction and development. This included both the benefits as well as the negatives. However, as the focus of this committee study was the legislation at hand, the discussion remained highly technical and limited to the scope of that specific bill. As such, it is my hope that the committee would now use the time before us to study and report on the larger issue at play, which is the concept of the impacts resulting from resource extraction and development.

Colleagues, as a result of Bill C-69, there are many Canadians across the country who feel we have reached a breaking point as a nation. This can be seen through talks of WEXIT, as well as the tangible divide and disconnect felt between the West and the rest of Canada. With this societal issue boiling over, I feel it is up to us as senators to take an unencumbered, neutral look at this massive issue to try and make sense of it all.

I am aware, as is everyone here, that it is virtually impossible to go into the study of such a contentious subject matter without any personal bias or prior-held individual points of view. On the contrary, I think these are good as those points of view are largely shaped from our connections to the regions that we represent and the people that we serve. It is these points of view — those that are reflective of the people of Canada — that are required to give voice and, in turn, understanding through sober second thought to this complex issue that continues to fester as an open sore, wounding the unity of our great country.

I believe in the importance of full transparency, openness and honesty when giving my thoughts on any issue before the Senate, whether in committee or the chamber itself. As such, I will quickly highlight where I am coming from on this matter. From the perspective of my region and the people I serve, this study would allow a closer look to be taken at how resource extraction and development have impacted rural and northern communities, my interest naturally being those communities and peoples largely in Manitoba.

Through my decades of work as a health care professional within these rural and remote communities, I have always been aware of the impacts of resource extraction and development on these areas and their people. Much of the work I have done in my time as a senator to date has touched on this issue as well, either directly or indirectly.

• (1530)

In my role as a senator, I have had the chance to visit many communities that are facing fallout from resource extraction and development in their areas. The communities I have visited — and continue to work with — are not only located in Manitoba but are found across the country.

Without getting into the nitty-gritty, I have heard from and seen communities from coast to coast that face serious health issues related to land, water and air degradation, and that face health concerns from the toxins released during extraction and development that inevitably make their way into our ecosystems. There are communities that have documented high levels of rare cancers due to their proximity to the oil sands, uranium mines and pulp mills. These include cancers of the blood and lymphatic system, biliary tract cancers and soft tissue cancers.

There are sustenance concerns as the surrounding flora and fauna are either killed off or forced to relocate. There are physical safety concerns due to the influx of workers and the creation of man camps. There is an undeniable correlation between the presence of these man camps and an increase in violence, sexual assault, prostitution, sex trafficking, alcohol and drug addiction, and blatant racism and sexism of some workers, as well as in company policy.

Then there are concerns that relate to logistics. When there is an influx of workers into a community, this puts a strain on local resources and infrastructure, which are forced to operate beyond their capacity. This is exacerbated by the shadow population, a subset of the community's population, people who left in search of work but now return en masse to gain employment through this new opportunity. This means the already inadequate health and social services most Indigenous communities receive plummet to further levels of inequity.

For me, however, these concerns are balanced in part by the issues I have heard — and would like to address — from the people of Alberta, who have serious and valid concerns about yo-yoing employment rates and the presence of orphan wells, including the soaring future costs Albertans will have to incur in order to reclaim and restore these sites.

Honourable senators, through this study I see value in providing an understanding of the policy and technical barriers that exist in applying nature-based climate solutions to many of these substantial issues. These barriers are highlighted by the Canadian Park and Wilderness Society in their paper entitled *Finding Common Ground*, which states on page 6:

These barriers include: a lack of policies that recognize, and hold responsible, the main players responsible for ecosystem emissions; the challenges policymakers encounter in considering nature-based solutions as mitigation options; and shortcomings in the GHG accounting methodologies which may not fully capture the emission reduction potential of such solutions.

Despite this collective Indigenous perspective, colleagues, I genuinely hope to obtain a balance wherein all concerned groups receive equal consideration through this proposed study. I rely on your voices and input to help us achieve that.

For my part, I would like to ensure that the voices of Indigenous peoples, environmental groups and industry are heard equally. As a reference to why I am stressing this point, I would like to highlight the numbers surrounding lobbyists on the aforementioned environmental bill, C-69. It has been reported that over 80% of lobbyists for that bill in the Senate represented industry. By contrast, 13% of lobbyists represented environmental groups and only 4% represented the Indigenous perspective. Moreover, this 4% was accomplished by one very determined community, Fox Lake Cree Nation in Manitoba.

The reason behind this discrepancy in representation is fairly straightforward: Industry has a greater capacity, in both infrastructure and funds, to mobilize their voices in terms of efficiently getting their message out to Ottawa. They have every right to do so. Many Indigenous communities don't have the required capital to travel here with relative ease, but they should be able to have their voices heard equally.

Colleagues, it is with this in mind that I am hopeful that balance, neutrality and mutual respect will rule when considering this order of reference. As I have indicated, I have concerns and opinions on this issue, as I expect each of you do as well.

I would note that I welcome and respect your concerns and insights, whether they echo mine or whether they are reflective of the other side of the coin. It is my hope that the balance of senators' opinions, as well as witnesses heard through committee on this study, will allow us to paint a fulsome picture for all Canadians of the current climate surrounding this contentious issue.

Further, my hope is for a final report that will be fully reflective of all points of view. This will allow all Canadians to see their voices in this report, as well as the differing opinions that they might not otherwise be inclined to acknowledge. Through a balanced final report and any recommendations that may flow from it, my ultimate hope would be for a resulting balance, equity and understanding in public policy moving forward.

Honourable senators, I would like to address why I am putting forward this order of reference now, before the committee is reconstituted. I would like to allay any concerns by saying that my rationale is purely pragmatic. As we have all experienced in our time as senators, when a committee gets rolling with government legislation, it can quickly turn into a runaway train. One day you are referred a government bill, and four months later Parliament adjourns, just as the bill finally clears committee. This often leaves in its wake the skeletons of private members' bills and orders of reference that were left behind so that government legislation could take priority.

Colleagues, we are now in the rare situation where our Order Paper is relatively barren and our committees, by virtue of dissolution, will be a *tabula rasa* when they are reconstituted. Rather than have precious time wasted with cancelled meetings and empty agendas, I believe we should embrace the gift of time and have this order of reference ready and waiting to act upon should the committee be re-formed. It is my belief that an issue of such critical importance and of such consequence to our country today is deserving of study and debate by the many

minds in this chamber. If we, who are here to represent our regions and the people within them, will not undertake a balanced and thorough study on this subject matter, who will?

It is said that if you want to go fast, go alone; if you want to go far, go together. It is with this thought that I appeal to all senators to choose to go far with sober second thought, and to go together, on this issue of national importance.

Some Hon. Senators: Hear, hear.

• (1540)

(On motion of Senator Duncan, for Senator Galvez, debate adjourned.)

[Translation]

THE SENATE

MOTION TO ENCOURAGE CANADIANS TO RAISE AWARENESS OF
THE MAGNITUDE OF MODERN DAY SLAVERY AND RECOGNIZE
FEBRUARY 22 AS NATIONAL HUMAN TRAFFICKING
AWARENESS DAY—DEBATE ADJOURNED

Hon. Julie Miville-Dechéne, pursuant to notice of February 18, 2020, moved:

That, given the unanimous declaration of the House of Commons on February 22, 2007, to condemn all forms of human trafficking and slavery, the Senate:

- (a) encourage Canadians to raise awareness of the magnitude of modern day slavery in Canada and abroad and to take steps to combat human trafficking; and
- (b) recognize the 22nd day of February as National Human Trafficking Awareness Day.

She said: Honourable senators, I rise today in favour of designating February 22 National Human Trafficking Awareness Day. This idea isn't new. The House of Commons and the Senate have been working on this for eight years. I join my voice to this effort as the acting co-chair of the All-Party Parliamentary Group to End Modern Slavery and Human Trafficking.

February 22 was not chosen at random. Thirteen years ago, on February 22, 2007, the House of Commons unanimously adopted a motion to condemn the trafficking of women and children across international borders for the purposes of sexual exploitation. This issue transcends partisanship. The motion was moved by Conservative MP Joy Smith and seconded by Bloc MP Maria Mourani. This is what Joy Smith said at the time:

... parliamentarians ... must become more educated and aware that in communities all across our nation innocent victims are being threatened and held against their will. They continue to be violated and remain unnoticed as unknowing Canadians live their daily lives.

A lot of progress has been made since then. Eight months ago, a 24-hour multilingual emergency hotline was made available to victims, at 1-833-900-1010. Furthermore, federal agency FINTRAC has been working with banks to identify suspicious deposits and payments made at night, between midnight at 6 a.m., which can help identify pimps. This initiative is the first of its kind in the world.

There are also more reports than ever before. Between 2009 and 2016, 340 serious human trafficking violations were reported in Canada, which is 10 times more than before. Of these reports, 95% of the victims were woman, and 72% of them were under 25. It is nevertheless very difficult to understand the real scope of trafficking, due to its hidden nature.

In a shocking report by CBC this week, a police officer from Durham spoke about the horrific and degrading treatment often inflicted on these women. He said that some are tortured or raped, and some are forced to eat their own feces. Durham has managed to draw the community's attention to this crime and has encouraged them to report, largely thanks to a former trafficking victim who is working with police and doing school outreach.

[English]

But elsewhere in the country, much awareness-raising work still needs to be done to change attitudes about trafficking in persons, particularly for the purposes of forced labour or, more often in this country, sexual exploitation. It is difficult for the average person to imagine that trafficking in women actually exists in Canada. Moreover, it disproportionately affects Indigenous people and Indigenous women.

Public opinion is moved when underage girls fall under the control of street gangs that desensitize them through repeated rapes, lock them up and, above all, transport them away from their environment to isolate them. But adult women can just as easily find themselves trafficked, manipulated, controlled and exploited by traffickers to such an extent that they do not believe they can free themselves from this yoke. For them, prostitution is not a choice.

Last October, York Regional Police dismantled a vast sex trafficking ring and arrested 31 people. The 12 victims — and about 30 more were being sought — mostly young women from Quebec, had been brought to Ontario and Western Canada. A police officer said that these women could smile at the clients but they were not consenting participants. They were in the grips of a network, which was also involved in producing false identification documents and drug trafficking.

In Canada, forced labour is not well known. Victims and offenders are often foreign nationals. Sometimes they are domestic servants who work seven days a week without compensation or have their passports confiscated by the family employing them.

A year ago, 43 enslaved Mexicans were freed by police in the Barrie region of Ontario. These men were forced to clean houses under the thumb of their traffickers for \$50 a month.

[Translation]

Internationally, what we call modern slavery includes forced labour, sex trafficking and forced marriages. These phenomena mainly affect girls and women, who are still victims of inequality and discrimination around the world. An estimated 4.8 million people, almost exclusively girls and women, are victims of forced sexual exploitation, and 15 million people, again mostly girls, have been forced to marry. A vast majority of these forms of exploitation occur far away from here in countries where young girls are married or sold to much older men. They experience early pregnancies that result in horrible complications such as fistulas.

Ontario, where two-thirds of human trafficking cases are reported, and Alberta have already designated February 22 as Human Trafficking Awareness Day. Many organizations that fight against these forms of exploitation want this to become a national designation so that efforts can be coordinated at a specific time of the year in order to have a maximum impact on the population. Awareness campaigns encourage people to pay more attention to what is happening around them, to suspicious behaviour, and to cries for help, whether it be from a young woman who is trapped in a forced marriage, another who is in the clutches of a pimp boyfriend or a newcomer who is being exploited by her employer.

I hope you will support this motion.

Thank you.

(On motion of Senator Duncan, debate adjourned.)

[English]

AGRICULTURE AND FORESTRY

STUDY ON HOW THE VALUE-ADDED FOOD SECTOR CAN BE MORE COMPETITIVE IN GLOBAL MARKETS—MOTION TO PLACE NINETEENTH REPORT OF COMMITTEE DEPOSITED WITH CLERK DURING FIRST SESSION OF FORTY-SECOND PARLIAMENT ON THE ORDERS OF THE DAY ADOPTED

Hon. Diane F. Griffin, pursuant to notice of February 19, 2020, moved:

That the nineteenth report of the Standing Senate Committee on Agriculture and Forestry entitled *Made in Canada: Growing Canada's Value-Added Food Sector*, deposited with the Clerk of the Senate on July 15, 2019, during the first session of the Forty-second Parliament, be placed on the Orders of the Day under Other Business, Reports of Committees – Other, for consideration at the next sitting.

She said: Honourable senators, this motion is similar to the one that was passed and proposed by Senator Terry Mercer to place a report that was tabled in the last Parliament on the Order Paper for debate. This is a procedural step to eventually request that the

government respond to the nineteenth report, *Made in Canada: Growing Canada's Value-Added Food Sector*, of the Standing Senate Committee on Agriculture and Forestry.

This report was tabled with the clerk during the summer and we held a public launch in Charlottetown, Prince Edward Island, and have since gotten a lot of great public response to it. But government will not be providing a response to the committee report until the Senate requests a response. Therefore, I'm asking that this report be placed on the Order Paper under Orders of the Day. Thank you.

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

Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to.)

• (1550)

UNRECOGNIZED HISTORIES AND MEANINGFUL CONTRIBUTIONS OF FIRST NATIONS, MÉTIS AND INUIT PEOPLES

INQUIRY—DEBATE ADJOURNED

Hon. Marty Klyne rose pursuant to notice of December 10, 2019:

That he will call the attention of the Senate to the unrecognized histories and meaningful contributions of First Nations, Métis and Inuit.

He said: Honourable senators, I rise today to outline the purpose and goal of the proposed inquiry entitled Unrecognized Histories and Meaningful Contributions of First Nations, Métis and Inuit Peoples.

To begin, I acknowledge that we are on the traditional unceded territory of the Algonquin and Anishinaabe people.

Honourable colleagues, the nature of inquiries in this chamber provides senators the opportunity to rise and put on the public record any subject they feel requires attention. The purpose of this inquiry is to bring to light the history of First Nation, Métis and Inuit and how they contributed to the development of the nation we call Canada. I'm hopeful this speech will provide clarity and purpose and help you make a connection.

The importance of this inquiry is to highlight the many Indigenous people who are informed, driven and successful against the odds and despite playing on an uneven playing field. From this inquiry, Canadians will learn that there is a long history of numerous, successful, Indigenous-led initiatives in the realms of business and economic development, medicine, sport,

music, law and education, all of which benefit not only Indigenous communities but also the wider social fabric of our nation.

The themes will include but will not be limited to links between Indigenous traditions; ceremonies; language; quality of life and the subjectivity of it; educational attainment; and the benefits of economic success including closing the gap on self-determination, self-reliance, self-sufficiency and wealth creation.

Further topics to explore will include or revolve around the origins of ongoing stereotypes about Indigenous people, continued exclusion from the national economic and financial systems, as well as the positive outcomes despite or in the face of these disadvantages. I believe these topics have been vastly ignored or overlooked and remain an undercurrent within the mainstream of deliberation, debates and discussion.

Honourable senators, not everyone experiences history in the same way, having different perspectives shaped by different walks of life. While one group is prosperous, others may be held back. When one group is optimistic about their future, others see nothing but hopelessness. When one group holds all the political power, other groups may feel repressed. When history records only one group's truth, the experience of others is often left untold.

We know from the Royal Commission on Aboriginal Peoples, or RCAP, that there are varied ways settlers and Indigenous communities approach history. In Volume 1, Part One, Section 3, entitled, "Conceptions of History," we are presented with observations that Indigenous history is traditionally presented orally and is approached in a nonlinear and non-static manner through narrative techniques that may portray events out of chronological order or present a story told within the main story to tell the moral of the story or use dynamic events versus static events to illustrate a transition taking place.

Further, history told by elders can be employed to portray lessons to the listeners, to share and teach cultural values and/or to validate relationships with the Creator, the wider physical and spiritual worlds.

The Indigenous presentation of history significantly contrasts with Western European views that portray history as a series of unalterable linear events with the purpose of conveying information as objective and factual.

That brings us to the need for this inquiry. Indigenous history has largely been lost or ignored through the government's attempt to assimilate Indigenous peoples into a Western way of life. Indigenous peoples were, for all intents and purposes, expected to submit to Western European's version of history, a history not written by them nor told by them, yet written for them with the sole purpose of dragging them into a future and a way of life that would not be their own.

The effects of assimilation were summarized by the Fifteenth Report of the Standing Senate Committee on Aboriginal Peoples from the Forty-second Parliament, entitled, "How did we get here? A concise, unvarnished account of the history of the relationship between Indigenous Peoples and Canada."

In this report, the committee stated:

Assimilation affected Indigenous groups differently depending on the region and their relationship with the Crown, although the effects of relocation and dispossession were especially devastating for all, given the importance of the land as a source of identity, spirituality, governance and sustenance. These policies and the loss of lands have contributed to a complex intergenerational legacy which continues to affect Indigenous communities today. This legacy has led to disparities in areas such as health and education, and the over-representation of Indigenous peoples in the child welfare and criminal justice system, among others.

Colleagues, reconciliation has been identified as the process required to begin to address many issues and, importantly, the negative outcomes of assimilation. Reconciliation has many definitions. In the context of the Indigenous and Crown relationship, it is the recognition of 100 years of forced removal of children and youth to residential schools with the goal of eliminating primarily First Nation cultures but Métis and Inuit cultures also got drawn in. The goal of reconciliation is to work together by building a mutually respectful relationship to ensure we share a prosperous future equally where no one is left behind.

To continue working toward reconciliation, we must examine, appreciate and understand the effects of the considerable diversity of historical perspectives that have resulted in multiple or varied realities, experiences and beliefs about Indigenous and non-Indigenous people in the present. We must examine, appreciate and understand the lessons learned and move forward together.

Most reconciliation efforts to date have been to persuade the government to acknowledge its role in the human rights abuses Indigenous peoples have faced and systematically endured for generation after generation. The Calls to Action offered by the Truth and Reconciliation Commission in 2015 provide us with a guide. Among the Calls to Action were the repeated recommendations that Canadians become informed about the histories and legacies of residential schools, treaties, Indigenous law and Aboriginal-Crown relations.

Understanding the effects of forced removal from family and community, lost language and culture, in the name of progress or assimilation will require sustained and purposeful effort. This inquiry is meant to be a contribution to the collective efforts in working to answer the Calls to Action of the Truth and Reconciliation Commission.

Today, honourable senators, I will begin by addressing the subject of economic exclusion. The greatest challenge facing many Indigenous communities and businesses is having to look at opportunity from the outside. Too many Indigenous communities and people are still challenged by barriers that prevent them from participating — unique barriers, from a poor quality of life with little to no hope, to the stereotypical, to outright exclusion and no sense of belonging, and an unassuming demeanour stemming from generations of minding one's station in life.

Those of us with a business background know business can best operate when a free market prevails, allowing competition to determine who is the most effective at delivering services and goods in the best, quickest and most economical way. Businesses must also grapple with other criteria including available labour, affordable real estate, negotiating the tax and regulatory environment, securing leading-edge information and communication technology, transportation links, research and innovation and so on.

• (1600)

Economic development is also a complex undertaking. It too requires a shared vision among stakeholders and, quite often, collaboration and commitment from three senior levels of government; advanced consultation with a broader community and planning and working with prescribed and fixed financial and social resources along with a need to be flexible and adjust to a variety of changing variables such as policies, politics and the aforementioned restraints of fixed resources.

When we apply the tenets of economic development and business to the early experiences of Indigenous people thriving in an unforgiving climate while competing against or cooperating with one another, then we can acknowledge that they were not foreign to mercantilism or socio-economic initiative.

The capacity to overcome the challenges and thrive in the physical and social climate for thousands of years, well before explorers and colonists came along and even then, engaged in trading with explorers, fighting alongside the British and the French and teaching survival in an unforgiving climate and terrain that most were ill-prepared to survive — colleagues, this historical period itself should be enough to disprove the myth that Indigenous people would somehow be incapable of participating in the mainstream.

This fallacy permeates today and serves as a barrier to advancing a broader economic agenda that would benefit all Canadians. The fallacy serves to justify the continued exclusion of Indigenous voices from decisions that directly affect their communities, families and livelihood, including self-determination, self-reliance, self-sufficiency and wealth creation.

The fur trade and fishing markets made European business quite wealthy here in Canada, relying almost entirely on the fishing, hunting and trapping expertise of First Nations, Métis and Inuit, not to mention relying on their survival skills and proficiency in navigating a rugged terrain, fluency in several languages and successful negotiation skills shaped by complex economic relationships among different cultures. These attributes would soon become a threat to settlers' aspirations for dominion, land ownership and mercantilism.

The Hudson's Bay Company received its charter from the British Crown in 1670, and for nearly two centuries, HBC and its competitors traded furs with Indigenous peoples in the interior of North America, establishing distinctive protocols for cementing commercial and diplomatic ties in the process. Early colonial governments reflected on this and began to shift their economic policy towards excluding Indigenous people to break apart

complex and successful economic systems and did so often through social policy. When this failed, they applied force with the goal of creating an advantage for settlers and the Crown.

When the fur trade became less profitable and agriculture emerged as essential for the settlement of the West, along came the introduction of numbered treaties 1 and 2 in 1871.

Treaty-making was a means to facilitate the settlement of the West and, concurrently, assimilation of First Nations into a Euro-Canadian society, dragging treaty people along into a future and a way of life that would not be their own. To their dismay, First Nations leaders saw a treaty as a way to advocate and protect their traditional lands and livelihoods while securing assistance in transitioning to a new way of life.

Treaties 1 and 2 encapsulate these diverging aims, leaving a thriving legacy of unresolved issues due to the different understandings of First Nations and Euro-Canadian participants. If we study these treaties, these documents serve as non-competition agreements to the benefit of the Dominion and European settlers. They outline that Indigenous communities would receive compensation as a trade-off for their exclusion from the thriving economic markets of fishing, agriculture, hunting, farming, resource extraction and banking.

The Hon. the Speaker: Senator Klyne, your time has expired. Are you asking for five more minutes?

Senator Klyne: If I may, please.

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

Hon. Senators: Agreed.

Senator Klyne: First Nations would be moved to lands reserved for them. However, for most bands these lands were remote and less fertile, impairing First Nations' capacity and ability to participate in the economic growth of this nation. The non-competition aspect of this also resonates in the transcript of Treaty 1, when it is stated:

Till these lands are needed for use you will be free to hunt over them, and make all the use of them which you have made in the past. But when lands are needed to be tilled or occupied, you must not go on them any more.

Unexpectedly for the First Nations, these agreements were hard to live by but not enough to neutralize or dampen their fortitude and aspirations to pursue self-determination and self-reliance. When it became apparent that enfranchisement under the Gradual Civilization Act was not achieving the desired results, the government took its control one step further by implementing the Indian Act in 1876. Instead of a nation-to-nation relationship, as originally enshrined in the Royal Proclamation of 1763 and the treaty agreements, First Nations and Inuit were reclassified as wards of state, the same classification given by the government to prisoners and children.

Four years later, in 1880, efforts were stepped up with the 1880 amendment to the Indian Act, adding compulsory enfranchisement upon any member obtaining a degree or becoming a clergyman, meaning that a band member would have to give careful thought and consideration to choosing between acquiring an education or abandoning their rights enshrined in treaties.

The ultimate purpose of enfranchisement — loss of status rights and, hence, benefits — was to encourage assimilation and reduce the number of people that the federal government was financially responsible for. This failed, and the policy decisions across jurisdictions place the majority of Indigenous peoples at a disadvantage in developing their own businesses and in mobilizing and preparing to compete for quality employment in the mainstream economy.

My first substantial contribution to this inquiry will begin with my next speech, which will be timely, that I have titled: The Economic Contributions of Indigenous Peoples in the Development of Canada, Part One. It will examine the important role of economic independence, focusing on past policies and present realities. I expect to provide examples where, despite the odds, economic development initiative has enabled Indigenous communities and people to successfully pursue self-sufficiency, successfully participate in the mainstream economy and all the while protect, embrace and practise their traditions and ceremonies.

Colleagues, I invite each of you to share any information that intersects and provides insight about the unrecognized histories and contributions of Indigenous people of Canada.

Honourable senators, thank you for your interest in this inquiry and any valued contributions you may make to ensure these stories become known.

(On motion of Senator Duncan, debate adjourned.)

DECIMATION OF ATLANTIC SALMON SPAWNING GROUNDS

INQUIRY—DEBATE ADJOURNED

Hon. David Richards rose pursuant to notice of February 4, 2020:

That he will call the attention of the Senate to the decimation of Atlantic salmon spawning grounds on the Miramichi, Restigouche and their tributaries.

He said: Honourable senators, this is my ongoing concern about Atlantic salmon and how they're being devastated in our waters. So I will bring this to our attention again. Hopefully, this time, something might get done about it.

• (1610)

I cannot overemphasize the crisis our Atlantic salmon are in and how, if something is not done immediately to address the situation, an entire species, a way of life, hundreds of jobs and millions of dollars will be lost on the salmon river systems of the east coast, in particular, the Miramichi, Restigouche and the tributaries that feed them. The decline in the last few years is not only alarming; it is staggering. The population of breeding stock has reduced most significantly on the main northwest and southwest Miramichi regions of New Brunswick, but all rivers are suffering.

There are things we have attempted to do to alleviate this. Recently, we were able to secure a 12-year moratorium from the Greenland fishery; we have halted the taking of salmon by anglers stressing only hook and release; and we have used fish hatcheries to release smolt into the river systems, hoping for survival rates to increase.

But the salmon in our river systems are now up against an unrelenting and voracious predator — a predator protected by our Fisheries Department and coddled over the years until its numbers so increased it not only competes with our salmon but it annihilates them. I'm speaking of the striped sea bass, whose spawning beds are on the northwest Miramichi. Protected for years, they are now a plague upon us. Little action has been taken, and the concern we have shown is met with silence.

This is at least, in part, a man-made problem — the engineering of a species in order to re-establish bass numbers along the Northumberland Strait and St. Lawrence Seaway, with a complete disregard for what this voracious predator is now doing to salmon stock. This hauling the wool over the eyes of the DFO has never been new, but has never been more cynically dismissive.

This might not seem a severe thing to urban Canadians, but this is every bit as devastating to our Atlantic salmon, to a whole way of life and a people's identity as clear-cutting and global warming ever were. There are now close to a million bass coming into our Miramichi waters to spawn. This puts our yearly smolt generation — young salmon backing out to the sea, which is sorely needed to keep our salmon rivers alive — in desperate peril of never of reaching open water.

First Nation concerns are every bit as worrisome as ours, and their predictions are as dire as mine. The DFO, as always, is infuriatingly blind and as agonizingly noncommittal. The two recent ministers of Fisheries were unresponsive.

Salmon guides and outfitters are saying this is also happening on the Restigouche and its tributaries.

The Minister of Fisheries must become more engaged, the Department of Fisheries must allow a culling of the bass by anglers, and the First Nations of the Red Bank and Eel Ground must be allowed to harvest bass for commercial enterprise. This might be a start, but it has to start now, not in three years' time.

Honourable senators, the very word "Miramichi" is synonymous with the Atlantic salmon. It is the centre of the Atlantic salmon's world, its spawning beds and its historical breeding water. It is part of the very DNA of our river and our

lives. In losing the Atlantic salmon, we lose not only monetarily but spiritually. This is a momentous moment for an entire people and a way of life. Whatever can be done should be done. I cannot stress my concern deeply enough, because it is too deep to measure.

(On motion of Senator Griffin, debate adjourned.)

(At 4:14 p.m., the Senate was continued until Tuesday, February 25, 2020, at 2 p.m.)

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