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(HANSARD)

Thursday, April 18, 2013

The Honourable NOËL A. KINSELLA
Speaker

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

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THE SENATE

Thursday, April 18, 2013

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

Prayers.

[*Translation*]

SENATORS' STATEMENTS

THE LATE MARTIN J. LÉGÈRE, C.C., O.N.B

Hon. Fernand Robichaud: Honourable senators, on March 27, we lost a visionary, a tireless Acadian and a great Canadian. After a long life devoted to every aspect of developing modern-day Acadia, Martin-J. Légère, from Caraquet, New Brunswick, died at the age of 96.

Martin Légère actively participated in the economic development of Acadian communities by establishing a network of caisses populaires in Acadia. He studied the cooperative movement at St. Francis Xavier University in Antigonish. Later, he would further his studies of cooperatives at the faculty of social sciences at Université Laval in Quebec City. It was while he was working with Monsignor Livain Chiasson that he established the first Acadian caisses populaires in New Brunswick.

Martin Légère understood the strength of volunteerism in small Acadian communities and saw in it an opportunity to educate the public on economics. He created study circles where the principles of cooperation were discussed and possible applications identified. He was a source of inspiration and motivation for the many volunteers in the cooperative movement.

He spent the bulk of his career as CEO of the Fédération des caisses populaires acadiennes, of which he was the founding father. He worked to promote the federation's growth and development until his retirement in 1981.

We all know that many Acadians would not have been able to own private property without their local caisses populaires. Businesses also benefited from their support.

Martin Légère was devoted to Acadian communities and always concerned about their economic situation and quality of life. Acadian organizations, the Acadian cooperative movement, educational institutions, the business community and the cultural community have all recognized his immense contribution.

He received many honours. As early as 1974, he was named an Officer of the Order of Canada, and in 2006, he received the Order of New Brunswick.

He was a remarkable person to whom the cooperative movement owes a great deal. Acadia has lost a very fine man. We offer our sincere condolences to his family.

[*English*]

BOSTON MARATHON TRAGEDY

Hon. Paul E. McIntyre: Honourable senators, I rise today to speak about the tragic events that unfolded at the Boston Marathon on Monday, April 15.

Established in 1897, the Boston Marathon is one of the world's oldest and most renowned marathons. Each year on Patriots' Day, over 20,000 participants from over 90 countries flock to Boston to run the 42-kilometre course.

In 1996, on the Boston Marathon's one hundredth anniversary, a record number of participants was reached, with over 38,000 registrants. Each year over 500,000 spectators make the journey to Boston to cheer and support the runners. This year, of the approximately 23,000 registrants who took part in the one hundred seventeenth running of the marathon, 2,078 were Canadian, including 40 from my home province of New Brunswick.

Athletes who participate in this elite marathon must possess both significant ability in order to meet the stringent qualifying criteria and personal determination in order to cross the difficult terrain.

The Boston Marathon is home to the notorious Newton Hills, a series of four steep hills located toward the end of the course. These hills pose a considerable obstacle for even the most seasoned of marathon runners. The final mile of this year's event was dedicated to victims of the Newtown shootings.

The Boston Marathon is a mark of considerable achievement and endurance for the seasoned marathon runners who cross the finish line, and a source of pride for their friends and family.

As a long-distance runner, and through my personal experience with 47 marathons, I recognize the hard work and perseverance necessary to attain this athletic feat. I have participated in numerous long-distance races including the Boston Marathon, which I qualified for three times and ran in 2006 and 2011.

Sporting events such as the Boston Marathon present an opportunity to mingle with other athletes and recognize their unique achievements. Unfortunately, these events also serve as a target for those who have more nefarious intentions.

Regretfully, there have been numerous attacks on sporting events in the past. For example the attack on the Munich Olympics in 1972 left 11 athletes dead; and the 1976 Centennial Olympic Park bombing at the Atlanta Olympics killed 1 and injured over 150 people.

On April 15 this year, two bombs exploded near the finish line of the Boston Marathon. The bombs were reportedly fashioned out of pressure cookers and blasted shards of metal, nails and ball bearings into the crowd, inflicting injuries serious enough to require amputation. The explosions left three dead, including a 29-year-old woman and an 8-year-old boy, both of whom had come to watch their friends or family cross the finish line. Close to 200 people suffered injuries, 17 of whom are in critical condition.

In response to this horrific event that captured worldwide attention, our Prime Minister condemned this deeply troubling and violent attack on innocent people. The American President promised that these acts of terrorism, targeted at innocent victims, would not go unpunished: The perpetrators would be held to account for their actions.

On Tuesday, April 16, honourable senators observed one minute of silence as a gesture of solidarity, the same day members of the House of Commons gave unanimous consent to a motion condemning the attacks perpetrated during the Boston Marathon and extending their sympathies to the victims and their families.

I would like to take this opportunity to express my deepest —

The Hon. the Speaker: The Honourable Senator Black.

ENERGY DEVELOPMENT

Hon. Doug Black: Honourable senators, yesterday I learned three valuable lessons about the Senate: first, how warmly supportive and constructive my Senate colleagues are; second, the importance of time limits in the chamber; and third, that when the Clerk and then His Honour stand up, it is not for a standing ovation.

• (1340)

I have been asked to complete my statement of yesterday and am happy to do so, all within time.

Yesterday, I raised the direct connection between Canada's ability to sell our energy at the highest price possible and maintaining the world-leading standard of living that we have all come to expect. Today let us discuss the solution.

All interested parties now agree that on an urgent basis we must find ways to export our energy products and to help educate Canadians about the importance of market access. For success, we need Canadians to accept that their future prosperity depends on our solving this problem. We must ensure that governments and energy producers have the social licence needed to make the critical infrastructure projects.

I respectfully call on honourable senators in the Senate to join in this discussion, to help continue this conversation with Canadians — a conversation that is needed to help all Canadians better understand how important Canada's ability to export energy is for our and our children's prosperity.

THE LATE MR. ART PHILLIPS

Hon. Mobina S. B. Jaffer: Honourable senators, Vancouver lost its visionary and Canada lost a champion in March when former

mayor Art Phillips passed away. In 1968, Mr. Phillips helped launch the centrist political party The Electors' Action Movement and was elected to city council. Five years later he was elected mayor, a position he held for four years. He would also go on to serve briefly as Member of Parliament for Vancouver—Centre.

As mayor, Mr. Phillips helped to preserve iconic Vancouver neighbourhoods like Strathcona and Chinatown and fought hard to help grow Granville Island.

The Canadian High Commissioner to the United Kingdom and former Premier of British Columbia, Gordon Campbell, called Mr. Phillips the best mayor Vancouver ever had. High Commissioner Campbell said:

He changed the face of the city but more importantly he changed how we feel about it. The improvements in quality of life, living downtown, waterfront walks, and protecting neighbourhoods are all the results of Art Phillips' leadership. His respect for people, his kindness and his ability to find agreement were all reflected in an exemplary public life.

Current mayor Gregor Robertson called Phillips a “champion of livability and inclusivity” saying:

With today's passing of Art Phillips, Vancouver has lost a visionary leader and citizen who made an indelible mark on the city. He helped shape Vancouver through his vision and commitment to public service.

As a long-time resident of Vancouver and a senator from British Columbia, I was deeply saddened to learn of the death of Art Phillips. My thoughts and prayers remain with his family: his wife, Carole Taylor; his six children; and his grandchildren and great-grandchildren.

Honourable senators, Art Phillips was an amazing man who gave his life to serve Vancouverites and Canadians alike. His legacy and the values he promoted will continue to live on. They are the true spirit of Vancouver, a great city that I am proud to call home.

Honourable senators, I would be remiss if I did not acknowledge that we also have a great mayor from Vancouver in the chamber, Senator Larry Campbell.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Barrie Firby and his daughter Mackenzie Firby from Kenaston, Saskatchewan. They are the guests of the Honourable Senator Plett.

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

Hon. Senators: Hear, hear!

[*Translation*]

MR. ALEXANDRE POCE

Hon. Jean-Guy Dagenais: Honourable senators, right before we adjourned for the Easter break, I had the pleasure of welcoming a guest here in the Senate chamber, a resident of Blainville whom I can only describe as extraordinary.

My guest was Alexandre Poce, a lawyer whose remarkable journey merits mention in this chamber.

If Alexandre Poce had believed his doctors in 1987, he would have died long ago, for they gave him only two weeks to live following a senseless accident that occurred during an amateur hockey game.

When he was 16, Alexandre was a passionate hockey player. On March 14, 1987, he fell and hit the boards hard. According to his doctors' diagnosis, his spinal cord was severed — which is why they said he likely would not survive.

Thus, Alexandre became a quadriplegic and was to spend the rest of his life in a specially built wheelchair. This was a very tragic situation for an athletic teenager who, at 16, was in the prime of his life.

Following two years of rehabilitation that required a lot of courage, Alexandre Poce decided not to let his disability get the best of him. He chose to fight to make a place for himself in the community.

[*English*]

He decided to go back to school to be a lawyer, and after eight years of determined work, he became a member of the Quebec bar.

[*Translation*]

After serving the community for 11 years as general director of the Foundation for Spinal Cord Research, he joined a law firm where, for the past three years, he has been arguing cases on behalf of workplace accident victims.

Despite his disability and all the preparation needed to travel, Alexandre Poce braved that last snowstorm on March 19 to make the trip from Blainville to Ottawa.

During his visit, he met with Minister of State for Transport Steven Fletcher, who has similar challenges and who, as you likely know, gets around in a specially built wheelchair.

People like you and me can learn a lot from Alexandre Poce's courage. However, since being a lawyer was not enough to keep him busy, he decided to use his courage, perseverance and team spirit to help others.

He has his own website, which I encourage you to visit. He has published a book on his life. He gives speeches and is the president of the Fondation du Centre de réadaptation Lucie-Bruneau.

Alexandre Poce was described as a tornado on hockey skates, but he has become a tornado on four wheels. Alexandre Poce is a resident of Blainville, a committed Quebecer and a great Canadian who should serve as an example to everyone with a disability.

I salute him today and thank you for your attention.

RWANDAN GENOCIDE

Hon. Roméo Antonius Dallaire: Honourable senators, April 7, when we were all back home, marked the 19th anniversary of the Rwandan genocide. Although this date is recognized around the world as the start of this tragedy, there is a reason why I am rising to speak to this subject today.

I want to share a little bit of history, but I also want to propose a vision of how our country should deal with these kinds of mass atrocities in the future.

On April 18, 1994, I received a call from the Secretary-General of the United Nations while we were right in the middle of a civil war and genocide. I was told that I would not be getting any reinforcements to stop the massacre and genocide. I was told that no UN member nations were prepared to send troops to stop this massacre, and I was also told that the order was to start withdrawing the armed forces under my command, which would endanger more than 30,000 Rwandans who were already under our control.

That was a particularly difficult day for me as a commander, given my responsibilities, but it was even more difficult for the Rwandans because the Rwandan ambassador, who was a member of an extremist group, had a seat on the United Nations Security Council.

Today, the President of the Security Council is a Rwandan, and circumstances are vastly different. However, the ambassador at that time was able to communicate directly with extremist Rwandan authorities to tell them that the world had abandoned Rwanda. No one wanted to intervene. They were already too busy in Bosnia, in the former Yugoslavia, and Rwanda did not meet their requirements, even though there was evidence that mass destruction was occurring on a daily basis.

The extremists were given this information, and we found out the next day, April 19, that the massacre had become more widespread. This was the sign the extremists had been waiting for. They knew that they could continue to destroy the Tutsi community because they were certain that no one was going to intervene.

• (1350)

In the end, that day, all the countries in the world that had the ability to respond refused to back up the United Nations. The United Nations was not the guilty party that day. It was the countries that make up the United Nations that were guilty of abandoning the people living in Rwanda.

[English]

AFGHANISTAN

FAMILY HEALTH HOUSES

Hon. Donald H. Oliver: Honourable senators, I am pleased to rise today to announce that I was at Dalhousie University's Global Health Office in Halifax on April 11 to announce a \$5.5 million commitment in partnership with the United Nations Population Fund to support the establishment of 45 Family Health Houses in Daykundi Province in central Afghanistan. The announcement coincided with World Health Day, and it was another way that the Harper government is committed to development and humanitarian assistance around the world.

Family Health Houses are small, dedicated buildings that provide life-saving reproductive health services to women and newborns in isolated communities and promote healthy lifestyles. Each house has a dedicated delivery room and examination room, along with diagnostic and medical equipment to support safe childbirth. Staffing each house is a community midwife selected by the community itself. Two skilled health workers will also help educate local people in making healthy reproductive choices.

A single midwife and two health workers is very basic care, but they represent a great step forward for 49 isolated communities in Afghanistan.

The midwives will also be trained to identify potentially threatening pregnancy-related conditions. They will have access to a referral system for emergency neonatal and obstetric care supported by a telecommunications and transport network now being established throughout the project.

Honourable senators, this new project in Afghanistan aligns closely with Canada's development assistance priorities and, in particular, with the Prime Minister's Muskoka Initiative on Maternal, Newborn and Child Health.

Here in Canada, mothers are fortunate to have expert medical care and world-class facilities when pregnant and giving birth, and we sometimes take that for granted. That is not true in developing countries. Afghanistan has one of the highest levels of maternal mortality in the world. In addition to all other challenges they face, 50 women die in Afghanistan from complications related to pregnancy every day. These Family Health Houses will help make sure families in remote areas are better served and have access to expert medical attention and essential services.

Honourable senators, it was recently announced in Budget 2013 that the Canadian International Development Agency will amalgamate with the Department of Foreign Affairs and International Trade. It is clear that this in no way will change the government's approach to international development assistance, as is the case with this \$5.5 million investment for Afghanistan.

Canada remains deeply committed to reducing poverty through development assistance and providing humanitarian assistance in times of crisis. Economic Action Plan 2013 also elevated the position of development assistance in Canada.

I told the Halifax gathering that the new Department of Foreign Affairs, Trade and Development will maintain the mandate of poverty alleviation and humanitarian support.

In conclusion, honourable senators, Canada's international development investment plays a vital role in improving the lives of those most in need around the world. It is also a tangible expression of the best of Canadian values and a demonstration of our unwavering support for freedom, democracy, human rights and the rule of law.

I was happy to make the announcement of the \$5.5 million on behalf of Minister Fantino.

[Translation]

LA MAISON GABRIELLE-ROY

ANNUAL BRUNCH

Hon. Maria Chaput: Honourable senators, on Sunday, April 14, I had the privilege of attending the Maison Gabrielle-Roy annual brunch, a tradition associated with the birthday of this great writer from my region.

This year, 2013, marks, in a special way, the official opening of Maison Gabrielle-Roy in Saint-Boniface, Manitoba, as a museum. The doors of this magnificent house were opened to the public on June 19, 2003. The house was completely renovated thanks to the tenacity and determination of many local volunteers.

The president of the museum's board of directors, François Lentz, proudly announced that, on this, the 10th anniversary of the house being open to the public, the mortgage had also been paid in full. He said, "The mortgage has been paid off. Maison Gabrielle-Roy now belongs to the Manitoban community, particularly Manitoba's francophones." He also sincerely thanked all the generous donors who showed just how much they care about this house.

Honourable senators, in order to mark this 10th anniversary, a number of musical, literary and cultural events, including exhibits, literary evenings, talks, film screenings and bus tours, will take place across Manitoba throughout the year.

I would like to congratulate the president of the museum's board of directors, the board members and the staff, as well as the many volunteers who give us the opportunity to celebrate this great writer from my region, to keep her memory alive and to make her works a part of our everyday lives.

To conclude, I would like to read an excerpt from a short piece by Gabrielle Roy, which was written 50-odd years ago and was quoted by François Lentz, president of the board of directors of

the Maison Gabrielle-Roy. The full text can be found in her collection titled *Fragiles lumières de la Terre*. Here is what Gabrielle Roy wrote 50 years ago, as quoted by Mr. Lentz:

If someone were to ask me what defines Manitoba for me, the image that springs to mind — and encompasses all the others — is that of the plains: wide open, vast, yet soft and inspiring.

...I dream that our Manitoban brothers in language can someday stand in solidarity with Quebec and Quebec with the people it has too long ignored or left on their own.

I dream at the very least of a brotherhood among the people of Acadia, Quebec, the colonies in Ontario and the Prairies.

Or is that merely a dream?

ROUTINE PROCEEDINGS

PUBLIC SECTOR INTEGRITY COMMISSIONER

CASE REPORT IN THE MATTER OF AN INVESTIGATION INTO DISCLOSURE OF WRONGDOING AT THE CANADIAN HUMAN RIGHTS TRIBUNAL

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the Office of the Public Sector Integrity Commissioner's case report of findings in the matter of an investigation into a disclosure of wrongdoing, pursuant to subsection 38(3.3) of the Public Servants Disclosure Protection Act.

LABOUR

EMPLOYMENT EQUITY ACT—2011 ANNUAL REPORT TABLED

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the report on the Employment Equity Act (Labour) for the year 2011.

[English]

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

TWENTIETH REPORT OF COMMITTEE PRESENTED

Hon. David Tkachuk, Chair of the Standing Committee on Internal Economy, Budgets and Administration, presented the following report:

Thursday, April 18, 2013

The Standing Committee on Internal Economy, Budgets and Administration has the honour to present its

[Senator Chaput]

TWENTIETH REPORT

Your Committee recommends that the following funds be released for fiscal year 2013-2014.

Banking, Trade and Commerce (Legislation)

General Expenses	\$7,300
Total	\$7,300

Scrutiny of Regulations (Joint)

Professional and Other Services	\$ 810
Transportation and Communications	\$ 750
All Other Expenditures	\$1,440
Total	\$3,000

Respectfully submitted,

DAVID TKACHUK
Chair

The Hon. the Speaker: Honourable senators, when shall this report be taken into consideration?

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

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

BUDGET—STUDY ON CURRENT STATE OF SAFETY ELEMENTS OF BULK TRANSPORT OF HYDROCARBON PRODUCTS— EIGHTH REPORT OF COMMITTEE PRESENTED

Hon. Richard Neufeld, Chair of the Standing Senate Committee on Energy, the Environment and Natural Resources, presented the following report:

Thursday, April 18, 2013

The Standing Senate Committee on Energy, the Environment and Natural Resources has the honour to present its

EIGHTH REPORT

Your committee, which was authorized by the Senate on Wednesday, November 28, 2012 to examine and report on the current state of the safety elements of the bulk transport of hydrocarbon products in Canada, respectfully requests funds for the fiscal year ending March 31, 2014.

Pursuant to Chapter 3:06, section 2(1)(c) of the *Senate Administrative Rules*, the budget submitted to the Standing Committee on Internal Economy, Budgets and Administration and the report thereon of that committee are appended to this report.

Respectfully submitted,

RICHARD NEUFELD
Chair

(For text of budget, see today's Journals of the Senate, Appendix A, p. 2100.)

The Hon. the Speaker: Honourable senators, when shall this report be taken into consideration?

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

NATIONAL SECURITY AND DEFENCE

BUDGET—STUDY ON STATE OF DEFENCE AND SECURITY RELATIONSHIPS WITH THE UNITED STATES—TENTH REPORT OF COMMITTEE PRESENTED

Hon. Daniel Lang, Chair of the Standing Senate Committee on National Security and Defence, presented the following report:

Thursday, April 18, 2013

The Standing Senate Committee on National Security and Defence has the honour to present its

TENTH REPORT

Your committee, which was authorized by the Senate on Wednesday, March 7, 2012, to examine and report the state of Canada's defence and security relations with the United States, requests funds for the fiscal year ending March 31, 2014.

Pursuant to Chapter 3:06, section 2(1)(c) of the *Senate Administrative Rules*, the budget submitted to the Standing Committee on Internal Economy, Budgets and Administration and the report thereon of that committee are appended to this report.

Respectfully submitted,

DANIEL LANG
Chair

(For text of budget, see today's Journals of the Senate, Appendix B, p. 2108.)

The Hon. the Speaker: Honourable senators, when shall this report be taken into consideration?

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

• (1400)

BUDGET AND AUTHORIZATION TO TRAVEL—STUDY ON THE STATE OF OPERATIONAL READINESS OF CANADIAN FORCES BASES—ELEVENTH REPORT OF COMMITTEE PRESENTED

Hon. Daniel Lang, Chair of the Standing Senate Committee on National Security and Defence, presented the following report:

Thursday, April 18, 2013

The Standing Senate Committee on National Security and Defence has the honour to present its

ELEVENTH REPORT

Your committee, which was authorized by the Senate on Thursday, March 21, 2013, to examine and report on the state of operational readiness of Canadian Forces bases and their importance to the defence of Canada and Canadian interests, and more specifically on the capacity of their infrastructure, personnel, and equipment, requests funds for the fiscal year ending March 31, 2014, and requests, for the purpose of such study, that it be empowered to travel inside Canada.

Pursuant to Chapter 3:06, section 2(1)(c) of the *Senate Administrative Rules*, the budget submitted to the Standing Committee on Internal Economy, Budgets and Administration and the report thereon of that committee are appended to this report.

Respectfully submitted,

DANIEL LANG
Chair

(For text of budget, see today's Journals of the Senate, Appendix C, p. 2114.)

The Hon. the Speaker: Honourable senators, when shall this report be taken into consideration?

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

CRIMINAL CODE

BILL TO AMEND—TWENTY-FOURTH REPORT OF LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE PRESENTED

Hon. Bob Runciman, Chair of the Standing Senate Committee on Legal and Constitutional Affairs, presented the following report:

Thursday, April 18, 2013

The Standing Senate Committee on Legal and Constitutional Affairs has the honour to present its

TWENTY-FOURTH REPORT

Your committee, to which was referred Bill C-37, An Act to amend the Criminal Code, has, in obedience to the order of reference of Tuesday, March 5, 2013, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

BOB RUNCIMAN
Chair

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

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

QUESTION PERIOD

FINANCE

TARIFFS ON CONSUMER GOODS

Hon. Catherine S. Callbeck: Honourable senators, my question is directed to the Leader of the Government in the Senate. Three weeks ago, I asked her about the increased tariffs that the recent budget was adding to more than 1,000 consumer products, ranging from food to bathtubs to school supplies.

With all due respect, honourable senators, I did not get a satisfactory answer from the leader. We all know that these new rules will impact consumers. For example, tariffs on bicycles will go from 8.5 per cent to 13 per cent; blankets, from 12 per cent to 17 per cent; and wigs, that are often worn by people living with cancer, will go from zero to 15.5 per cent.

Families are already having a tough time making ends meet. Why is the government increasing the cost of living for Canadian consumers?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, since we formed the government in 2006, we have eliminated almost 1,900 tariffs. We have cut tariffs by over half a billion dollars every year. The Liberals, of course, in the other place and in this place, voted against that and all of our tax cuts. Why do the opposition parties in the House of Commons and the opposition party here insist on special breaks for countries like China against Canadian businesses? Our aim is clear: We want to level the playing field.

Senator Callbeck: Honourable senators, we are concerned because of what this will do to the cost of living for Canadian families. The fact is that the increases we are talking about in the recent budget will bring in another \$333 million per year, which has to come from somewhere. No doubt retailers will have to pass on part, if not all, of that \$333 million. This will come out of the pockets of Canadian consumers. The bottom line is that we will be paying more for over 1,000 products that are imported into Canada.

Will this government decide to help Canadian consumers and families by reversing its decisions on thousands of consumer goods?

Senator LeBreton: Honourable senators, as I indicated in my first answer, we already have helped Canadian families by cutting tariffs by over half a billion dollars every year. Since Senator Callbeck is talking about money in the pockets of Canadians, I will once again put the facts on the record.

Our government has cut taxes over 150 times, putting over \$3,200 back into the pockets of the average Canadian family. As I

mentioned earlier, since 2006, we have cut taxes in every way government collects them: personal, consumption, business, excise and more. The federal tax burden is now the lowest it has been in 50 years. This helps Canadian families.

We introduced tax credits such as the Working Income Tax Benefit and the job-creating, small business hiring tax credit. We established the Tax Free Savings Account. We reduced the GST from 7 per cent to 5 per cent, and over 1 million low-income Canadians, including about 380,000 seniors, have been removed completely from our tax rolls. Tax freedom day is now over two weeks earlier than it was under the previous government, the tax-and-spend Liberals.

Hon. Jim Munson: Honourable senators, as Senator Callbeck mentioned, on bicycles alone, the tariff is facing a 4.5 per cent increase. Canada imports \$125 million worth of bicycles from dozens of countries, including from the group of 72 graduating from “developing” to “developed” status.

This is being done at a time when Canadian municipalities are promoting bicycles as an alternative to private vehicles and public transit. There is a serious disconnect here.

• (1410)

Worse than that, this week we learned that the leader’s government is misleading Canadians right down to the local bike shop owner. Jose Bray, owner of Joe Mamma Cycles in Ottawa in the Glebe, opened his doors to the Finance Minister, Mr. Flaherty, and his news conference. He was told the announcement was about a small business tax credit, something Mr. Bray was pleased to support. It turned out that Minister Flaherty introduced Bill C-45, the second omnibus budget bill introduced last year. Bray, who was there with all the media, was not given the opportunity to speak at the news conference. He has this to say now:

I don’t openly show support for any particular political party, but I do definitely feel strongly at this point that the Conservatives are not acting in the best interests of me as a person or of my business.

He added this:

I think (the Conservatives) were trying to use the bicycle shop as a backdrop because of a lot of their environmental policies... I just kind of feel that now there’s an opportunity to clarify things.

You have an opportunity, Madam Leader, to clarify things. Why did the government use this man? Will you set the record straight about these new tariffs and explain the government’s tax-tax-tax-tax-tax-and-spend agenda?

Senator LeBreton: Honourable senators, the gentleman in question is certainly entitled to his own opinion. The fact is that the tax cuts we have already made include the reduction of the GST, which is very helpful not only to Canadian consumers but also to people trying to sell consumer goods to the public.

As I indicated in my first answer, we are simply trying to level the playing field. We have cut tariffs by over half a billion dollars per year every year since 2009.

Senator Munson: Honourable senators, I guess that is not an apology. However, one would think the government would listen to the Senate and a Senate standing committee. We have had recommendations and we actually had a front-page good news headline story in many newspapers, including the *National Post*, on a day when some controversies were happening around here. It was a great story. All of us were working together with the Standing Senate Committee on National Finance on the Canada-U.S. price gap. It was a big headline. I guess some Canadians must have read it because the committee recommended a comprehensive review of Canadian tariffs to reduce discrepancies for certain products between Canada and the United States.

In fact, the committee's news release about the report led with that very idea. There is good reason for this, honourable senators. Nothing irritates Canadians more — and the leader would know as well as anyone else — than when walking into a Shoppers Drug Mart, having forgotten someone's birthday, you grab a Hallmark card, turn it over on the back and what does it read? It is \$4.75 U.S. and \$8.75 Canadian. Nothing irritates Canadians more. The leader calls that a tariff. It is not a tariff, honourable senators. A tax is a tax is a tax, and Canadians deserve to know why the government is raising their taxes.

Senator LeBreton: Honourable senators, it is unfortunate, as I have also acknowledged in this place, that the great work of our Senate committee got blown off the front pages by other unfortunate incidents.

There is no question that the Finance Committee did outstanding work. I have said that in this place before. The budget consultation process was well under way and almost complete before the committee reported. Even at that, and we were talking about tariffs between Canada and the U.S., the Minister of Finance did take into account the recommendations of the report and made the first steps to implementing some of the recommendations. That is not to say that there will not be other recommendations of the committee taken into account. I thought it was a good first step.

What we are talking about here, in terms of these tariffs, is giving special breaks to countries like China. I do not think we should be giving special breaks to countries like China at the expense of Canadian businesses. All we want is to create a level playing field for Canadian business.

Senator Munson: As a supplementary question, honourable senators, if this is a good first step, as the Leader of the Government here in the Senate, would she support all of the recommendations in the joint Conservative-Liberal Finance Committee report?

Senator LeBreton: Honourable senators, of course, that is not a decision for me to make. My colleague the Minister of Finance and other ministers who deal with the finance portfolio, I am quite certain, are looking at all aspects of the report of the Senate committee.

I have been on many Senate committees in the past. It is the responsibility of the government to pay heed to these reports and consider them when they are formulating legislation or, in this case, developing or working on a budget.

Many times in the past, under another government, I was part of a committee that made recommendations. Some recommendations were rejected outright, which is the purview of the government. Some were accepted. I was very happy to be part of the Social Affairs, Science and Technology Committee when it recommended a Canadian Commissioner for Mental Health. I am very glad to say that it was our government that fulfilled the recommendation made in that report from the previous regime, under the chairmanship of former senator Michael Kirby. As we all know, our government accepted that recommendation and made Michael Kirby the first chair of the Mental Health Commission.

VISITORS IN THE GALLERY

The Hon. the Speaker: Before the conclusion of Question Period, I wish to draw the attention of honourable senators to the presence in the Governor General's gallery of parliamentarians from the Republic of Georgia, led by Her Excellency Dr. Maia Panjikidze, the Minister of Foreign Affairs for the Republic of Georgia. They are accompanied by His Excellency, the distinguished ambassador of the Republic of Georgia to Canada.

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

Hon. Senators: Hear, hear!

INTERNATIONAL TRADE

EUROPEAN UNION—TRADE AND STRATEGIC PARTNERSHIP AGREEMENT—HUMAN RIGHTS

Hon. Joan Fraser: Honourable senators, I have a question for the Leader of the Government in the Senate. This is also a question about trade, but of a completely different nature. It has to do with the negotiations currently under way between Canada and Europe.

The negotiators on both sides tell us that there are basically only three areas left to negotiate, but they are very difficult ones: agriculture, intellectual property and investor protection. When one gets down to the really difficult topics, that is when the really difficult compromises have to be made.

Simultaneously, at the European request, we are negotiating something called the strategic partnership agreement, which embodies some elements that Europe tries to build into all of its trade negotiations. It has to do with, among other things, enshrining our common commitment to human rights, to certain common values and to non-proliferation of nuclear weapons.

The problem is that in the European formula they want to include a clause that would make it possible for the trade agreement to be suspended if the Europeans judge that Canada had engaged in a serious violation of human rights. We all know

softwood lumber is only one case to remind us that a determined commercial adversary will use any lever it can to try to win advantage against Canadian competition.

The Government of Canada has very properly and entirely appropriately refused so far to link any trade deal with human rights. It has offered other avenues to reassure the Europeans on human rights, but refuses to link it with trade. I think that is the absolute honourable position; but this is only a position that has been taken in negotiations.

I can tell honourable senators, having been in Brussels last week, that there remains a very strong feeling in, for example, the European Parliament that we should accept this linkage between trade and human rights.

• (1420)

I would like to ask the leader to say now, on behalf of the Government of Canada, formally for the record in the Senate of Canada, that we will never do this, that we will never, ever link human rights with simple commercial agreements.

Senator LeBreton: Honourable senators, I can only report what I have said before. We will only conclude an agreement that is in the best interests of Canadians. The negotiators, as the senator just acknowledged, are engaged in focused discussions on the remaining issues, and of course, as she points out, some of the remaining issues are the more difficult ones. However, as in all international negotiations, our government will promote Canadian interests only in all sectors.

I understand that the meeting Senator Fraser was at in Brussels was also attended by colleagues in the other place, particularly David Tilson, and I understand he was vociferous in his defence of Canada when dealing with the Europeans.

Senator Fraser: He was most vociferous on a different topic, which I do not have time to get into today. We spoke as one on the matter of human rights linkage.

The reason I would like the leader to put this on the record is that as I said, and as she has just agreed, the last stages of a negotiation are the hardest, by definition. The easy stuff gets done right away. There are some pressures to proceed with the conclusion of these deals — both the trade one and the strategic one — as quickly as possible before we get caught up in a combination of maelstroms, if I can use that figure. Notably, there is the fact that the Europeans are about to launch negotiations with the United States, which will absolutely overtake everyone else, and also that the European Parliament is heading into an electoral cycle. Therefore, there will be some pressure.

The tough trade items are those that affect real people, real Canadians, right away. Human rights could conceivably be viewed as rather more theoretical, but we know how some Europeans have been able to attack Canada on grounds from the oil sands to the seal hunt to I know not what. Therefore, I think it is important to confirm publicly that this linkage is something we will not do.

Senator LeBreton: Honourable senators, I thank the senator for the question. Of course, I am not the Minister of International Trade and am not part of the negotiations. I can only repeat what I said a moment ago, that as in all international agreements,

obviously our government will promote Canadian interests at all times. However, I will take the question as notice because perhaps the Minister of International Trade can further expand on my response.

TRANSPORT

COMMERCIAL VESSEL CLASSIFICATION AND REGULATIONS—BADDECK FERRY SERVICES

Hon. Jane Cordy: Honourable senators, for over 60 years the Lions Club in Baddeck, Cape Breton, has offered a ferry service every summer that takes people 300 metres from the wharf in Baddeck to the historic Kidston Island. The ferry provides access to a beach with lifeguard service for the general public and swimming lessons for young people from the village. The Lions Club of Baddeck provides the ferry and pays the salaries of drivers of the boat, swimming instructors and lifeguards.

Unfortunately, the federal Department of Transport has added numerous stipulations to the commercial vessel classification that the Baddeck ferry falls under. However, these new regulations are really unrealistic for this type of service and are more aimed at ships operating in the high seas rather than a 300-metre ride in a protected harbour. The new requirements will make this service next to impossible for the Lions Club of Baddeck to maintain.

Will the Leader of the Government in the Senate speak to the Minister of Transport to determine whether the classification of the vessel, or the regulations, can be modified for this type of service? The residents of the beautiful Village of Baddeck are very concerned about what this will mean for the families in the area who rely on the ferry every summer.

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I thank the senator for the question. I agree that Baddeck is an especially beautiful place. This is the first I have heard of this issue. I will be very happy to take the question as notice and consult with my colleague, the Minister of Transport.

Senator Cordy: I appreciate that very much. I wonder if she could ask the minister to look at this issue as soon as possible. Summer, believe it or not some days, really will be coming. The Lions Club of Baddeck is not a large group and does not have a lot of money, but they have to start weighing their options as to what they will do this summer. They have decided to make a decision on whether to continue the ferry service at their meeting the second week in May. Understandably, students from the area are wondering about summer jobs, and the Lions Club has difficult decisions to consider. To the people of Baddeck, which is a small village that is absolutely beautiful, this is an extremely important issue, and they would like to know whether the families will be able to continue to enjoy Kidston Island as they have for over 60 years.

Senator LeBreton: Absolutely, honourable senators, I will ask the minister for as swift a response as possible. I, like the senator, do hope that summer is coming. It is doubtful some days, but I do

believe it will catch up with us. I will ask for an expeditious answer.

AGRICULTURE AND AGRI-FOOD

CANADIAN AGRICULTURAL ADAPTATION PROGRAM

Hon. Terry M. Mercer: Honourable senators, during a trip to Nova Scotia, the Agriculture and Forestry Committee visited the research station in Kentville, Nova Scotia. The Atlantic Food and Horticultural Research Centre is one of Agriculture and Agri-Food Canada's national network of 19 research centres. Honourable senators from both sides of the aisle were very impressed with the facilities and the work being done there.

According to Agriculture Canada, the Canadian Agriculture Adaptation Program, better known as CAAP, is a five-year program that facilitates the agriculture, agri-food and agri-based products sector's ability to seize opportunities to respond to new and emerging issues and to pilot solutions to new and ongoing issues. It is highly beneficial to research centres like the one in Kentville. CAAP ends next March. Would the minister kindly tell us whether this program will be renewed?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, it is our day for Nova Scotia issues. As I said to Senator Cordy, I will also take this question as notice and make an inquiry of my colleague, the Minister of Agriculture.

Senator Mercer: Honourable senators, I thank the minister for that. She does not have John Buchanan to remind her of her daily responsibilities to Nova Scotia anymore, so Senators Moore, Cowan, Cordy and I will fill in.

In Nova Scotia we are famous for our apples and we have seen new varieties, like the Honeycrisp, enter the market. Programs like CAAP help commercialize new varieties as well, like the Orangutan, which senators may not have heard of. It is due to enter the market in the next few years. For senators' information, it is called an Orangutan apple because it is orangey and tangy. I have not tasted it yet because it is not on the market.

Nova Scotia has received about \$4 million through CAAP. If the program ends, new varieties may not be able to enter the market so effectively. This really is a threat to rural jobs.

These research centres are important to rural development all across Canada, and programs like CAAP help these centres grow and improve. Would the leader not agree that this program needs to be renewed and that the government should make that promise as soon as possible?

Senator LeBreton: Honourable senators, I thank the senator for the question. I will certainly take the question as notice. I hasten to point out, though, that there are many senators on this side who keep me very well briefed and who ensure that Nova Scotia's interests are well represented in the government. We have Senator Comeau, Senator McInnis, Senator Greene, Senator MacDonald and Senator Oliver — I hope I have not missed anyone — and Senator Ogilvie.

Senator Mercer: I knew that you were not doing your job.

Senator LeBreton: Sorry, Senator Ogilvie. I was trying to do it. He understands apples.

Senator Mercer: He is from apple country.

• (1430)

Senator LeBreton: I was doing a quick head count in my mind when the honourable senator was saying that. I can assure him that having once worked for the great Robert Lorne Stanfield, and being surrounded by such outstanding honourable senators from Nova Scotia in this caucus as well as in the other caucus, Nova Scotia's interests are always first and foremost in the mind of the government.

NATURAL RESOURCES

CLIMATE CHANGE—40/40 PLAN

Hon. Grant Mitchell: Honourable senators, Premier Redford of Alberta recognizes that the United States is linking real commitment on climate change action to the possibility of approving the Keystone XL Pipeline. Realizing that Canada is doing nowhere near enough on climate change — and that the President of the United States knows it — Premier Redford is to deal with this more rigorously.

proposing a 40/40 program, where it will be 40 per cent reductions of greenhouse gas emissions or a charge of \$40 per tonne.

Can the Leader of the Government in the Senate tell us if Mr. Harper is supporting this program, and is he consistent in his messaging when he calls Mr. Obama about the Keystone XL Pipeline?

Hon. Marjory LeBreton (Leader of the Government): The Prime Minister has a good working relationship with President Obama. I have been impressed and aware of the representations made in Washington by the Premier of Alberta. I have answered many questions on our approach to climate change so I will leave it at that.

Hopefully, with the good efforts of the Prime Minister, the Premiers of Alberta and Saskatchewan, the Minister of the Environment and the Minister of Natural Resources, following the public opinion of the majority of Americans, we will hopefully see the Keystone XL Pipeline approved.

Senator Mitchell: The President may have a good relationship with the Prime Minister and the Prime Minister with him, but I am also asking about the nature and the quality of the relationship of the Prime Minister with the Premier of Alberta, and I am asking whether the Prime Minister is supporting her in this 40/40 program — the \$40-a-tonne levy on carbon emissions — so he could help her strengthen the case she is making in Washington in order to build environmental credibility, so she can get the social licence so that the President will be inclined to authorize the building of the Keystone XL Pipeline. She is down there doing it all by herself.

Could the Leader of the Government in the Senate confirm that the Prime Minister is trying to be consistent with the message in supporting Premier Redford in this initiative?

Senator LeBreton: The honourable senator is so predictable. I want to assure Senator Mitchell that the Prime Minister of Canada and the Premier of Alberta have an excellent working relationship.

Senator Mitchell: I would like to say the leader is very predictable, too. That is something we have in common. Certainly we do not have much in common on climate change, but we have to live with the effects of it — the carbon price, for sure.

Does the Leader of the Government in the Senate see an inconsistency in the messaging of the Premier of Alberta, who is in Washington fighting, without any visible help from the Prime Minister, providing national and international leadership on this? Does the leader see any contradiction between the premier's support for a \$40-a-tonne tax levy on carbon, and the fact that one of our principal spokespeople is the Minister of Natural Resources, who does not even accept the science of climate change and in fact denies it?

Senator LeBreton: Honourable senators, let us set the record straight: The honourable senator and I have nothing in common.

Some Hon. Senators: Hear, hear!

Some Hon. Senators: Oh, oh!

Senator LeBreton: That is, other than both being members of the human race.

The Premier of Alberta has an excellent working relationship not only with the Prime Minister but also with the Minister of the Environment and the Minister of Natural Resources. The Minister of Natural Resources has said no such thing that the honourable senator has indicated he has. That was absolutely not true. The minister has absolutely never said that he did not believe in climate change.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of three distinguished Canadians in the persons of Lieutenant-Colonel Robert Benn, C.D., President of the Royal Military Colleges Club of Canada; Lieutenant-Commander Gerald Stowe, C.D., Royal Canadian Navy, Adjutant of the Old Brigade, Royal Military Colleges Club of Canada; Mr. Jeremy Stowe, Director of the Canadian School of Public Service.

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

[Senator Mitchell]

Hon. Senators: Hear, hear!

ANSWERS TO ORDER PAPER QUESTIONS TABLED

NATIONAL REVENUE—CANADA REVENUE AGENCY—OVERSEAS TAX EVASION

Hon. Claude Carignan (Deputy Leader of the Government) tabled the answer to Question No. 57 on the Order Paper by Senator Downe.

NATIONAL REVENUE—CANADA REVENUE AGENCY—STAFFING LEVELS

Hon. Claude Carignan (Deputy Leader of the Government) tabled the answer to Question No. 64 on the Order Paper by Senator Downe.

NATIONAL REVENUE—CANADA REVENUE AGENCY—INTERNATIONAL TAX PLANNING

Hon. Claude Carignan (Deputy Leader of the Government) tabled the answer to Question No. 65 on the Order Paper by Senator Downe.

NATIONAL REVENUE—CANADA REVENUE AGENCY—ADVERTISING BUDGET

Hon. Claude Carignan (Deputy Leader of the Government) tabled the answer to Question No. 66 on the Order Paper by Senator Downe.

ORDERS OF THE DAY

ROYAL CANADIAN MOUNTED POLICE ACT

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Lang, seconded by the Honourable Senator Smith (*Saurel*), for the second reading of Bill C-42, An Act to amend the Royal Canadian Mounted Police Act and to make related and consequential amendments to other Acts.

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, I call the question.

The Hon. the Speaker: It was moved by the Honourable Senator Lang, seconded by the Honourable Senator Smith (*Saurel*) that Bill C-42, An Act to amend the Royal Canadian Mounted Police Act and to make related and consequential amendments to other Acts, be read a second time.

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

(Motion agreed to and bill read a second time.)

REFERRED TO COMMITTEE

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

(On motion of Senator Lang, bill referred to the Standing Senate Committee on National Security and Defence.)

IMMIGRATION AND REFUGEE PROTECTION ACT

BILL TO AMEND—SECOND READING—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Eaton, seconded by the Honourable Senator Comeau, for the second reading of Bill C-43, An Act to amend the Immigration and Refugee Protection Act.

Hon. Larry W. Campbell: Honourable senators, I rise today to speak to Bill C-43.

To begin, we have received a bill from the other place that, while well-intentioned, reveals little thought about possible societal consequences. In the lead-up to this bill going to the other place and as a lead-up to this bill coming from the government, five cases were cited as examples of why this bill is necessary. I would like to briefly go over each of them.

There is no question that these cases are horrific in nature and that they demand a tough and decisive response from the government. However, if honourable senators listen to these cases, I believe they will come to the same conclusion I came to; namely, government agencies had the power and the capability of dealing with each of these cases but did not do so.

There are a number of reasons I wish to highlight. Clearly, in one case, they simply missed the fact that the person was in custody for three years. In another case, there was an adjudicator who clearly was not paying attention to what was going on. There was the case of a gentleman from Calgary who came to Canada as a young person. He was convicted of two counts of trafficking cocaine and was also convicted of assault with a weapon. It was alleged that he was a high-ranking member in a gang, although there were no convictions for this. At the end of the day, there was no concrete evidence supplied. I would suggest to honourable senators that two counts of trafficking in cocaine and a count of assault with a weapon should result in more than just a slap on the wrist. In fact, if someone is in this position within the criminal system, they should probably not be getting out and they should be having it reviewed.

• (1440)

A second case involves a gentleman who came from Eastern Europe. He had been convicted 100 times in 17 years and had a 30-month fraud conviction. Well, the act states now that if one has a conviction that is two years, one does not have a right to go to the appeal. Clearly, this case could have been dealt with and this gentleman could have been gone a long time ago.

Another gentleman was charged with possession for the purpose of trafficking, conviction for trafficking in a controlled substance, and obstructing a peace officer. This is another case where I believe we could have dealt with this issue while the person was in custody.

The last case is a gentleman who was convicted of knifing a woman and got 18 months in jail. He ended up going before the review commission, and the review commission said this person could stay in Canada. Two days later, he assaulted his wife seriously. Again, this person was in and out, in and out. I believe the present act gives one the ability to deal with this.

What is ignored is that there are currently 1.5 million-plus permanent residents in Canada who are realizing that entry to our country is a privilege and not a right. In fact, except for First Nations peoples, we are all immigrants, or of immigrant stock, who also started as permanent residents. All of us have little time or patience for those who abuse the privileges of this great country, and it would be foolish to suggest that there are not those who deserve to be deported for their crimes, either before or after serving a prison sentence.

I would like to review a few of the relevant issues contained in Bill C-43.

First, there are changes to the appeal division access. Currently, anyone sentenced to two years in jail can appeal to the Immigration Appeal Division. The change in this act is that anyone sentenced to six months will now be denied the ability to have an appeal.

While, as a former police officer, I am loath to delegate seriousness to offences, I would suggest to honourable senators that the following are probably not those offences that should make sure that one does not get an appeal on one's department: possession of marijuana under 30 grams or possession of hashish under 1 gram, first offence; public mischief; common assault; trespassing by night; and driving while disqualified. These are just a few of the offences that would be covered by this bill.

In speaking to government, I am asked to say, "Well, that won't happen; we are looking for the more dangerous offences." I accept that. However, anyone who fishes understands that there is such a thing as a bycatch, and that is the danger in these kinds of bills. This is a lazy bill. If I wanted this bill to reflect what I believe the government wanted, I would spell out those sections in the Criminal Code. I would point out for which sections if one is convicted of that one does not get an appeal. This bill just throws it out and says anything over six months, and the possibility of unintended consequences is very real.

More important, I would suggest to honourable senators that this will not deal with the instances of immigrants who turn out to be violent psychopaths, such as the five persons used as examples. For all these offences, the six months would now put immigrants at risk of being deported. It is possible that some immigrants with a sentence of less than six months deserve to be deported, and I do not have any issue with that. However, to get to that point, they must have the right of appeal. That simply is based in good law and in the Constitution.

For the person who committed an offence, was it a single conviction? Was it a youth, or was alcohol perhaps involved? Perhaps it was just stupidity. Is it part of an entrenched criminal lifestyle? How long has the individual been in Canada?

One of the biggest worries is that sentences across Canada are not consistent. In some provinces one will get six months for an offence, while that same offence in another province will carry two years. This is one of the difficulties with the lack of consistency.

Conditional sentences will now be included; previously they were not. A conditional sentence is one that is usually served in the community and not in jail. No conditional sentence can be given if the jail term for an offence is longer than two years, or if the Criminal Code lists the offence, or if the crime is violent.

Historically, conditional sentences are longer than an equivalent sentence for someone to be sentenced to jail. This recognizes the fact that conditional sentencing is an alternative to having someone in jail, and almost always conditional sentencing comes with riders and statements of what the person can and cannot do.

Conditional sentences are intended to reflect situations of less serious criminality and punishment. Basically, this goes back to the six months. These are offences that, for the most part, are not considered dangerous and are not considered on the high end of being dangerous.

A new one is foreign offences and convictions. This extends the denial of access to the IAD review to permanent residents convicted of foreign offences, regardless of the sentence imposed, or believed to have committed a foreign offence, even with no conviction. Bill C-43 purports to be aimed at foreign criminals committing serious crimes in Canada. If this is so, why does the bill then remove the IAD jurisdiction for permanent residents who have no inadmissibility for crimes committed in Canada? It does not seem to make any sense to me.

I would like to give honourable senators some examples of what could happen, and I am just using these as examples. Using a false or fraudulent document, under section 368 of the Criminal Code, carries a maximum potential penalty of 10 years. Let us say a 20-year-old permanent resident is convicted of using fake identification to get into a bar while visiting the U.S. It does not matter that the court in the United States only issued a \$200 fine. The Immigration and Refugee Protection Act does not require a threshold sentence, only a foreign conviction. One can see the difficulties that one could find oneself in here.

The offence of assault causing bodily harm, Criminal Code section 267(b), carries a potential penalty of 10 years' imprisonment. If the 20-year-old resident attending a British university is drunk in a bar and injures someone in a fight, the conviction triggers inadmissibility under the IRPA for a foreign conviction. Again, it does not matter that the court punishment in this case might simply be probation.

With regard to foreign offences without conviction, the IAD review is perhaps most important for removal orders based merely upon an officer's belief of the commission of a foreign

offence without conviction. This information could come in any number of ways. It could come through documentation from foreign governments, from a snitch or from the immigrant speaking to the officer. I believe this is especially where an IAD review should come in, because it is not based necessarily on absolute fact; it can be based on any number of sources of information. I think that a fulsome review is necessary to ensure that, in the absence of any record of court conviction, the evidence has been properly evaluated.

I always worry about retroactivity because it puts into play a dynamic that is not thought of at the time. If a judge was sentencing someone and that sentence would carry the possibility of the person being deported, there is a significant chance that they will keep the threshold lower than the two years or, in this case, the six years.

• (1450)

With the retroactivity, there is none of that discussion. If someone is convicted, it could have been three, four or five years ago, but we can now come back and go after them.

As for the obligation to attend a CSIS interview, I personally always believe that if CSIS invites an individual to come to talk to them, that person should go talk to them. In saying that, it is reasonable to expect security screening. If I am coming into the country, I would expect that CSIS might have an interest in me. It is reasonable for them to speak to me. It is reasonable for them to put questions to me. However, one has to remember that it does not carry an obligation to answer questions unrelated to one's own admissibility or the application. This is critical. I think most citizens found in this situation will not be thinking about admissibility or relationship when they are speaking to a CSIS officer. I would suggest that there is definitely a power position there, and so it is difficult for your average citizen to stand up to this kind of questioning. I think that this section will cause some Charter problems. Unless it is spelled out clearly, I really believe that we will have Charter problems.

The second to last one is the new authority for the minister to deny entry. This creates an unprecedented new authority for the minister to deny entry to Canada on public policy grounds, unlimited discretion to prevent the entry of individuals not otherwise inadmissible to Canada for three years at a time. In other words, on public policy grounds, someone can be kept from coming into Canada for up to three years.

I believe that the IRPA has sufficient mechanisms already in place. This invites arbitrary application and abuse. I am not necessarily calling this abuse, but I would like to refer to a case that honourable senators will probably remember.

A politician from Britain named George Galloway had particularly unsavory language and political views. He came here to speak and was refused entry. In reviewing the circumstances of the case, Justice Mosley of the Federal Court — I am starting to sound like Senator Baker here, but I will be brief — found that no formal decision had been made on admissibility but said the following about the government's argument that declaring Galloway inadmissible would be reasonable:

It is clear that the efforts to keep Mr. Galloway out of the country had more to do with antipathy to his political views

than with any real concern that he had engaged in terrorism or was a member of a terrorist organization. No consideration appears to have been given to the interests of those Canadians who wished to hear Mr. Galloway speak or the values of freedom of expression and association enshrined in the Canadian Charter of Rights and Freedoms.

I think that public policy grounds are particularly vague and undefined. I believe that, if we are to go this way, we should have the grounds explicitly outlined in the law and subject to public debate and parliamentary oversight.

Last but not least is the limiting of humanitarian and compassionate relief. Basically, at the end of the day, this says that humanitarianism and compassion do not enter into these decisions. It is so un-Canadian to take those two things out of the mix when considering deportation. It seems inappropriate to prevent humanitarian consideration from overcoming admissibility based on security grounds for espionage and terrorism or for organized criminality. In those situations, I suggest that this would be an instance to see if humanity and compassion come into it.

The reality is that there is a broad spectrum of seriousness involved in any of these cases. One size does not fit all. That is why I come back to it being a lazy bill. I do not disagree with many things being said here, but it is lazy. They did not take the time to spell it out. They did not take the time to give proper direction to those people who are responsible for immigration to Canada.

No one can argue that we all want a safe society. I do not think that there is any question about that. However, we also have to remember that Statistics Canada states that the rate of crime in Canada has been on a steady decline at the same level now as it was in 1972. We can argue about why that is, why those figures are there, but they are there. That being said, one has to question whether Bill C-43 is attempting to tackle a problem that is rare and can be dealt with under the current provisions. There is much for a committee to study on Bill C-43. I would urge honourable senators to take the time to gather all pertinent data before making a decision.

(On motion of Senator Tardif, for Senator Eggleton, debate adjourned.)

EMPLOYMENT INSURANCE ACT

BILL TO AMEND—THIRD READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Boisvenu, seconded by the Honourable Senator Braley, for the third reading of Bill C-316, An Act to amend the Employment Insurance Act (incarceration).

Hon. Catherine S. Callbeck: Honourable senators, this stands in the name of Senator Munson. I have discussed it with the senator, and he has agreed that I will speak today and that then it will be adjourned in his name.

I rise today, on third reading of Bill C-316, to join with many other senators who stand in opposition to this misguided piece of legislation. I know this bill has had healthy debate and opposition up to this point, but I felt compelled to join and add my concerns as well.

This private member's bill started out as the product of a member of Parliament listening to the concerns of a constituent. In this case, Mr. Harris, the sponsor of the bill, received information that one of his constituents, who had sadly been struck with cancer, was unable to receive her EI benefits because she had not worked enough in the qualifying period. As Mr. Harris stated during his testimony at the Standing Senate Committee on Social Affairs, Science and Technology, it was during his research on qualifications periods that he discovered that someone who had spent two years or less in prison would be eligible for EI benefits. As other senators have pointed out, it is confusing as to why, instead of focusing on legislation that would actually help his constituents and the many others who might not qualify for EI benefits when they have a serious illness, Mr. Harris chose to introduce this bill, a bill that effectively punishes individuals a second time for what are often very minor offences or crimes.

These people were in jail for a reason: They broke the law. They were forced to suffer the consequences, and rightly so. However, these individuals, for the most part, are not hardened criminals by any means. As the committee heard during testimony from witnesses from the Elizabeth Fry Society, 75 per cent of people serving two years or less were sentenced to less than three months. These are people in jail for failing to pay a fine or other petty crimes. They are not murderers. By stripping these people of the EI that they are rightfully entitled to, which they paid into while working, we are pushing them deeper into a cycle that often is very difficult to break. It is hard enough now for an individual with a record to find a job to get back on their feet. Why must we insist on kicking a man or a woman while they are down?

• (1500)

This bill is vindictive. It is not based on facts or reports. Mr. Harris admitted to that in the committee. He indicated that he had not done any consultations with stakeholders or the people who would be affected by this legislation. He just said he did not think it was fair.

Honourable senators, that is not how legislation should work. Legislation should be based on evidence and facts, not someone's opinion of what is fair or not. What do the facts actually say? What would Mr. Harris have heard if he had actually consulted with stakeholders? Well, here is some of the testimony the committee heard while it was studying the bill. From the Canadian Criminal Justice Association:

Employment Insurance in Canada is a contribution-based scheme, thus it stands to reason that should someone contribute to this fund they should have to derive a benefit from it when the need arises. Once individuals have been sentenced we do not agree that additional punishment in the form of limiting their ability to collect Employment Insurance after they have served a custodial sentence ought to be pursued.

Catherine Latimer, Executive Director of the John Howard Society of Canada, said:

In conclusion, we have concerns with Bill C-316. It would disentitle people to the benefit of an insurance scheme to which they and their employers contributed. It would create unfairness for claimants and significant administrative burdens. For those found guilty and sentenced in the criminal courts, it would amount to an additional *ex post facto* penalty to the criminal sentence that is dubious in law and could lead to disproportionate penalties. Efforts to avoid the loss of Employment Insurance benefits could lead to delays in a criminal justice system that is already in crisis. It would undermine public safety by jeopardizing employment prospects and denying insurance payments to a vulnerable group as they seek to successfully reintegrate into the community.

For these reasons, we urge that the committee oppose Bill C-316.

I also want to quote Kim Pate, Executive Director of the Canadian Association of Elizabeth Fry Societies. She said:

In sum, we think this is a measure that does not exemplify the proud Canadian tradition we have of supporting human rights and the principles of fairness, equality and justice. In fact, if our desire is to assist victims and prevent further victimization, then we would certainly support investment in those very national standards we have seen eviscerated in this country so that provinces and territories can implement the sorts of social services, health care and educational services that we know in fact increase the likelihood of equality, fairness and justice. We feel that going down this road will bring into further disrepute our international reputation in this regard, not to mention our national one.

Honourable senators, these are experts, and the experts have serious concerns with this piece of legislation. In fact, not a single witness who came before the committee supported the bill — not at the Senate committee, not at the House of Commons committee — not a single one.

We also cannot ignore why these people committed a crime in the first place, as Senator Eggleton brought up in his speech. He said:

The National Council on Welfare made it quite clear in their study called *The Dollars and Cents of Solving Poverty*. They said that 80 per cent of Canadian women who are incarcerated are there for poverty-related crimes, and 39 per cent of those crimes are failure to pay a fine.

Often these people had nothing. In other words, they have gone into the jail with nothing and that is the way they are going to come out. What will happen? They will continue to break the law in an attempt to survive. The revolving door will continue between prison and public. The cost to the taxpayer will continue to grow.

Honourable senators, this bill was created for the wrong reason and addresses the wrong problem. Clearly Mr. Harris has identified a legitimate issue. People who have not been able to

work enough to qualify for EI because of severe illness are a problem well worth addressing and something we should examine in more detail. This bill does not do that, however. It ignores the problem and instead preys on those who have already made a mistake and punishes them further.

Honourable senators, I do not support this approach to justice, and I will not support this bill.

(On motion of Senator Callbeck, for Senator Munson, debate adjourned.)

INTERPRETATION ACT

BILL TO AMEND—TWENTY-FIRST REPORT OF LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE ADOPTED

The Senate proceeded to consideration of the twenty-first report of the Standing Senate Committee on Legal and Constitutional Affairs, (Bill S-207, An Act to amend the Interpretation Act (non-derogation of aboriginal treaty rights), with an amendment) presented in the Senate on February 28, 2013.

Hon. Bob Runciman moved the adoption of the report.

He said: Honourable senators, there was a modest amendment to Bill S-207. To explain it, the committee did adopt the amendment and, thanks to the keen eye of Senator Joyal, it corrected an error in the French version of the bill. The bill's inclusion of the word "pas" in the French version effectively created a double negative within the sentence, the result of which is that "nul" and "pas" essentially cancel each other out. In other words, the error caused the French version of the bill to have the opposite meaning of what was intended. It would be like saying, in English, no enactment shall not be construed, which means effectively that every enactment shall be construed. The amendment removes this double negative.

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

Hon. Senators: Agreed.

The Hon. the Speaker pro tempore: When shall this bill as amended be read the third time?

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

• (1510)

UNIVERSITIES AND POST-SECONDARY INSTITUTIONS

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Cowan, calling the attention of the Senate to the many contributions of Canadian universities and other

post-secondary institutions, as well as research institutes, to Canadian innovation and research, and in particular, to those activities they undertake in partnership with the private and not-for-profit sectors, with financial support from domestic and international sources, for the benefit of Canadians and others the world over.

Hon. Yonah Martin: Honourable senators, I rise to speak to Senator James Cowan's inquiry which is standing in the name of Senator Dawson. With permission of honourable senators, I will continue.

During my allotted time, I will highlight four post-secondary institutions in my home province of British Columbia that are perfect examples of innovation and excellence: the University of British Columbia, UBC; Simon Fraser University, SFU; Trinity Western University, TWU; and Douglas College.

I will begin with my alma mater, UBC, the largest university in British Columbia, that has been a trail blazer and leader in the area of research and innovation.

[Translation]

UBC is a driving force in the B.C. economy, contributing an estimated \$10 billion in annual economic spinoffs.

[English]

Of all research and development in B.C., 25 per cent is carried out at UBC. This research has an annual economic impact of \$5 billion, or roughly 3 per cent of the provincial GDP. UBC attracts a startling 70 per cent of the sponsored research funding that comes to B.C. With respect to partnerships with industry, UBC undertakes 91 per cent of all university-based research funded by B.C. companies; and there are many examples of cutting edge research and innovation across many fields.

First, in technological advancements, UBC is working with Honeywell to test and advance sustainable technologies like those found in the Centre for Interactive Research on Sustainability. CIRS, one the most sustainable buildings in the world, provides opportunities for researchers to teach, test and study the long-term impact of sustainable practices and technologies.

[Translation]

UBC and Toyota are also working together to develop a new process for producing stronger, lighter and lower-cost aluminum wheels.

[English]

The partnership received funding from NSERC's Automotive Partnership Canada Program to refine the manufacturing process for water-cooled die casting, Toyota is also providing more than \$1 million in cash, personnel and equipment for the project.

Second, in innovative health research, on November 8, 2012, UBC and the Child & Family Research Institute announced that the Bill and Melinda Gates Foundation had awarded an additional \$17 million toward a project aimed at finding and treating women at risk of succumbing to pre-eclampsia. This is the often fatal onset of high blood pressure during pregnancy.

Although easily treated in hospital, pre-eclampsia is the second leading cause of maternal death, as women are not diagnosed or not treated at appropriate facilities.

Third, in transforming the bio-economy, UBC partnered with Nexterra Systems Corp, GE, SP Innovations and the City of Vancouver to develop the Bioenergy Research and Demonstration Facility. The BRDF is a biomass-fueled heat and power system that converts waste wood into heat and electricity. The BRDF generates enough clean electricity to power 1,500 homes and will supply up to 12 per cent of UBC's heat requirements, reducing campus greenhouse gas emissions by 9 per cent. The facility is the first commercial demonstration of a new application that combines Nexterra's gasification and syngas conditioning technologies with GE's Jenbacher engines. The opening of the BRDF in September 2012 made UBC the first Canadian university to produce clean heat and electricity from biofuel. These and other essential partnerships are one of the keys to UBC's success.

The second post-secondary institution I will discuss is Simon Fraser University:

[Translation]

Maclean's magazine ranked Simon Fraser University number one in the comprehensive category.

[English]

The campus sits atop Burnaby Mountain adjacent to an impressive green city called UniverCity. SFU is an institution that has inspired great innovation and research. First, in innovative health research in partnership with the Fraser Health Authority, Andy Hoffer will put his award-winning Lungpacer Diaphragm Pacing System, which promises to wean patients off costly mechanical ventilation sooner, to the test in pre-clinical trials with Fraser Health.

[Translation]

Stephen Robinovitch and Fabio Feldman, researchers at Fraser Health and graduates of Simon Fraser University, used video footage for the first time to analyze how and why the elderly fall, thereby paving the way for new research into preventing falls.

[English]

Second, in fuel cell innovation, thanks in part to the efforts of SFU researchers such as chemist Steven Holdcroft and Erik Kjeang, Canada is building an international reputation for fuel cell innovation. Dr. Holdcroft leads an Automotive Partnership Canada-funded network for low cost fuel cell innovation comprised of the university, government and industrial researchers. SFU is also leading a \$12-million project funded by APC and Ballard to improve the durability, reliability and cost-effectiveness of heavy duty bus fuel cells.

Third, in business innovation, the Jack Austin Centre for Asia Pacific Business Studies is in partnership with the Asia Pacific Foundation of Canada to carry out research, training and outreach on business issues that are relevant to Canada's interests in the Asia-Pacific region. It is closely aligned with the

new CIBC Centre for Corporate Governance & Risk Management, whose mandate is to identify and disseminate best practices for corporate governance and risk management.

[*Translation*]

These organizations and other research centres at the Beedie School of Business exist thanks to direct contributions from the business world to support research at Simon Fraser

[*English*]

Fourth, in international partnerships, SFU is one of the first Canadian universities to launch an India strategy, which includes several clean energy projects with India. SFU, the City of Surrey and India's Luminous Power Technologies are working to provide clean energy to Indian households while supporting sustainability initiatives in Surrey by advancing the microfluidic fuel cell technology of SFU mechatronics researcher Erik Kjeang. SFU is also building clean tech initiatives with other Indian partners.

The third institution is Trinity Western University. TWU, located in Langley, B.C., is well known for its Laurentian Leadership Centre internship program in Ottawa. It has made significant contributions in the following areas of innovation and research. First, in the area of biotechnology, TWU has focused on attracting a cluster of researchers within three specific areas of biotechnology: medical biotechnology, synthetic chemistry and plant chemical ecology.

[*Translation*]

Professors who have conducted research in these areas have developed a number of partnerships with researchers at other universities to serve the biotechnology industry.

• (1520)

[*English*]

Second, in the area of health and its determinants, TWU nursing faculty members are leaders in national and international research to advance the quality of life for people with chronic conditions and their caregivers in the context of primary care and end-of-life care.

[*Translation*]

Because of the diversity of the Canadian population, the health care provided to patients and their families must take into account a range of cultural and individual differences in values, beliefs and preferences.

[*English*]

Third, in the area of ecosystem health and dynamics, TWU possesses a rich land base for ecosystem studies, including both the Ecosystem Study Area in Langley, B.C., and the TWU Crow's Nest Ecological Research Area on Salt Spring Island. In addition, TWU is seeking to utilize its on-campus river ecosystem to research salmon habitat restoration in partnership with regional First Nations.

Areas of study in which TWU ecosystem researchers are increasingly forming collaborations, winning grants, publishing

[Senator Martin]

articles and involving students in research and publication include endangered species, community ecology and restoration, sustainable agriculture, environmental history and policy, and spatial dynamics.

Lastly, we have Douglas College.

[*Translation*]

Douglas College is one of British Columbia's largest public universities, with campuses in New Westminster, Coquitlam and Surrey. It offers innovative, forward-thinking programs in the following areas.

[*English*]

First, in demonstrating leadership, under the leadership of Douglas College, the colleges of British Columbia have recently entered into an agreement to establish the British Columbia Applied Research and Innovation Network. The specific objectives of the network are to foster a culture of applied research and innovation within B.C. colleges and fellow institutions; to promote applied research, innovation, continuous improvement and enhanced productivity in industries, businesses and community organizations; to build applied research capacity within B.C. colleges and fellow institutions; to encourage student research, innovation and community engagement; to share resources; to share best practices; and to encourage applied research collaborations among participants.

Second, in experiential learning, partnership with Envision Financial provides students with hands-on learning experiences leading to capacity building in not-for-profit organizations. Specifically, these projects involve Douglas College students working with NGOs to assist in research, public awareness and organizational development, among others. Current projects in the Tri-Cities area of Coquitlam, Port Coquitlam and Port Moody include working with a number of agencies on a community-wide poverty reduction initiative.

[*Translation*]

Students can gain practical experience that will enhance their formal, in-class studies.

[*English*]

Third is innovative and effective partnerships, including the following: a partnership with local greenhouse growers for biological remediation of pest infestations; a partnership with the municipality of Maple Ridge on the development of a sustainable business centre; a partnership with Metro Vancouver private-sector principals in the development and launch of a professional sales institute; and research partnerships with the Shanghai Administration Institute on public administration and NGO research and a partnership with Beijing Union University on urban development research.

[*Translation*]

Post-secondary institutions across Canada play an essential role in research and innovation and contribute billions of dollars to the Canadian economy.

[*English*]

With vision and leadership, our post-secondary institutions can segue to bringing private and not-for-profit sectors in partnerships that benefit us domestically and internationally.

To conclude, I would like to quote University of British Columbia president Stephen Toope who, unfortunately, will be leaving the university next year and will be sorely missed:

With sustained support, Canadian universities will continue to be laboratories of change and incubators of resilience-producing global citizens who are ready to thrive in a world where nothing stands still and the future belongs to those who imagine it, and build it, first.

Hon. Terry M. Mercer: Would Senator Martin take a question?

Senator Martin: Yes.

Senator Mercer: I was impressed by Senator Martin's description of research going on in a number of institutions in British Columbia, but I was a little surprised, as Senator Neufeld may have been, that the University of Northern British Columbia was not on her list. I know when I visited the University of Northern British Columbia in Prince George I was impressed by some of the research going on there, particularly in primary industries such as forestry and the innovative uses of wood in our society.

I do not know whether the honourable senator decided to skip northern British Columbia or she thought she did not have time to give us a lecture on that.

Senator Martin: May I have five more minutes?

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

Hon. Senators: Agreed.

Senator Martin: I remember that study, and I was able to sit in on a few sessions. I live in Vancouver and there are so many amazing institutions in B.C. I encourage my colleagues to speak about these institutions in their regions. As a Vancouverite I wanted to highlight Metro Vancouver, and therefore I sent requests only to certain institutions to invite their input.

I received four very good submissions, which I highlighted in my statement, but I definitely hope to hear about these other institutions, especially in northern B.C., from Senator Neufeld. As I said, I was focusing on Metro Vancouver, so, to my B.C. colleagues, I know there are many great institutions.

Senator Mercer: I look forward to Senator Neufeld's speech.

Senator Martin: As I do I, and to Senator Greene Raine's, the former chancellor.

Hon. JoAnne L. But: I, too, would like to speak to Senator Cowan's inquiry this afternoon and leave the inquiry adjourned in Senator Dawson's name.

Honourable senators, I rise today to speak about important research and innovation currently taking place in Manitoba universities. Research and innovation is the cornerstone of any advanced, resilient economy. In both certain and uncertain times, new technologies, methods and knowledge provide us with much-needed opportunities for economic growth and security. In our times, innovation is in demand more than ever.

Right now Canada and the world face individual and collective challenges that require bold action and new solutions. In almost every facet of life, at home, in our workplace, in government, we are faced with a common, if somewhat simple, problem: to do more with less. This is particularly true when it comes to agriculture. The challenges before the sector are considerable. By 2050 there will be 2 billion more people to feed globally. Think about this: It is the equivalent of adding two more Chinas to the world with almost no new arable land available and with increasing demands on our natural resources.

At the same time, we must balance the significant need for global food production with environmental and economic sustainability.

How will we accomplish this? It will take the accumulated efforts of many private and public organizations as well as considerable investment, and it will start with research.

Let me tell honourable senators about the agricultural research being conducted in Manitoba. We are fortunate to be at the centre of research and innovation in the agricultural sector. Manitoba is uniquely positioned to drive advancement in all sectors and throughout the value chain. Whether it relates to canola production, grain storage and transportation or the health of Lake Winnipeg, research being conducted by the University of Manitoba, Brandon University and the University of Winnipeg, along with Agriculture and Agri-Food Canada, is undoubtedly making a difference in Canada and abroad.

I want to highlight just a few of the important research initiatives under way at these institutions.

Let me start with the University of Manitoba, which has firmly established itself as an innovator and leader. In fact, a recent study named the university as the sixth most inventive in the country. Within its broad research mandate that includes world-leading work in the sciences and medicine, engineering and the humanities, the Faculty of Agriculture and Food Sciences is recognized as one of the top agricultural faculties in North America.

• (1530)

Within its flagship program "Developing Healthy Foods that Keep Canadians Healthy," the University of Manitoba is directing substantial resources in understanding how better

nutrition can be delivered to the Canadian population through Canadian grains.

The Richardson Centre for Functional Foods and Nutraceuticals is home to three Canada Research Chairs, as well as other university scientists and industry groups working to improve health through diets.

Dr. Peter Jones is investigating how components from prairie crops can improve health by consuming healthy oils like canola and by identifying plant sterols that lower blood cholesterol levels. Dr. Peter Eck is examining how specific nutrients interact with specific genes in individuals so that gene-specific dietary recommendations can be used to improve the quality and length of life of individuals. Dr. Trust Beta is translating research on cereal grain antioxidants, more commonly known as cancer-busting nutrients, into attractive cereal-based foods with enhanced nutrient profiles.

Through partnerships with the Natural Sciences and Engineering Research Council, or NSERC, and the Canadian Institutes of Health Research, the Manitoba Agri-Health Research Network and the Canadian Centre for Agri-Food Research in Health and Medicine have combined forces with the university to ensure that the benefits of these research findings relating to enhanced nutrient profiles are realized by consumers on a day-to-day basis.

In one such example, work on the healthy components of whole grains undertaken by the University of Manitoba led to an international partnership with Granotec, a leading cereal technology company in Latin America, to develop and commercialize healthy foods and food ingredients made from Canadian oats and wheat.

As a result of these broad research activities, a number of students and post-doctoral fellows are also being trained in agriculture, food and bio-life science, and nutrition.

Particularly noteworthy is the NSERC CREATE program in Food Advancement through Science and Training, a joint initiative between the Laval University and the University of Manitoba. The interconnectedness of this multidisciplinary program enables students to develop broad perspectives on food and nutritional science, allowing them to graduate with the skills needed to meet the pressing needs of the Canadian agri-food, natural health products and biopharmaceutical sectors.

As well, I am pleased to report that Dr. Annemieke Farenhorst, a soil scientist, is the prairie region's new NSERC Chair for Women in Science and Engineering. This appointment is not only a first for the University of Manitoba but also for an agricultural faculty in Canada. Dr. Farenhorst and her NSERC team are developing programs that promote greater study and career opportunities for women in science and engineering, with a particular focus on indigenous women.

[*Translation*]

In almost every industry, sustainable development has become synonymous with environmental responsibility and economic longevity.

[Senator Buth]

Agriculture is no different.

[*English*]

With the continued global increase in energy demand, the quest for renewable sources of energy from agricultural products has become an increasingly important research thrust at the University of Manitoba.

Research into biofuels was kick-started in 2005 with an NSERC-Husky Energy Biofuels Research Funding Partnership. The initial goal of this industry-academic partnership was to develop high-yield, disease-resistant winter wheat varieties that would increase yields to Western Canadian farmers, maximize efficiency in biofuel production and add value to the resulting by-product.

This work has since blossomed into a number of trans-disciplinary partnerships stretching across campus. The production of cellulose-derived biofuels, such as ethanol and hydrogen, by direct fermentation has become a primary research focus of the university. The goal of this research is to increase the value of agricultural wastes so they can be used as agricultural co-products in foods that Canada exports all over the world.

This initiative is being supported by Genome Canada and the Network Centre of Excellence, BioFuelNet Canada administered out of McGill University. Western Canadian leadership for this venture comes from the University of Manitoba.

The pursuit of sustainable agriculture at the U of M extends well beyond biofuels. The National Centre for Livestock and the Environment, or NCLE, is a University of Manitoba-based research community that engages in multidisciplinary, multi-agency research partnerships to develop agricultural techniques and products that are both environmentally and economically sustainable. NCLE research is based upon a "whole agricultural systems approach" that integrates advancements in livestock and crop production to find solutions, ultimately reducing waste and increasing on-farm efficiencies.

NCLE partnerships with government, industry and individuals have reduced the environmental footprint of livestock operations while strengthening the long-term economic competitiveness of animal agriculture in Canada.

The program is home to Canada Research Chair Dr. Mario Tenuta, an applied soil ecologist, whose work focuses on reducing greenhouse gas emissions produced from agricultural activities by understanding the influence of land, manure and crop management strategies.

In addition, Agriculture and Agri-Food Canada's Agricultural Greenhouse Gas Program supports a project aimed at developing best management practices to mitigate greenhouse gas production from extensive cow-calf production systems in Western Canada.

Also under NCLE, the Glenlea Long-Term Rotation Study continues. First established in 1992, this study looks at the interaction of crop rotation and crop inputs like fertilizer and herbicide. Crop rotation used in the study ranges from simple annual systems to more complex forage-based systems, including Western Canada's oldest organic cropping systems. The Glenlea

study is unique in that each replicate contains a one acre of restored prairie grass planting, which serves as a benchmark for continued soil and environmental measurements. This data has been crucial in understanding how various crop rotation techniques impact the environment and crop yields.

[Translation]

Manitobans believe it is very important to find the right balance between agricultural productivity and environmental responsibility, especially when our water is at stake.

[English]

The Watershed Systems Research Program, also based at the University of Manitoba, leads the charge in enhancing the quality of Manitoba watersheds and putting Lake Winnipeg on a cleaner path. Led by the senior chair, Dr. David Lobb, the program is developing new approaches to agricultural production systems to reduce negative impacts on surface water, retain and reuse runoff and nutrients, and enhance the management and use of surface water.

Across town at the University of Winnipeg, Dr. Darshani Kumaragamage is examining ways to minimize the phosphorus loss occurring during spring runoff and leaching. Her work, together with that of the Watershed Systems Research Program, will increase agricultural output while minimizing the downstream impacts of flooding and water contamination.

[Translation]

All the universities in Manitoba recognize the importance of talking to Canadians about how agriculture impacts the community and everyday life.

[English]

Meanwhile, at Brandon University, issues affecting agriculture and prairie life have long been on the research agenda. Established in 1989 as an academic research center and a leading source of information on issues affecting rural communities in Western Canada, Brandon University's Rural Development Institute focuses on issues and opportunities unique to rural, remote and Northern communities. Faculty members from the Department of Rural Development join with colleagues from other departments as well as universities across the country to undertake rural research and policy development.

• (1540)

Given the significant presence of Maple Leaf Foods in the city, Brandon University has made important research contributions in the areas of rural development, food processing and newcomer integration.

The institute's current research is designed to help business and stakeholders in Manitoba's food processing sector better understand job creation and employee retention in rurally located small- and medium-sized businesses.

Brandon faculty and students have also completed research on managing leafy spurge, an invasive species that displaces native plants. During the last few years, the university has developed

surveillance and management techniques, which can be employed by local municipalities.

The research interests of the Rural Development Institute extend well beyond these two examples and have led to partnerships with other universities in Canada and abroad. This includes collaborative research with the University of Guelph, Concordia University and Queen's University at Kingston, among others.

Agricultural research in Manitoba is not limited to universities. Agriculture and Agri-Food Canada has facilities and programs in Winnipeg and Brandon that complement and integrate with research at other institutions, including universities.

These two research centres lead programs in cereal germplasm, genomics and diseases. Research on human nutrition and functional foods is conducted at the Canadian Centre for Agri-Food Research in Health and Medicine, located at the St. Boniface Hospital. Other programs examine flax and pulse crop research, and grain and grain product storage studies.

The Brandon Research Centre has expertise in agronomic, soil, water, nutrients, manure, beef nutrition, agroforestry and barley breeding. The centre has one of the largest research centre-owned beef herds in Western Canada.

This federal government-supported research is focused on increasing the efficiency and sustainability of farming systems to improve productivity, reduce economic risk, minimize the negative environmental impact of their production practices, and maintain access to international markets.

By highlighting the diverse research occurring in agriculture, I wish to remind honourable senators of the real and lasting impact that agricultural innovation has on our day-to-day lives. Whether it is the price of food or the ability of farmers to grow it sustainably and efficiently, advancements in agriculture have a far-reaching, tangible impact on all Canadians. In this way, research and innovation in agriculture is about more than just farming; it is about improving the health and nutrition of Canadians by better understanding how we produce and consume food. It is about developing —

The Hon. the Speaker: I must advise the honourable senator that her 15 minutes has expired.

Senator Buth: May I have five more minutes?

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

Hon. Senators: Agreed.

Senator Buth: Thank you. It is about developing sustainable, yield-enhancing crop varieties and inputs that can be used here and in developing countries that need it. It is about creating global markets for Canadian farm families and real economic prosperity. It is about all the things that impact us and our communities on a day-to-day basis.

[Translation]

I have great faith in the direction the agriculture industry is taking in light of the scope of the research being done at

universities in Manitoba and at Agriculture and Agri-Food Canada.

[English]

Our government is very pleased to support research and innovation through several initiatives in Economic Action Plan 2013. For example, the government has increased funding for research through the federal granting councils, colleges and polytechnics, and Genome Canada.

The government is committed to the Canadian Foundation for Innovation, an initiative to support modernization of research infrastructure at Canadian colleges, universities and other not-for-profit research institutions across the country.

The government has also pledged significant funding, along with provincial and territorial governments, to Growing Forward 2, a policy framework for Canada's agricultural and agri-food sector. This initiative supports innovation, competitiveness and market development to promote greater effectiveness and efficiency.

Honourable senators, because of the initiatives and partnerships at Manitoba's universities and federal research centres, along with support from government programs, I am confident that Canadian agriculture will continue to innovate and thrive, and that Canada will be a key player in addressing global food security.

(On motion of Senator Tardif, for Senator Dawson, debate adjourned.)

[Translation]

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

MOTION TO AUTHORIZE COMMITTEE TO STUDY THE TEMPORARY FOREIGN WORKER PROGRAM— DEBATE ADJOURNED

Hon. Pierrette Ringuette, pursuant to notice of April 17, 2013, moved:

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to:

- Review the temporary foreign workers program and the possible abuse of the system through the hiring of foreign workers to replace qualified and available Canadian workers;
- Review the criteria and procedure to application assessment and approval;
- Review the criteria and procedure for compiling a labour market opinion;
- Review the criteria and procedure for assessing qualifications of foreign workers;

[Senator Buth]

- Review interdepartmental procedures and responsibilities regarding foreign workers in Canada;
- Provide recommendations to ensure that the program cannot be abused in any way that negatively affects Canadian workers; and

That the Committee submit its final report no later than April 30, 2014, and retain all powers necessary to publicize its findings until 180 days after the tabling of the final report.

She said: Honourable senators, I may be smiling, but it is not because I am particularly happy to move such a motion in the Senate.

It was, of course, a Liberal government that introduced this program to address the labour needs that could not be met by Canadian workers or new residents.

I support this program and its objective, but we cannot help but question the way it is being run.

In 2006, 140,000 temporary foreign workers were admitted under this program. In 2012, six years later, 340,000 foreign workers came to help 33,000 Canadian companies, even though the unemployment rate went from 6.3 per cent in 2006 to 7.6 per cent in 2012. That means that approximately 1.4 million Canadians are looking for work.

In 2006, an employer needed to advertise a position for a much longer period than in the program's more recent years. Now, the average is 14 days. In her 2009 report, the Auditor General, Ms. Fraser, identified serious flaws in the foreign workers program.

I would like to read from page 29 of Ms. Fraser's report:

Section 203(1) of the IRPR states, "On application... for a work permit made by a foreign national... an officer [of CIC] shall determine, on the basis of an opinion provided by the Department of Human Resources Development, if the job offer is genuine..."

"Genuine" is the operative word here.

"...and if the employment of the foreign national is likely to have a neutral or positive effect on the labour market in Canada." The labour market opinion issued by HRSDC through its Service Canada regional offices is consequently the key tool used by CIC officers to make that determination. CIC officers in missions abroad must also ensure that the applicant is qualified to perform the work and intends to leave Canada when the work permit expires.

I would like to continue with point 2.95 in Ms. Fraser's report:

- (1550)

The IRPR include six factors to be considered in assessing the likely impact that the proposed entry of a temporary foreign worker will have on the Canadian labour market. Among these factors are whether an employer who applies for an LMO can demonstrate that efforts were made

to recruit or train Canadian citizens or permanent residents before resorting to hiring a temporary foreign worker, that the wages offered are consistent with the prevailing regional wage for the occupation, and that the working conditions for the temporary foreign worker meet generally accepted Canadian standards. However, the Regulations are silent on the factors to be considered in assessing the genuineness of a job offer.

Honourable senators, different departments are certainly involved in the operation of the program. A little later in her report, Ms. Fraser notes that, at the time of her audit, the Department of Human Resources and Immigration Canada were passing responsibility onto each other.

The motion that I moved would allow the committee to determine whether silos exist and how to reduce this effect in order to protect the integrity of the program and ensure that more information is shared.

The purpose of the program is to fill labour shortages in Canada when Canadian workers are not available to do the job. It is important to note that this program is also meant to provide a temporary source of employees and that employers must also commit to actively look into what kind of training a Canadian worker needs.

It is also important to note that, in the beginning, employers had to apply for visas for temporary foreign workers and had to consult the professional association or union associated with the job in question. Today, employers are no longer under this obligation, nor are they required to pay the average local salary for the job in question. Now, an employer can pay a temporary foreign worker 15 per cent less.

Fortunately, we stated this very clearly yesterday in this chamber, and I will give the Leader of the Government in the Senate the benefit of the doubt. She was not informed of the fact that an employer could pay foreign workers 15 per cent less than the average local salary for the same position.

[English]

Senator Mercer: She should have known, though.

[Translation]

Senator Ringuette: Of course, I did my homework and I have the rules in writing in front of me. I can read you the rule in question. It says:

[English]

The wage being offered to the temporary foreign worker does not fall within an acceptable range, that is, the wage is more than 15 per cent below the median range for higher skilled occupations.

Then it says that if the wage offer is not more than 15 per cent below the median wage, that is acceptable for the department with regard to issuing a labour market evaluation.

There are two streams of application within that program. There is one stream for lower-skilled occupations, and that has

been highly regarded for people providing home care, child care and so forth.

There is a second stream called the “higher-skilled occupations.” HRSDC is responsible for reviewing the employer application to ensure that no Canadian worker is negatively affected by that application. HRSDC must determine the genuineness and assessment of the application, but, most importantly, it must fill a labour shortage.

All honourable senators have read in the last three weeks the issue with regard to RBC and iGATE. Six months ago, there were also extensive public reports with regard to the B.C. mining company hiring 200 Chinese workers through this program, although they had received 300 applications from Canadians to work at that job site. Nothing has been done with regard to the B.C. miners, nor has anything been done with regard to the 45 Canadian employees at iGATE.

One cannot bring to Canada a foreign worker to replace a Canadian worker. There are issues of the quality of the request, the authenticity of the request and the assessment of the request, and it seems that in both cases, we know publicly that that was not the case.

I suspect that in both known cases, HRSDC may have in their files applications that may not be up front with information or that not enough scrutiny of the application occurred.

That being said, accordingly, should the minister responsible for HRSDC not have the legitimate power to act to suspend the labour market opinion, since the correct information was not in the file? Maybe it could be an outright revocation of the opinion. Then, since the labour market opinion, suspension or revocation, the Minister of Citizenship and Immigration has the power under section 4 of the Immigration Act — section 30, section 32(d) and section 209 — to act upon the withdrawal or the suspension of a labour market opinion.

Honourable senators, this program is too important for its operation not to be reviewed — the processes, with all the departments involved — in as open and transparent a venue as the Senate can provide.

• (1600)

The outrage of Canadians with RBC and iGate risks Canadians removing their approval and support for the Temporary Foreign Worker Program, and that would not serve this country well.

Prompt and decisive actions with both the situation of the B.C. Chinese miners and iGate is the wrong signal to send to Canadian workers. The lack of action from this government in at least the two directly implicated departments is cause for concern. I think that most Canadian employers who use the program use it with good intentions. The intentions are good, because they adhere to the objective and the rule of the program.

I believe that iGate and, indirectly, RBC, have not respected the objectives and regulations of the program. It is not new to iGate, which was also fined in the U.S.A. in 2008 for discriminating against U.S. citizens. That should have been flagged in its file as an employer, because this situation is not new to iGate.

May I have five more minutes, please?

Hon. Senators: Agreed.

Senator Ringuette: This situation is not new to iGate. In fact, the President of iGate Canada says that they are used to encountering issues of employment and outsourcing in countries. I am sorry; that is not good enough in my book, and I think it is not good enough in the books of most Canadians, too. It is ruining the potential and the requirements that we do have for such a program.

[Translation]

Honourable senators, in order to remedy the untenable situation with regard to the foreign worker program, we must publicly do what is proposed in the motion by identifying the shortcomings and making recommendations to ensure that the program cannot be abused in any way that might harm Canadian workers or foreign workers.

I urge you to take immediate action. We must shed light on this necessary program and ensure its viability. Canadians will see that any shortcomings will be corrected by recommendations by a Senate committee.

Hon. Ghislain Maltais: Would it be possible to include worker mobility and training in the motion, as in the employment insurance reform bill? Worker mobility and specific training required by employers are the two major problems in Canada right now.

Senator Ringuette: The program requires Canadian employers to prove that they have made efforts to identify and train Canadian workers to fill these positions. This already exists, Senator Maltais.

When I went to Fort McMurray, I learned that to rent a room — not an apartment, a room — costs \$3,000. Tim Hortons, McDonald's and other such chains pay foreign workers \$11 an hour. A person cannot afford the luxury of living alone. Even with some type of mobility program, it is logistically and financially impossible. These foreign workers end up living in groups of 10 or 12 in 600 square feet of space.

As Canadians, we should be asking some very serious questions here. Is it humane for 10 or 12 people to be living in a 600-square-foot apartment, in 2013?

I believe this program is necessary; however, my research clearly shows — and this is public information — that it has some serious flaws and that changes are needed if we want to keep this program in the medium and long term.

Hon. Claude Carignan (Deputy Leader of the Government): Would the senator take one last question?

Senator Ringuette: If I am given more time, yes.

Senator Carignan: I could give you two minutes to answer the question. I was going to talk about the type of abuse, such as sending a letter to the Canadian embassy in China to get help from workers in the Chinese restaurants where the father of the new leader of the Liberal Party of Canada was going to eat. Is that the kind of abuse the senator was referring to?

However, since the time has expired, I would ask that the debate be adjourned in my name for the remainder of my time.

(On motion of Senator Carignan, debate adjourned.)

ADJOURNMENT

MOTION ADOPTED

Leave having been given to revert to Government Notices of Motions:

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, with leave of the Senate and notwithstanding rule 5-5(g), I move:

That when the Senate adjourns today, it do stand adjourned until Tuesday, April 23, 2013, at 2 p.m.

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

Hon. Senators: Agreed.

(Motion agreed to.)

(The Senate adjourned until Tuesday, April 23, 2013, at 2 p.m.)

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