



# DEBATES OF THE SENATE

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OFFICIAL REPORT  
(HANSARD)

Tuesday, November 5, 2013

The Honourable NOËL A. KINSELLA  
Speaker

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## THE SENATE

Tuesday, November 5, 2013

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

KENYA

Prayers.

TERRORIST ATTACK AT WESTGATE  
MALL IN NAIROBI

### SENATORS' STATEMENTS

#### THE MICRONUTRIENT INITIATIVE

**Hon. Asha Seth:** Honourable senators, I rise to speak to you about an issue of great importance to our economic objectives.

Canada's economy is expanding more than ever thanks to our partnerships with developing countries, but there is a serious concern that development in these regions could be hindered by a massive problem of malnutrition among the local population. Figures reveal that malnutrition costs the global economy more than \$100 billion in direct and indirect expenditures.

Did you know that a child who is malnourished will likely earn 20 per cent less over his lifetime than one who is properly nourished? That is because our brain and body depend on key nutrients to develop, grow and learn. These micronutrients include vitamins and minerals such as iron, zinc, folic acid and vitamin A.

As a physician, I know very well how the nutrition of a mother can affect the child. The period from when a woman becomes pregnant until a child is 2 is a critical time for brain development. Without the right nutrients, both brain development and cognitive performance can be compromised.

Thanks to the support of our government, the MI, or Micronutrient Initiative, has been able to significantly contribute to lowering child mortality rates, vision loss, and ultimately save the lives of an estimated 3 to 5 million children. Wow!

I am delighted to be working closely with the MI to put an end to the problem of malnutrition in places like India, where Canadians are eager to invest. A malnourished child cannot grow properly, cannot learn properly and cannot obtain the skills to be a productive member of society.

I will be hosting a reception this afternoon in Room 256-S on behalf of the Micronutrient Initiative, where we will discuss more on Canada's leading role in this area.

Honourable senators, I would like to invite you all to join MP Patrick Brown and me as we discuss this interesting topic. We would like to see you there.

**Hon. Mobina S. B. Jaffer:** Honourable senators, on September 21 of this year, Kenya was subjected to a horrific act of terrorism. AlShabaab militants brutally attacked the busy Westgate Mall in Nairobi, resulting in 72 deaths, including 61 civilians, 6 Kenyan soldiers and 5 terrorists. Over 200 people were injured from the attack.

Two of those who were injured were Canadian girls, Dheeman and Fardowsa Abdi, who were sisters of only 16 and 17 years respectively. A grenade thrown at them by an al Shabaab militant hit Fardowsa's leg. Fardowsa's leg was shattered from the incident and she spent days in a Nairobi hospital fighting for her life. Dheeman described the attack to Global News:

A lot of people died in front of me... I don't think there was any religion sparing. I think the people who did this, just did it to cause bloodshed, to cause mayhem.

I would like to commend the exceptional and caring work of High Commissioner David Angell and his staff during and after the terrorist attack at Westgate Mall.

I would also like to commend the Canadian government for ensuring Fardowsa's swift return to Canada so that she could continue her medical treatment at home.

The militants also killed two Canadians, 29-year-old Annemarie Desloges, an official in the Department of Citizenship and Immigration who served in Canada's High Commission to Kenya. Her contribution to our country was tremendous, and her death as a result of such senseless violence is very devastating.

The second victim was Naguib Damji, a businessman from Vancouver. He was my niece's husband, a loving husband and father of three beautiful daughters, and he will be deeply missed by all of us.

Honourable senators, we have all felt the effects of terrorism from this act. Although it occurred far from our shores, it has hit us all close to home. Such senseless acts of violence serve no purpose.

There is never a justified reason to attack innocent civilians, no matter what the motive. I know this chamber will join me in condemning these acts and work to prevent terrorist attacks like this in the future.

## VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the Governor General's gallery of Dr. Israel Unger and Mrs. Marlene Unger. They are accompanied by Ms. Carolyn Gammon and all are from Fredericton, New Brunswick.

Dr. Unger and Ms. Gammon co-authored *The Unwritten Diary of Israel Unger*, a book which included Dr. Unger's early life experience as a survivor of the Holocaust.

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

## POLITICAL PRISONER NASRIN SOTOUDEH

### RELEASE FROM IRANIAN PRISON

**Hon. A. Raynell Andreychuk:** Honourable senators, on May 28, 2013, I rose in this place to draw attention to the plight of Nasrin Sotoudeh. It was Iran Accountability Week, and I was speaking under my association with the Iranian Political Prisoner Global Advocacy Project.

• (1410)

This is an initiative of the Inter-Parliamentary Group for Human Rights in Iran, co-founded by Canadian Member of Parliament Irwin Cotler and U.S. Senator Mark Kirk. The initiative pairs parliamentarians around the world with Iranian political prisoners to raise awareness about their cases.

As a fellow lawyer, I had been paired with Nasrin Sotoudeh. When I rose in May, Ms. Sotoudeh was serving a six-year sentence for "spreading propaganda" and "conspiring to harm state security."

Today, I'm pleased to inform you that on September 18, Ms. Sotoudeh was released from prison. She rejoined her family just in time to send her youngest child off to school for the first time. She was among some 80 political prisoners released by the Iranian authorities on that day.

Ahmed Shaheed, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, welcomed the move, but he also said:

It is vital for the country's future that the voices of all its citizens are permitted to play their rightful part in crafting an inclusive future for Iran in the coming years.

Honourable senators, I invite you to join me in welcoming Nasrin Sotoudeh's release and in urging Iran to do more to empty its prisons of an estimated 2,600 prisoners of conscience, and to ensure that the human rights of all Iranians are upheld under the rule of fair and impartial law.

## ADOPTION SYSTEM

**Hon. Catherine S. Callbeck:** Honourable senators, I rise today to talk about an issue that I find incredibly important, and one where the federal government can and should take a leadership role.

Adoption in Canada gives parents and children alike the chance at a loving and caring family environment, but the adoption system here seems to be fundamentally flawed.

As senators will be aware, Bill C-60 made some changes to the adoption tax credit, and it was during those committee meetings that we heard from Laura Eggertson, President of the Adoption Council of Canada. She supported the changes in Bill C-60 but also told the committee about other aspects the federal government could get involved with to help improve the adoption system.

Despite adoption being a provincial issue, Ms. Eggertson, herself an adoptee and mother of two adopted children, made a convincing case for how the federal government could help. As it stands now, there's not even a national database of children waiting for adoption. Needless to say, that makes matching up children with potential families extremely difficult.

Ms. Eggertson had five areas where the federal government could get involved, and I would like to share them with you.

Data collection is essential, and not surprisingly it was the top priority. She also advocated for changes to the EI system to give adoptive parents the same leave as biological parents. A national awareness campaign, post-adoption support and a first ministers' meeting on adoption were also recommended to the committee.

There's a tremendous amount of work to be done around this issue. However, the opportunity to move children from difficult home environments or foster care into loving, caring families is well worth the effort.

I strongly encourage senators from both sides of this chamber to get together behind this issue and push for the changes laid out by Ms. Eggertson. I truly believe they could make a remarkable difference for thousands of children and families across the country.

## WORLD FOOD PRIZE

### 2013 LAUREATES

**Hon. JoAnne L. Buth:** Honourable senators, I rise today to recognize three distinguished scientists, laureates of the World Food Prize. They are Marc Van Montagu of Belgium, Mary-Dell Chilton of the United States and Robert T. Fraley of the United States. These three individuals share this year's World Food Prize award for their breakthrough achievements in founding, developing and applying modern agricultural biotechnology.

Dr. Robert Fraley will be donating his prize to establish the Fraley-Borlaug Scholars in Plant Science scholarship to support the advancement of women in plant science.

The World Food Prize is the principal international award recognizing, without regard to race, religion, nationality or political beliefs, the achievements of individuals who have advanced human development by improving the quality, quantity or availability of food in the world.

This year's World Food Prize laureates conducted ground-breaking research and made discoveries in gene manipulation in plants. Their revolutionary findings unlocked the key to plant cell transformation using recombinant DNA. Their work has led to the development of genetically enhanced crops all over the world, which have been used by tens of millions of farmers.

Today, biotech crops are grown on more than 170 million hectares of land globally.

[*Translation*]

The work of these pioneers makes it possible for farmers to use fewer inputs to produce higher-yielding crops that are more pest and disease resistant, and have the ability to withstand unfavourable weather conditions.

[*English*]

In an increasingly volatile world, biotechnology is a critical instrument to achieve greater food security. The use of biotechnology in agriculture, especially in developing countries, is and will continue to be a leading tool for food and fibre production. A recent report by the ISAAA indicated that from 1996 to 2011, 298 million tonnes of additional food, feed and fibre was produced worldwide by biotech crops.

As the world struggles with how to feed the estimated 9 billion people who will inhabit the planet by the year 2050, it will be essential to continue building upon the scientific advancements and revolutionary agricultural discoveries of the 2013 World Food Prize laureates.

Honourable senators, it is important that we recognize their substantial achievements and promote others to follow their lead in this significant field of research.

[*Translation*]

#### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of a group of participants in the Parliamentary Officers' Study Program.

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

[ Senator Buth ]

## ROUTINE PROCEEDINGS

### COMMISSIONER OF THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

2013 FALL REPORT—REPORT  
AND ADDENDUM TABLED

**The Hon. the Speaker:** Honourable senators, I have the honour to table, in both official languages, the 2013 fall report of the Commissioner of the Environment and Sustainable Development of Canada, together with an addendum containing copies of environmental petitions.

### TREASURY BOARD

2012-13 DEPARTMENTAL PERFORMANCE  
REPORTS TABLED

**Hon. Yonah Martin (Deputy Leader of the Government):** Honourable senators, I have the honour to table, in both official languages, the 2012-13 Departmental Performance Reports.

### NATIONAL FINANCE

REPORT PURSUANT TO RULE 12-26(2) TABLED

**Hon. Joseph A. Day:** Honourable senators, pursuant to rule 12-26(2) of the Rules of the Senate, I have the honour to table the first report of the Standing Senate Committee on National Finance, which deals with the expenses incurred by the committee during the First Session of the Forty-first Parliament.

(*For text of report, see today's Journals of the Senate, p. 135.*)

[*English*]

### ECONOMIC ACTION PLAN 2013 BILL, NO. 2

NOTICE OF MOTION TO AUTHORIZE CERTAIN  
COMMITTEES TO STUDY SUBJECT MATTER

**Hon. Yonah Martin (Deputy Leader of the Government):** Honourable senators, with leave of the Senate, I give notice that later this day, I will move:

That, in accordance with rule 10-11(1), the Standing Senate Committee on National Finance be authorized to examine the subject-matter of all of Bill C-4, A second Act to implement certain provisions of the budget tabled in Parliament on March 21, 2013 and other measures, introduced in the House of Commons on October 22, 2013, in advance of the said bill coming before the Senate;

That the Standing Senate Committee on National Finance be authorized to sit for the purposes of its study of the subject-matter of Bill C-4 even though the Senate may then be sitting, with the application of rule 12-18(1) being suspended in relation thereto; and

That, in addition, and notwithstanding any normal practice:

1. The following committees be separately authorized to examine the subject-matter of the following elements contained in Bill C-4 in advance of it coming before the Senate:
  - (a) the Standing Senate Committee on Banking, Trade and Commerce: those elements contained in Divisions 2, 3, 9, and 13 of Part 3;
  - (b) the Standing Senate Committee on Energy, the Environment and Natural Resources: those elements contained in Divisions 7 and 14 of Part 3;
  - (c) the Standing Senate Committee on Transport and Communications: those elements contained in Division 8 of Part 3;
  - (d) the Standing Senate Committee on Foreign Affairs and International Trade: those elements contained in Divisions 4 and 16 of Part 3;
  - (e) the Standing Senate Committee on Social Affairs, Science and Technology: those elements contained in Divisions 5, 10 and 11 of Part 3; and
  - (f) the Standing Senate Committee on Legal and Constitutional Affairs: those elements contained in Division 19, of Part 3;
2. The various committees listed in point one that are authorized to examine the subject-matter of particular elements of Bill C-4 submit their final reports to the Senate no later than November 29, 2013;
3. As the reports from the various committees authorized to examine the subject-matter of particular elements of Bill C-4 are tabled in the Senate, they be placed on the Orders of the Day for consideration at the next sitting; and
4. The Standing Senate Committee on National Finance be simultaneously authorized to take any reports tabled under point three into consideration during its study of the subject-matter of all of Bill C-4.

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

**Hon. Senators:** Agreed.

• (1420)

[*Translation*]

## QUESTION PERIOD

### FOREIGN AFFAIRS

#### KENYA—TERRORIST ATTACK AT WESTGATE MALL IN NAIROBI

**Hon. Mobina S. B. Jaffer:** Honourable senators, my question is for the Leader of the Government in the Senate. As you know, I sent you this question in advance.

I would like to begin by thanking the government once again for ensuring that Fardowsa Abdi, a Canadian citizen injured in the terrorist attack at Westgate Mall in Nairobi, Kenya, was repatriated to Toronto, where she continues to receive medical treatment.

In our increasingly globalized world, terrorism has become all too frequent. When terrorists strike in one part of the world, the repercussions are felt across the globe. One of the reasons that particular shopping mall was targeted is that it was frequented by westerners and diplomats.

During the attack in Kenya, two Canadian citizens were killed, including a diplomat, and another Canadian was seriously injured. These deaths remind us as never before that it is our duty to take these attacks seriously and ensure that similar attacks never happen again.

This attack was described as the worst act of terrorism in Kenya since the attack on the American embassy in 1998. At least 72 people were killed and 200 people injured in that attack. This does not include the countless people who were psychologically traumatized or the extensive property damage.

The Canadian government indicated that it would provide support to the Kenyan government. In the aftermath of the terrorist attack in Nairobi, what resources and humanitarian support or other assistance did the government provide to Kenya to help deal with the impact of this tragedy?

**Hon. Claude Carignan (Leader of the Government):** I thank the honourable senator for her question and for sending it to us in advance.

As you know, our government has already stated, and I wish to reiterate on its behalf, that we strongly condemn this senseless act of violence. We support the Kenyan government's efforts to punish those responsible for this terrorist attack.

Our government made a significant contribution to help promote greater stability in the region. We announced a \$5 million contribution to the United Nations Trust Fund for the African Union Mission in Somalia in order to enhance peace and security in that region. Since 2011, we have also contributed over

\$1.5 million toward strengthening law enforcement in the Horn of Africa and East Africa to help prevent and respond to terrorist activity.

**Senator Jaffer:** Honourable senators, that is why I submitted this question in advance. I would like to know what aid the Government of Canada has given to the Kenyan government specifically with regard to this attack.

**Senator Carignan:** Honourable senators, I am not sure I understand the question.

**Senator Jaffer:** How much money did the Canadian government give following this attack?

**Senator Carignan:** If I understood the question correctly, we strongly condemned this attack. We provided substantial assistance to promote stability in the region. We announced a contribution of \$5 million to the United Nations Trust Fund for the African Union Mission in Somalia in order to enhance peace and security in that region, which includes Kenya.

We extend our condolences to the victims, particularly the two Canadian victims who were serving Canadians on a mission abroad at that time.

[English]

**Senator Jaffer:** Could I please ask another supplementary question?

Leader, I appreciate what you have said, and I appreciate that you have spoken about giving aid to Somalia, but I very clearly remember when this attack happened. It is the country where my mother was born, so I had great interest when this happened. I remember that the leadership and our government said that they were specifically going to help the Kenyan government deal with this attack.

I appreciate you may not have the answer today, but may I respectfully ask you to find out exactly what aid our government has given, following this attack, to the government and the people of Kenya, not of Somalia?

[Translation]

**Senator Carignan:** Honourable senators, I will take the question as notice so that I can provide a more specific answer. I believe the honourable senator is talking about a more specific period in time. I will therefore take the question as notice so that I can give her an answer that I hope she will find satisfactory.

**Senator Jaffer:** I would also like the Leader of the Government to respond to this supplementary question. In the past, our government gave its support to the Kenyan police and justice system in order to help resolve some of the serious problems in that country. Will our government continue to provide support to the police and justice system? Can we find out whether assistance is still being provided to the Kenyan police and justice system?

[ Senator Carignan ]

**Senator Carignan:** I will request more specific information on all the aid provided to the various sectors and ministries, which I imagine include the police and security sectors.

If other aspects are included, we will try to get you an answer that is as accurate as possible. If the response is not accurate enough, or if you have any additional questions, do not hesitate to let us know.

• (1430)

## CITIZENSHIP AND IMMIGRATION

### FRANCOPHONE IMMIGRANTS

**Hon. Maria Chaput:** My question is for the Leader of the Government in the Senate and has to do with immigration. I remind all honourable senators that this is National Francophone Immigration Week, and we want to thank and celebrate the contribution that francophone immigrants make to the lives of all Canadians.

The leader is aware of the federal initiative known as the Roadmap for Canada's Official Languages, and that several federal departments have participated in this roadmap. Its primary objective is to support the development and enhance the vitality of French-speaking minority communities. The roadmap states that Citizenship and Immigration Canada has invested \$20 million in recruiting and integrating French-speaking immigrants.

Does a percentage of this amount represent a transfer to the provinces for settlement and integration, in particular for francophone immigrants outside Quebec?

Has an agreement been signed with the provinces in question?

**Hon. Claude Carignan (Leader of the Government):** As for the Roadmap for Canada's Official Languages 2013-2018, as I have explained recently in response to questions, immigration is key to protecting the vitality and development of francophone communities outside Quebec.

As per the Roadmap for Canada's Official Languages 2013-2018, the Government of Canada, through Citizenship and Immigration Canada, has invested in language- and immigration-related initiatives. The Roadmap will contribute to promoting immigration and integrating immigrants. It will also help newcomers acquire the language skills needed to integrate into Canadian society.

**Senator Chaput:** I would like to ask a supplementary question.

Mr. Leader, you did not answer my question. Is a portion of the funding transferred to the provinces for the implementation of settlement and integration programs, or do the funds come directly from the federal government for community projects?



**Senator Carignan:** I am not sure I understand your question.

[English]

The Roadmap for Canada's Official Languages 2013-2018 helps certain communities and various aspects of the public service. I would just like to add to my answer by saying that the Roadmap for Canada's Official Languages 2013-2018 represents more than \$1.1 billion. It is part of a three-pronged approach to helping communities, both francophone and anglophone. The approach includes education, immigration and communities. We are proud to be working on those three components, which were chosen for developing and promoting official languages.

**Senator Chaput:** I would like to ask another supplementary question.

The Roadmap for Canada's Official Languages 2013-2018 clearly supports official language minority communities. Obviously, the two official language minority communities are anglophones in Quebec and francophones and Acadians outside of Quebec, if I may put it that way.

When funds from the Roadmap for Canada's Official Languages 2013-2018 are used for the two communities, in the context of immigration and training or teaching French or English to immigrants — for example, anglophones in Quebec — is the Roadmap for Canada's Official Languages 2013-2018 effectively helping teach immigrants how to speak English?

Also, is Roadmap funding used for teaching French to immigrants outside Quebec, given that the two official-language minority communities are anglophones in Quebec and francophones and Acadians outside Quebec?

If the Roadmap is indeed helping teach English to immigrants outside Quebec, then it is not helping my community — it is doing just the opposite.

**Senator Carignan:** The objective of the Roadmap for Canada's Official Languages 2013-2018 is to promote both official languages and to work within the communities, whether they are anglophone or francophone. You specifically referred to minority communities, so perhaps I did not quite understand your question. However, it seems clear to me that the initiative aims to promote either of the two official languages of either of the two minority communities.

**Senator Chaput:** I have a supplementary question, which may help you provide a written response to my question once you receive the information. Of these funds used to teach or promote knowledge of both official languages, how much is spent on teaching French to immigrants? Also, how much of this money is used to teach English to immigrants? In what provinces?

**Senator Carignan:** As you will understand, I am taking your question as notice and will make sure you receive a complete answer as soon as possible. As I said earlier, if you need any additional information after receiving the written response, please do not hesitate to contact me or ask any other questions on this issue.

## HUMAN RESOURCES AND SKILLS DEVELOPMENT

### FOOD BANKS—POVERTY AND HUNGER

**Hon. Grant Mitchell:** A recent report from Food Banks Canada indicates that 833,000 Canadians used food banks to supplement their food budgets, as it were, last year.

One in eight of the food bank users are employed. What does it say about this government's job creation message spin when one in eight of the food bank users in Canada, at record levels in addition, one in eight, simply are working poor and no matter how hard they work they can't make enough money to buy the food they need to feed themselves and their families?

[Translation]

**Hon. Claude Carignan (Leader of the Government):** As you know, the government's policies are designed to develop the economy, increase employment, reduce taxes and ensure that families keep as much of their money as possible.

I believe I have already explained elements of the government's track record and its plan for poverty, social development and employment, but since you have asked the question again, I suppose I must repeat that our low-tax plan for jobs and growth is helping to reduce poverty and improve the long-term prosperity of all Canadians.

Canada has created over a million net new jobs since the depths of the global recession in July 2009, nearly 90 per cent of which are full-time jobs. We created the Working Income Tax Benefit, which helped 1.5 million low-income Canadians in 2011, and we raised the amount that families in the lowest two tax brackets can earn before paying taxes.

This means that the typical Canadian family now pays \$3,200 less under our government and that a million low-income individuals do not pay tax thanks to our tax cuts. We enhanced the National Child Benefit and the Child Tax Benefit. We brought in the Universal Child Care Benefit — \$100 per month for each child under age 6 — which enabled 24,000 families with some 55,000 children to get out of the lowest income tax bracket. The Child Tax Credit, which is available for all children under 18, provides extra money to over 3 million children and removes 180,000 low-income Canadians from paying tax so they can allocate their money to other essentials.

We are very proud of our record, and I believe that these policies demonstrate our firm commitment to Canadian families.

• (1440)

[English]

**Senator Mitchell:** The one consistent element of every "answer" that we seem to get in this chamber is that there is this fundamental distinction between the words the government uses

and the results that they in fact get. What they should understand is that leadership isn't words; leadership is results.

Twenty-three per cent more Canadians are using food banks today than they were before the recession. So, when the Leader of the Government in the Senate talks about all the things that they are doing, all the programs that they are doing, would it not be reasonable to assume, with this kind of track record, that either they've picked the wrong programs; they're incompetent to implement the programs properly; they're not putting sufficient resources into those programs; or, they're saying they're putting sufficient resources into those programs but they're not actually spending those resources? Which one is it, because you're not getting the results that you say you're getting?

[Translation]

**Senator Carignan:** It seems clear to me that the figures I gave you show positive results. Those are not figures that you like to hear. Every time I say that we are leading the G7, that we are the best in the world or the best performing, I see that you do not like the figures I am presenting.

Nevertheless, those are the facts. The information I gave you regarding the Working Income Tax Benefit, which some 1.5 million low-income Canadians received in 2011, represent real results.

The average Canadian family now pays \$3,200 less in taxes under our government's leadership. Maybe you have not noticed this \$3,200 reduction in taxes per family, but let me assure you that middle-class and low-income Canadians are feeling the impact of such a reduction, and they are very pleased. I am sure that all members on this side of the chamber are very proud of our policies, practices and these meaningful results.

[English]

**Senator Mitchell:** Maybe it needs to be pointed out to the government that, if you are actually a member of the working poor, then you are not paying taxes in the first place and so any tax reduction never gets to you and you don't benefit from it. Isn't the problem really that?

Despite the government's continued spin on how many jobs it's created — not since it started, but since 2009 now I note and not 2006 — they haven't really replaced the well-paid blue collar and professional jobs that were lost in the first two years of their existence in government?

[Translation]

**Senator Carignan:** Since the depth of the global recession, a million net jobs have been created, 90 per cent of which are full time. I do not understand why you cannot be happy with that, and instead you criticize. I see that as excellent news.

[ Senator Mitchell ]

[English]

**Senator Mitchell:** That was an entertaining answer, honourable senators.

#### JOB CREATION

**Hon. Grant Mitchell:** One of the problems that I have with this leader's imploring me to be overjoyed with these results is that these results are misleading. The fact of the matter is that the government continues to say that they've created about 1 million jobs — it used to be 2008, now it's since 2009. But what they fail to point out is the number of jobs that were lost from the day they took over the government in 2008 or 2009, which was about 450,000 or maybe 500,000 jobs.

Could you just confirm the government hasn't, as it's been saying, really created a million net new jobs? It's actually created, maybe 450,000 or 550,000 net new jobs — quite a difference and about half as many as they say they want to take credit for.

[Translation]

**Hon. Claude Carignan (Leader of the Government):** I thought I was very clear when I said that a million net new jobs have been created, but if that was not clear enough, let me repeat it: a million net jobs have been created, 90 per cent of which are full time and 85 per cent of which are in the private sector. That is the strongest performance of any G7 country. This is something to be happy about.

#### TEMPORARY FOREIGN WORKER PROGRAM

**Hon. Pierrette Ringuette:** Honourable senators, the Leader of the Government in the Senate may not have the information at his fingertips, but of these million new jobs, how many have gone to foreign workers? You will remember that, almost a year ago, we talked about foreign workers who took the jobs of Canadian workers in the IT department of a major Canadian bank.

The government said it would establish criteria to stop this from happening again. Unfortunately, in September, we learned that 300 welders in western Canada, specifically Alberta, were let go and replaced by 300 foreign workers.

How can we accept what you are telling us that one million net new jobs were created when we still do not know how many jobs are occupied by Canadian workers. The recent arrival in Alberta of the 300 foreign workers indicates once more that you have not made changes and have not established necessary criteria for the foreign worker program.

**Hon. Claude Carignan (Leader of the Government):** I thank Senator Ringuette for her question. I see that we have the same priorities, namely employment and the economy. We will ensure that the only objective of the program is to provide temporary help where there are real and significant shortages and where no Canadian worker can meet the need.

When we tabled budget 2013, we announced our commitment to reform the Temporary Foreign Worker Program in order to put Canadians first. With this reform, we require employers, who legitimately rely on foreign workers because of a shortage of skilled Canadian workers, to prepare a firm plan to transition to a Canadian worker.

We also required employers to pay temporary foreign workers at the prevailing wage by removing the existing wage flexibility. We added questions to employer labour market opinion applications to ensure that the temporary foreign worker program is not used to facilitate the outsourcing of Canadian jobs. We introduced LMO processing fees to be paid by the employers and increased the fees for work permits so that taxpayers are no longer subsidizing the costs. Lastly, we restricted English and French as the only languages that could be identified as a job requirement.

We took tangible measures to ensure that Canadians always get considered first. I imagine that this method and the program's parameters and provisions are music to your ears.

**Senator Ringuette:** Honourable senators, this would be music to my ears if it were the truth. What happened in September, when 300 qualified Canadian welders were displaced and replaced by foreign workers? It seems as though the changes you just listed have not fixed the problem.

The government needs to review the program and ensure that this kind of abuse — and it is abuse — of Canadian workers does not happen again. The changes you mentioned have not really been implemented or are inadequate, because the same thing happened in September in Alberta. That is one case that we are aware of. There may be others.

• (1450)

**Senator Carignan:** These were measures that we announced in Budget 2013 and that have now been implemented. If I remember correctly, you voted against Budget 2013. These measures were intended to prevent problem situations.

I would, however, like to reiterate that our priority is still to ensure that the program provides temporary assistance in cases where there are real and significant shortages and there are no Canadian citizens who can meet the identified needs.

## NATIONAL DEFENCE

### OMBUDSMAN'S REPORT—SUPPORT FOR MILITARY FAMILIES

**Hon. Roméo Antonius Dallaire:** Honourable senators, my question is for the Leader of the Government in the Senate. Today the Ombudsman released his report entitled *On the Homefront: Assessing the Well-being of Canada's Military Families in the New Millennium*.

There is no doubt that military families were absolutely exemplary throughout the nearly 11 years of war in Afghanistan. From this perspective, we owe them a great deal.

The Ombudsman acknowledges that there are still shortcomings in terms of providing support to families so they can in turn support operations. According to the report, and I quote:

Supporting families is codified in the *Canadian Forces Family Covenant*, unveiled in 2008 as the cornerstone of sustained CF support to families. The decree acknowledges the immutable relationship between the state of military families and the CF's operational capability, although the tangible impact it has throughout the organization is subject to question.

This means that things have not gone all that well since 2008.

Could you tell us whether the numbers reflect the cuts made to the family assistance programs since 2008, when operations were still under way, in terms of the impact on quality of life and support to families, which has been identified as essential to the operational capability of the Canadian Armed Forces?

**Hon. Claude Carignan (Leader of the Government):** As you know, our government works with the Canadian Armed Forces in order to ease the burden on military families. You quoted the ombudsman's report entitled *On the Homefront: Assessing the Well-being of Canada's Military Families in the New Millennium*. I do not know whether you read the entire report but it also states that:

"...support to families has been elevated to a top institutional priority..."

And that:

Today's military families receive more support than ever.

"[T]han ever" means that they are getting even more support than before we came to power, more than when the Liberals were in power.

**Senator Dallaire:** It is absolutely essential that that be true because we were at war. During peacetime, our soldiers require a certain amount of support but, during wartime, we had better take care of these people because they are the backbone of the units' operational capacity.

My question is: where are we now? Budget cuts were made to these programs. The ombudsman also made mention of this, because there are 54 more pages in the report in addition to the one short paragraph you just quoted. Can you ask the minister to give us the figures on the cuts that have a direct impact on families?

**Senator Carignan:** I will get back to you with more specific numbers in another question period. However, I am pleased that we share the same priority of supporting military families. I hope that the next time we are dealing with a budget measure to increase equipment and services for our veterans, you will vote in favour of it.

[English]

## ORDERS OF THE DAY

### ECONOMIC ACTION PLAN 2013 BILL, NO. 2

#### CERTAIN COMMITTEES AUTHORIZED TO STUDY SUBJECT MATTER

**Hon. Yonah Martin (Deputy Leader of the Government),**  
pursuant to notice of earlier this day, moved:

That, in accordance with rule 10-11(1), the Standing Senate Committee on National Finance be authorized to examine the subject-matter of all of Bill C-4, A second Act to implement certain provisions of the budget tabled in Parliament on March 21, 2013 and other measures, introduced in the House of Commons on October 22, 2013, in advance of the said bill coming before the Senate;

That the Standing Senate Committee on National Finance be authorized to sit for the purposes of its study of the subject-matter of Bill C-4 even though the Senate may then be sitting, with the application of rule 12-18(1) being suspended in relation thereto; and

That, in addition, and notwithstanding any normal practice:

1. The following committees be separately authorized to examine the subject-matter of the following elements contained in Bill C-4 in advance of it coming before the Senate:
  - (a) the Standing Senate Committee on Banking, Trade and Commerce: those elements contained in Divisions 2, 3, 9, and 13 of Part 3;
  - (b) the Standing Senate Committee on Energy, the Environment and Natural Resources: those elements contained in Divisions 7 and 14 of Part 3;
  - (c) the Standing Senate Committee on Transport and Communications: those elements contained in Division 8 of Part 3;
  - (d) the Standing Senate Committee on Foreign Affairs and International Trade: those elements contained in Divisions 4 and 16 of Part 3;
  - (e) the Standing Senate Committee on Social Affairs, Science and Technology: those elements contained in Divisions 5, 10 and 11 of Part 3; and
  - (f) the Standing Senate Committee on Legal and Constitutional Affairs: those elements contained in Division 19, of Part 3;

2. The various committees listed in point one that are authorized to examine the subject-matter of particular elements of Bill C-4 submit their final reports to the Senate no later than November 29, 2013;
3. As the reports from the various committees authorized to examine the subject-matter of particular elements of Bill C-4 are tabled in the Senate, they be placed on the Orders of the Day for consideration at the next sitting; and
4. The Standing Senate Committee on National Finance be simultaneously authorized to take any reports tabled under point three into consideration during its study of the subject-matter of all of Bill C-4.

**The Hon. the Speaker:** On debate. Is there debate? Are honourable senators ready for the question?

**Some Hon. Senators:** Question.

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

**Hon. Senators:** Agreed.

**Some Hon. Senators:** On division.

(Motion agreed to on, division)

[Translation]

## OFFICIAL LANGUAGES ACT

### BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

**Hon. Maria Chaput** moved second reading of Bill S-205, An Act to amend the Official Languages Act (communications with and services to the public).

She said: Honourable senators, I am very proud to be speaking to you today about Bill S-205, An Act to amend the Official Languages Act, Part IV (communications with and services to the public) by federal institutions.

This is the third time I have introduced a bill like this one. The first, Bill S-220, died on the Order Paper in 2011. The second, Bill S-211, was introduced in the Senate in May 2012 and was passed at second reading by this chamber. It died on the Order Paper this fall with the decision to prorogue Parliament.

Bill S-205, which I am talking about today, is the same as Bill S-211, so I will not go on at length about the details of the bill. Instead, I will summarize it and explain to you why the bill remains relevant and necessary now in 2013. I will also explain why this kind of bill should be studied by the Standing Senate Committee on Official Languages, not the Standing Committee on National Finance, which is where Bill S-211 would have gone.

Bill S-205 updates Part IV of the Official Languages Act, which covers federal institutions' obligation to provide services in both official languages. It stipulates that federal offices must provide services in the minority official language where there is "significant demand". The criteria used to determine "significant demand" need to be changed. This bill contains two major recommendations to do just that.

The first is that "first official language spoken" should not be the only factor used to determine the size of the official language minority community. The bill suggests using "ability to communicate in the official language", which is more inclusive.

The second is that the vitality of an official language community, not just its relative size, should be taken into account when determining whether services should be offered in that community's official language. This bill highlights the fact that there are many people in official language minority communities who do not meet the restrictive and outdated criteria of the current system. The existing law and regulations give an inaccurate and incorrect picture of the actual size of the community. The legislation must acknowledge that reality so that the government develops regulations accordingly.

- (1500)

The face of official language minority communities has changed dramatically over the past 20 years. This legislation was passed in 1991 and still governs service management for these communities.

If the mechanisms that the government is using to determine the size of official language communities are not up-to-date, the communities and Canada's linguistic duality will suffer. This is urgent. Reducing services because of incorrect and outdated definitions leads to assimilation and flies in the face of the Official Languages Act.

[English]

In Quebec, the anglophone community does not face the same linguistic threat that francophone communities face. Yet the same regulation with the same statistical formulas, devoid of context, is expected to apply to both official language communities.

Bill S-205 introduces a more flexible vocabulary. By focusing on communities and their needs instead of statistics, the government would be able to truly assess the needs of each community and deliver adequate services.

[Translation]

Why reintroduce this bill? Since I introduced my original Bill S-220 three years ago, I feel we have come to a bit of a consensus in the Senate about the fact that these are important questions for official language minority communities.

In 2010, the Honourable Senator Comeau, then Deputy Leader of the Government in the Senate, said that he would recommend that the bill be sent to a committee to be seriously considered, as a serious bill deserves. Also in 2010, the Honourable Andrée Champagne,

vice chair of the Standing Senate Committee on Official Languages, came out in support of the idea that math is not the only criterion that helps determine if there is sufficient demand. I am not saying that there is unanimous support for this bill in the Senate, I am simply saying that there is consensus about the fact that the problem is real and has been recognized.

There is a much broader consensus within official language minority communities. The communities truly understand that decisions based on a few outdated statistics affect their vitality. This bill was enhanced by contributions from the many local and national organizations that I consulted and with which I have always kept in direct contact during my years in the Senate.

Were it not for the vagaries of politics, a Senate committee would have already begun studying this bill. I am not saying that it would have passed, but we would have had a debate and a public study of issues that are very important to our communities. We would have at least taken a step towards rectifying the situation. There was a general election in 2011, and just recently, prorogation in 2013.

[English]

I am not taking anything for granted, of course. However, the same reality that led this chamber to refer Bill S-211 to a committee for further study in 2012 still exists today. I do not want to take too much time to re-explain each element of this bill to my honourable colleagues.

I do think it is important, however, to address what has happened since then. In fact, since the second reading of Bill S-211 in May 2012, Statistics Canada revealed its census numbers concerning official languages. This data was released in October 2012. In our conversations, Treasury Board officials would often refer to the impending release of this data in order to justify a wait-and-see approach.

I think there was some wishful thinking and a certain hope that, despite all the obvious demographic trends, the 2011 census data would somehow come to demonstrate that there really was no problem with the way government regulations perceived and represented official language communities and the services they were owed.

The odds of such an unexpected turnaround were close to nil. According to a report by the Official Languages Commissioner, the government's use of the 2001 data had, in fact, led to the reduction of services in 100 federal offices across Canada. In Manitoba, for example, the francophone community suffered a net loss of seven federal offices offering services in French; in Saskatchewan, there were three such cases; and four in Newfoundland and Labrador.

What is even more striking is that the offices that lost their bilingual designation were those closest to the public. In fact, 64 were Canada Post offices, 17 were RCMP offices, and 7 were Human Resources and Skills Development offices.

Government data also shows that services in the official minority language are not offered even where the communities are vibrant and boast busy schools and an active cultural and

community life. The office closures, or the loss or reduction in the official minority language, was thus more representative of flawed regulation than a true reflection of demographic realities. So, despite all its good intentions, the regulations had contributed to weakening these communities rather than providing them support.

There were no reasons, no studies or reports, to expect that things would be different in 2011. In fact, the statistics came to demonstrate exactly what we knew would happen. The number of Canadians living outside Quebec and whose first official language was French went from 997,125, in 2006, to 1,007,580. That is a small increase, but an increase nonetheless.

Considering the effects of urbanization and exogamy on the survival of minority francophone communities, it is reassuring and heartening to see they have been able to maintain their numbers overall and even grow a little. This is a testament to the community's vitality.

The following statistic is striking and is also the most important one: In 2006, those 997,000 Canadians accounted for 4.2 per cent of the total population. Now the number is over 1 million, yet they account for only 4 per cent of the total population. It is thus the relative size of francophone communities that is shrinking, through no fault of their own. In fact, we know very well that it is the absence of francophone immigration, which the federal government has readily acknowledged is the problem, that is the largest impediment to the communities keeping up in terms of growth.

The worst thing is that it is this relative size that will determine whether these communities continue to receive services from federal institutions in their language. As the Official Languages Commissioner so ably explained, we are using the vitality of the majority to assess the vitality of the minority. It is a flawed and destructive approach.

The consequence is that we now have more francophones living in predominantly English-speaking provinces than we did in 2001 or 2006, but they will receive fewer services in French.

Honourable colleagues, the wait-and-see approach did not work, does not work, and trying it out again until 2021 would be tantamount to negligence. I do not believe anyone wants to do that.

It's time for a committee to study this question seriously, and I know it is a task that a Senate committee is up for.

[*Translation*]

In 2012, to my great surprise, Bill S-211 was sent to the Standing Senate Committee on National Finance for in-depth study.

I have a great deal of difficulty understanding that decision, and I will explain why. I believe the Standing Senate Committee on Official Languages should be charged today with studying Bill S-205. The bill was drafted to respond to the real issues affecting the language rights and demographic evolution of official language communities.

[ Senator Chaput ]

• (1510)

Everyone agrees that these are real issues. Can we allow this to be boiled down to a financial matter?

Do we want to perpetuate the stereotype that official languages are a question of money?

[*English*]

This is a stereotype that has polluted language rights discussions for years: that fundamental language rights are, before anything else, a question of money. That it would be the Senate of Canada — our chamber of sober second thought — that would perpetuate such an understanding is highly deplorable.

The Senate Standing Committee on Official Languages has acquired and developed important knowledge on linguistic matters. Why would we seek to hold a debate on the issue without this committee's precious experience?

[*Translation*]

Section 88 of the Official Languages Act states that Parliament must designate a committee responsible for reviewing the administration of the Official Languages Act, as well as any regulations and directives made under the act. That is the role that the Standing Senate Committee on Official Languages currently plays. How can we reconcile the decision to send a bill specifically about the Official Languages Act and regulations to a committee other than the Official Languages Committee? Does that not violate the spirit of the Official Languages Act?

[*English*]

Bill S-211, as I said, was referred to the Standing Senate Committee on National Finance, of which I am a member. It's fair to say that, given the content of the bill, it stuck out like a sore thumb. To give you an idea, eight other bills have been referred to the committee since 2011. Five of them were related to the budget. One of them concerned parliamentarians' retirement allocations; another one concerned tax credits; and another one was about the government's power to borrow money.

What link is there between these issues, the expertise the committee has developed, and the Official Languages Act? I have yet to hear a satisfactory answer to this question.

It is also no surprise that, from the moment Bill S-211 was referred to the Senate Standing Committee on National Finance, it remained on the shelves, as the committee was occupied with studying the budget and the estimates.

This is, of course, not the committee's fault. The study of the budget and the estimates is one of the most important roles for senators. It is not the National Finance Committee, however, that requested to study Bill S-211. That decision was made in this chamber, on a motion, additionally, on which our Rules did not allow a debate.

This decision is even more difficult to justify, because none of the bills, whether it be S-220, S-211 or S-205, which I am presenting today, is a spending bill; and as a senator, of course,

I'm not allowed to table a spending bill. Bill S-205 does not create offices, does not call for more spending or even for more services. The bill only says that, in creating a new regulation to apply Part IV of the Official Languages Act, the government should use other criteria than it currently does. The services to official language minority communities are already guaranteed by Part IV of the Official Languages Act, and this bill also gives the government the time necessary to develop these prior to its enactment.

Honourable colleagues, a similar bill to the one I presented today was referred to committee for further study over a year ago. Due to the unfortunate and incomprehensible decision to refer it to the Committee on National Finance, however, the bill never received the further study you recommended. As I explained earlier, the events that have taken place in the interval, including the publication of Statistics Canada data on language and demographics, have only further demonstrated why a study of this bill is necessary.

[*Translation*]

Honourable senators, I urge you to support Bill S-205 so that it can be publicly debated by the Standing Senate Committee on Official Languages, as it deserves.

**Hon. Claudette Tardif:** Would Senator Chaput take a question? The proportion of francophone immigration is increasing in several provinces in Canada. Yesterday, a report from Ontario, I believe, pointed to a substantial increase in the proportion of francophone immigrants in Ontario.

Could Senator Chaput tell us whether the definition of "francophone" used by Statistics Canada takes this increase in the provinces into account?

**Senator Chaput:** Thank you. The definition used by Statistics Canada excludes French-speaking immigrants, since French is often their second or third language. That is also the case in Manitoba. The president of one of our advocacy organizations always says, "I represent you, but I am not part of your statistics."

(On motion of Senator Martin, debate adjourned.)

[*English*]

**The Hon. the Acting Speaker:** As I understand it, we will now suspend, waiting for the bells to be rung later on this afternoon — 5:15, the bells.

(The sitting of the Senate was suspended.)

• (1730)

(The sitting of the Senate was resumed.)

## THE SENATE

MOTION TO SUSPEND THE HONOURABLE SENATOR PATRICK BRAZEAU, THE HONOURABLE SENATOR MICHAEL DUFFY AND THE HONOURABLE SENATOR PAMELA WALLIN AND CONTINUE TO PROVIDE LIFE, MEDICAL AND DENTAL INSURANCE COVERAGE ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Martin, seconded by the Honourable Senator Marshall:

That,

Notwithstanding any usual practice or provision of the Rules, in order to protect the dignity and reputation of the Senate and public trust and confidence in Parliament;

Notwithstanding the provisions of this motion, the Senate confirm that the Standing Committee on Internal Economy, Budgets and Administration retains the authority, as it considers appropriate, to take any action pertaining to the management of the offices and personnel of the senators affected by this motion for the duration of a suspension;

That the Senate order:

- A. The suspension of the Honourable Senator Brazeau for sufficient cause, considering his gross negligence in the management of his parliamentary resources, until such time as this suspension is rescinded pursuant to rule 5-5(j), and such suspension shall have the following conditions:
  - i) Senator Brazeau, while under suspension, shall not receive any remuneration or reimbursement of expenses from the Senate, including any sessional allowance or living allowance;
  - ii) Senator Brazeau's right to the use of Senate resources, including funds, goods, services, premises, moving and transportation, travel and telecommunication expenses, shall be suspended for the duration of his suspension;
  - iii) Senator Brazeau shall not receive any other benefit from the Senate during the duration of his suspension; and
  - iv) notwithstanding paragraphs i), ii) and iii), during the period of his suspension, Senator Brazeau shall have normal access to Senate resources necessary to continue life, health and dental insurance coverage; and

That the Senate order:

B. The suspension of the Honourable Senator Duffy for sufficient cause, considering his gross negligence in the management of his parliamentary resources, until such time as this suspension is rescinded pursuant to rule 5-5(i), and such suspension shall have the following conditions:

- i) Senator Duffy, while under suspension, shall not receive any remuneration or reimbursement of expenses from the Senate, including any sessional allowance or living allowance;
- ii) Senator Duffy's right to the use of Senate resources, including funds, goods, services, premises, moving and transportation, travel and telecommunication expenses, shall be suspended for the duration of his suspension;
- iii) Senator Duffy shall not receive any other benefit from the Senate during the duration of his suspension; and
- iv) notwithstanding paragraphs i), ii) and iii), during the period of his suspension, Senator Duffy shall have normal access to Senate resources necessary to continue life, health and dental insurance coverage; and

That the Senate order:

C. The suspension of the Honourable Senator Wallin for sufficient cause, considering her gross negligence in the management of her parliamentary resources, until such time as this suspension is rescinded pursuant to rule 5-5(i), and such suspension shall have the following conditions:

- i) Senator Wallin, while under suspension, shall not receive any remuneration or reimbursement of expenses from the Senate, including any sessional allowance or living allowance;
- ii) Senator Wallin's right to the use of Senate resources, including funds, goods, services, premises, moving and transportation, travel and telecommunication expenses, shall be suspended for the duration of her suspension;
- iii) Senator Wallin shall not receive any other benefit from the Senate during the duration of her suspension; and
- iv) notwithstanding paragraphs i), ii) and iii), during the period of her suspension, Senator Wallin shall have normal access to Senate resources necessary to continue life, health and dental insurance coverage;

And on the motion of the Honourable Senator Cowan, seconded by the Honourable Senator Fraser:

That the motion be referred to our Standing Committee on Rules, Procedures and the Rights of Parliament for consideration and report;

That Senators Brazeau, Duffy and Wallin be invited to appear; and in light of the public interest in this matter, pursuant to rule 14-7(2), proceedings be televised.

**The Hon. the Speaker:** Honourable senators, the question before the house is the subsidiary motion moved by the Honourable Senator Cowan, seconded by Honourable Senator Fraser:

That the motion be referred to our Standing Committee on Rules, Procedures and the Rights of Parliament for consideration and report;

That Senators Brazeau, Duffy and Wallin be invited to appear; and in light of the public interest in this matter, pursuant to rule 14-7(2), proceedings be televised.

Subsidiary motion negatived on the following division:

YEAS  
THE HONOURABLE SENATORS

|                  |                          |
|------------------|--------------------------|
| Baker            | Joyal                    |
| Brazeau          | Kenny                    |
| Callbeck         | Lovelace Nicholas        |
| Campbell         | Massicotte               |
| Chaput           | Mercer                   |
| Charette-Poulin  | Merchant                 |
| Cordy            | Mitchell                 |
| Cowan            | Moore                    |
| Dallaire         | Munson                   |
| Dawson           | Nancy Ruth               |
| Day              | Ringuette                |
| Downe            | Rivest                   |
| Dyck             | Robichaud                |
| Fraser           | Segal                    |
| Furey            | Smith ( <i>Cobourg</i> ) |
| Hervieux-Payette | Tardif                   |
| Hublely          | Wallin                   |
| Jaffer           | Watt—36                  |

NAYS  
THE HONOURABLE SENATORS

|             |          |
|-------------|----------|
| Andreychuk  | Martin   |
| Ataullahjan | McCoy    |
| Batters     | McInnis  |
| Bellemare   | McIntyre |
| Beyak       | Mockler  |
| Black       | Neufeld  |
| Boisvenu    | Ngo      |
| Bralely     | Nolin    |
| Buth        | Ogilvie  |
| Carignan    | Oh       |



Comeau  
Dagenais  
Demers  
Doyle  
Eaton  
Enverga  
Fortin-Duplessis  
Frum  
Gerstein  
Greene  
Housakos  
Johnson  
Lang  
LeBreton  
Maltais  
Manning  
Marshall

Patterson  
Plett  
Poirier  
Raine  
Rivard  
Runciman  
Seidman  
Seth  
Smith (*Saurel*)  
Stewart Olsen  
Tannas  
Tkachuk  
Unger  
Verner  
Wallace  
Wells  
White—54

• (1740)

Honourable senators, in my consideration of Government motion five, I note that it deals with a single broad topic — the suspension of three senators — but also that it has been drafted in such a way that it can be split for the purposes of voting. It thus meets the basic criterion.

I have also considered, as I listened very carefully, the extensive debates in the Senate on this motion and on other proposals to suspend the senators. This leads me to conclude that, in this case, it is appropriate to split the motion for the purposes of voting. This will give honourable senators the opportunity to decide upon the distinct proposals contained in the motion.

In light of the request that has been made, I am directing that votes on the different elements of Government motion five be held separately as follows:

There will be four separate votes on the main motion. The first vote will deal with the suspension of Senator Brazeau. The second vote will then deal with the suspension of Senator Duffy. The third vote will deal with the suspension of Senator Wallin. The fourth and final vote will deal with the introductory provisions of the motion, confirming certain powers of the Internal Economy Committee.

Accordingly, I will now begin with the first of the four questions.

Copies of this division have been circulated in both official languages.

The question is as follows:

It was moved by the Honourable Senator Martin, seconded by the Honourable Senator Marshall:

That the Senate order:

- A. The suspension of the Honourable Senator Brazeau for sufficient cause, considering his gross negligence in the management of his parliamentary resources, until such time as this suspension is rescinded pursuant to rule 5-5(i), and such suspension shall have the following conditions:
  - i) Senator Brazeau, while under suspension, shall not receive any remuneration or reimbursement of expenses from the Senate, including any sessional allowance or living allowance;
  - ii) Senator Brazeau's right to the use of Senate resources, including funds, goods, services, premises, moving and transportation, travel and telecommunication expenses, shall be suspended for the duration of his suspension;
  - iii) Senator Brazeau shall not receive any other benefit from the Senate during the duration of his suspension; and

#### ABSTENTIONS THE HONOURABLE SENATORS

Cools

Meredith—2

#### SPEAKER'S STATEMENT

**The Hon. the Speaker:** Honourable senators, during yesterday's sitting an honourable senator made a formal request that I exercise the authority of the Speaker to split the vote on Government motion five.

Senator Fraser questioned this process.

As I indicated at that time, there is a practice in parliamentary procedure allowing the separation of a complicated question for the purposes of a vote on different elements of the motion. This is done to better capture the sense of the house when taking a decision, but can only be done if the motion contains two or more distinct propositions that would, if decided separately, be coherent.

I have considered the request carefully in light of the seriousness of the issue on which the Senate will now vote. Dividing a vote, honourable senators, is a rare practice. In the Senate, we do not have any known cases of using this parliamentary practice. It is appropriate, under rule 1-1(2), to look to the procedures in other parliamentary chambers, in particular the Canadian House of Commons.

In that place, on October 17, 2013, the Speaker gave a ruling specifically touching on this point. That ruling referenced pages 562 and 563 of the second edition of *House of Commons Procedure and Practice*. A number of past cases were also mentioned. Based on those precedents, the Speaker of the Commons noted that "the Chair must always be mindful to approach each new case with a fresh eye, taking into account the particular circumstances of the situation at hand. Often, there is little in the way of guidance for the speaker and a strict compliance with precedent is not always appropriate."

iv) notwithstanding paragraphs i), ii) and iii), during the period of his suspension, Senator Brazeau shall have normal access to Senate resources necessary to continue life, health and dental insurance coverage.

All those in favour of the motion will signify by saying “yea.”

**Some Hon. Senators:** Yea.

**The Hon. the Speaker:** All those opposed to the motion will signify by saying “nay.”

**Some Hon. Senators:** Nay.

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

*And two honourable senators having risen:*

**The Hon. the Speaker:** There will be a standing vote held forthwith.

Motion agreed to on the following division:

YEAS  
THE HONOURABLE SENATORS:

|                  |                         |
|------------------|-------------------------|
| Andreychuk       | Marshall                |
| Ataullahjan      | Martin                  |
| Batters          | Massicotte              |
| Bellemare        | McInnis                 |
| Beyak            | McIntyre                |
| Black            | Mockler                 |
| Boisvenu         | Neufeld                 |
| Braley           | Ngo                     |
| Buth             | Nolin                   |
| Carignan         | Ogilvie                 |
| Comeau           | Oh                      |
| Dagenais         | Patterson               |
| Demers           | Poirier                 |
| Doyle            | Raine                   |
| Eaton            | Rivard                  |
| Enverga          | Seidman                 |
| Fortin-Duplessis | Seth                    |
| Frum             | Smith ( <i>Saurel</i> ) |
| Gerstein         | Stewart Olsen           |
| Greene           | Tannas                  |
| Housakos         | Tkachuk                 |
| Johnson          | Unger                   |
| LeBreton         | Verner                  |
| Maltais          | Wells                   |
| Manning          | White—50                |

NAYS  
THE HONOURABLE SENATORS

|          |          |
|----------|----------|
| Baker    | McCoy    |
| Brazeau  | Mercer   |
| Callbeck | Merchant |

Chaput  
Charette-Poulin  
Cools  
Cordy  
Dallaire  
Day  
Dyck  
Hervieux-Payette  
Jaffer  
Joyal  
Kenny  
Lovelace Nicholas

Mitchell  
Moore  
Munson  
Ringuette  
Rivest  
Robichaud  
Segal  
Smith (*Cobourg*)  
Tardif  
Wallin  
Watt—29

ABSTENTIONS  
THE HONOURABLE SENATORS

Campbell  
Cowan  
Dawson  
Downe  
Fraser  
Furey  
Hubley

Lang  
Meredith  
Nancy Ruth  
Plett  
Runciman  
Wallace—13

• (1750)

**Hon. George J. Furey:** Mr. Speaker, if I may, I would like to inform the chamber as to my reasons for abstaining from this vote.

**The Hon. the Speaker:** Perhaps we can deal with that after we complete the other votes.

**Senator Furey:** Mr. Speaker, do you mean after all three votes?

**The Hon. the Speaker:** Yes.

**Senator Furey:** That would be fine.

**The Hon. the Speaker:** To that point, honourable senators, the practice of the house is that those who vote in abstention have an opportunity to explain their abstention.

Honourable senators, the question is as follows:

It was moved by the Honourable Senator Martin, seconded by the Honourable Senator Marshall:

That the Senate order:

B. The suspension of the Honourable Senator Duffy for sufficient cause, considering his gross negligence in the management of his parliamentary resources, until such time as this suspension is rescinded pursuant to rule 5-5(i), and such suspension shall have the following conditions: —

Shall I dispense?

**Some Hon. Senators:** No.

[ The Hon. the Speaker ]

**The Hon. the Speaker:** No.

- i) Senator Duffy, while under suspension, shall not receive any remuneration or reimbursement of expenses from the Senate, including any sessional allowance or living allowance;
- ii) Senator Duffy's right to the use of Senate resources, including funds, goods, services, premises, moving and transportation, travel and telecommunication expenses, shall be suspended for the duration of his suspension;
- iii) Senator Duffy shall not receive any other benefit from the Senate during the duration of his suspension; and
- iv) notwithstanding paragraphs i), ii) and iii), during the period of his suspension, Senator Duffy shall have normal access to Senate resources necessary to continue life, health and dental insurance coverage.

Those in favour of the motion will signify by saying "yea."

**Some Hon. Senators:** Yea.

**The Hon. the Speaker:** Those opposed to the motion will signify by saying "nay."

**Some Hon. Senators:** Nay.

**The Hon. the Speaker:** In my opinion, the "nays" have it.

*And two honourable senators having risen:*

**The Hon. the Speaker:** Two senators rising, we will have a standing vote.

Motion agreed to on the following division:

YEAS  
THE HONOURABLE SENATORS

Andreychuk  
Ataullahjan  
Batters  
Bellemare  
Beyak  
Black  
Boisvenu  
Braley  
Buth  
Carignan  
Comeau  
Dagenais  
Demers  
Doyle  
Eaton

Marshall  
Martin  
Massicotte  
McInnis  
McIntyre  
Mockler  
Neufeld  
Ngo  
Nolin  
Ogilvie  
Oh  
Patterson  
Poirier  
Raine  
Rivard

Enverga  
Fortin-Duplessis  
Frum  
Gerstein  
Greene  
Housakos  
Johnson  
Lang  
LeBreton  
Maltais  
Manning

Runciman  
Seidman  
Seth  
Smith (*Saurel*)  
Tannas  
Stewart Olsen  
Tkachuk  
Unger  
Verner  
Wells  
White—52

NAYS  
THE HONOURABLE SENATORS

Baker  
Callbeck  
Chaput  
Charette-Poulin  
Cools  
Cordy  
Dallaire  
Day  
Dyck  
Hervieux-Payette  
Jaffer  
Joyal  
Kenny  
Lovelace Nicholas

McCoy  
Mercer  
Merchant  
Mitchell  
Moore  
Munson  
Ringuette  
Rivest  
Robichaud  
Segal  
Smith (*Cobourg*)  
Tardif  
Wallin  
Watt—28

ABSTENTIONS  
THE HONOURABLE SENATORS

Campbell  
Cowan  
Dawson  
Downe  
Fraser  
Furey

Hubley  
Meredith  
Nancy Ruth  
Plett  
Wallace—11

• (1800)

**The Hon. the Speaker:** Honourable senators, the question now is as follows:

It was moved by the Honourable Senator Martin, seconded by the Honourable Senator Marshall:

That the Senate order:

- C. The suspension of the Honourable Senator Wallin for sufficient cause, considering her gross negligence in the management of her parliamentary resources, until such time as this suspension is rescinded pursuant to rule 5-5(i), and such suspension shall have the following conditions:
  - i) Senator Wallin, while under suspension, shall not receive any remuneration or reimbursement of expenses from the Senate, including any sessional allowance or living allowance:

- ii) Senator Wallin's right to the use of Senate resources, including funds, goods, services, premises, moving and transportation, travel and telecommunication expenses, shall be suspended for the duration of her suspension;
- iii) Senator Wallin shall not receive any other benefit from the Senate during the duration of her suspension; and
- iv) notwithstanding paragraphs i), ii) and iii), during the period of her suspension, Senator Wallin shall have normal access to Senate resources necessary to continue life, health and dental insurance coverage.

All those in favour of the motion will please rise. All those in favour will signify by saying "yea."

**Some Hon. Senators:** Yea.

**The Hon. the Speaker:** All those opposed to the motion will signify by saying "nay."

**Some Hon. Senators:** Nay.

**The Hon. the Speaker:** In my opinion, the "yeas" have it.

*And two honourable senators having risen:*

**The Hon. the Speaker:** We will now have our standing vote.

All those in favour of the motion will signify by rising.

Motion adopted on the following division:

YEAS  
THE HONOURABLE SENATORS

Andreychuk  
Ataullahjan  
Batters  
Bellemare  
Beyak  
Black  
Boisvenu  
Braley  
Buth  
Carignan  
Comeau  
Dagenais  
Demers  
Doyle  
Eaton  
Enverga  
Fortin-Duplessis  
Frum  
Gerstein  
Greene

Marshall  
Martin  
Massicotte  
McInnis  
McIntyre  
Mockler  
Neufeld  
Ngo  
Nolin  
Ogilvie  
Oh  
Patterson  
Poirier  
Raine  
Rivard  
Runciman  
Seidman  
Seth  
Smith (*Saurel*)  
Stewart Olsen

Housakos  
Johnson  
Lang  
LeBreton  
Maltais  
Manning

Tannas  
Tkachuk  
Unger  
Verner  
Wells  
White—52

NAYS  
THE HONOURABLE SENATORS

Baker  
Callbeck  
Chaput  
Charette-Poulin  
Cools  
Cordy  
Dallaire  
Day  
Dyck  
Hervieux-Payette  
Jaffer  
Joyal  
Kenny  
Watt—27

Lovelace Nicholas  
McCoy  
Mercer  
Merchant  
Mitchell  
Moore  
Munson  
Ringuette  
Rivest  
Robichaud  
Segal  
Smith (*Cobourg*)  
Tardif

ABSTENTIONS  
THE HONOURABLE SENATORS

Campbell  
Cowan  
Dawson  
Downe  
Fraser  
Furey

Hubley  
Meredith  
Nancy Ruth  
Plett  
Wallace  
Wallin—12

• (1810)

**The Hon. the Speaker:** Honourable senators, the question is as follows:

It was moved by the Honourable Senator Martin, seconded by the Honourable Senator Marshall:

That,

Notwithstanding any usual practice or provision of the Rules, in order to protect the dignity and reputation of the Senate and public trust and confidence in Parliament;

Notwithstanding the provisions of this motion, the Senate confirm that the Standing Committee on Internal Economy, Budgets and Administration retains the authority, as it considers appropriate, to take any action pertaining to the management of the offices and personnel of the senators affected by this motion for the duration of a suspension.

All those in favour of this motion will signify by saying "yea."

**Some Hon. Senators:** Yea.

**The Hon. the Speaker:** Those opposed to this motion will signify by saying “nay.”

**Some Hon. Senators:** Nay.

**Some Hon. Senators:** On division.

**The Hon. the Speaker:** Is it agreed; carried on division?

**Hon. Senators:** Yes.

(Motion agreed to, on division.)

#### BUSINESS OF THE SENATE

**Hon. James S. Cowan (Leader of the Opposition):** Colleagues, I abstained from voting today because, though I strongly agreed and argued as early as last May that sanctions needed to be imposed on our three colleagues, I do not agree that sanctions should be imposed while ignoring, for pure political reasons, due process and the principles of fundamental justice.

Consequently, I refuse to participate in what I consider to be a highly questionable and perhaps even illegitimate process.

**Hon. George J. Furey:** I would like to inform this chamber of my reason for abstaining from these three votes.

As the deputy chair and a member of the Internal Economy Committee, the committee which presented the original reports on Senator Brazeau, Senator Duffy and Senator Wallin, I do not believe it would be appropriate for me to vote on this government motion at this time.

[*Translation*]

**Hon. Dennis Dawson:** Honourable senators, I do not want to repeat my leader’s comments, but I must say that in my 15 years in Parliament — seven years in the other place and eight years here — I have never abstained from voting. However, I believe that the process made us choose between senators who misbehaved and a government that is seeking revenge.

Had I voted, I would have given credence to the process. I completely understand my colleagues on both sides who voted,

but personally I think that this was a travesty of justice. I find it extremely unfortunate that there was no incremental sanction system and that three senators who committed different offences received the same penalty and did not have the opportunity to properly defend themselves. There is also the fact that we do not know the end date of these sanctions. This made me even more uncomfortable about voting on these motions. I therefore abstained.

[*English*]

**Hon. Percy E. Downe:** Like Senator Furey, I’m a member of the Internal Economy Committee as well, the committee that heard these very serious allegations against colleagues of ours. We took, in my opinion, the appropriate action: investigation, hired outside auditors and, when they reported the results, the committee recommended the proper course, which was a referral to the proper authority.

That process is under way. It’s my view that that should continue. What happened here today I want no part of, because I want that justice system to carry through as it should and find out if these allegations are true, if charges are going to be laid, and then the Senate can consider the results at that time.

**Hon. Larry W. Campbell:** I rise to advise you that I did not vote for this because I also sit on Internal Economy and also sit on the subcommittee of audit with Senator Marshall and Senator Comeau.

Everything I have to say about this matter is contained in our report, which we submitted to Internal Economy and, in turn, to this chamber.

**Hon. Elizabeth Hubley:** Mr. Speaker, I, too, would like to explain my reason for abstaining from the vote this evening.

I share many of the comments that my colleague has mentioned this evening, but I feel that the process is terribly flawed and I have grave concerns about how this, going forward, is going to impact on a future criminal trial.

For that reason, I chose to abstain this evening.

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

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