



DEBATES OF THE SENATE

2nd SESSION • 41st PARLIAMENT • VOLUME 149 • NUMBER 103

OFFICIAL REPORT
(HANSARD)

Thursday, December 4, 2014

The Honourable PIERRE CLAUDE NOLIN
Speaker

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

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Publications Centre: David Reeves, National Press Building, Room 926, Tel. 613-947-0609

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

THE SENATE

Thursday, December 4, 2014

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

Prayers.

L'ÉCOLE POLYTECHNIQUE DE MONTRÉAL

COMMEMORATION OF TRAGEDY—SILENT TRIBUTE

The Hon. the Speaker: Honourable senators, before we proceed, I would ask senators to rise and observe one minute of silence in memory of the victims of the tragedy which occurred at l'École Polytechnique de Montréal 25 years ago on December 6.

Honourable senators then stood in silent tribute.

[Translation]

SENATORS' STATEMENTS

L'ÉCOLE POLYTECHNIQUE DE MONTRÉAL

TWENTY-FIFTH ANNIVERSARY OF TRAGEDY

Hon. Céline Hervieux-Payette: Honourable senators, as the twenty-fifth anniversary of the massacre that occurred on December 6, 1989, at the École Polytechnique approaches, I would like to speak in this chamber on behalf of the twenty-fifth Anniversary Commemoration Committee for the tragedy of December 6, 1989. This committee wrote something that we can all agree with.

It said, and I quote:

[We] join our voices to the many organizations and citizens united in the belief that our duty to remember must also lead to concrete actions to . . .

. . . strengthen the fight to end violence against women, and ensure that all women can exercise their right to live in safety in a peaceful society. In Quebec, women make up 80% of victims of domestic crimes, 96% of sexual assault victims, and 93% of domestic homicide victims.

It is important to note that this statement was written by a committee in Quebec.

Second, the committee indicated that we must:

. . . counter inequalities between women and men, by opposing discrimination against women as well as their marginalization and exclusion in matters of education, the workplace, economic security and health.

Third, we must:

. . . continue the struggle for better gun control, given the abolition of the long-gun registry and the further weakening of controls by the current federal government at the behest of the gun lobby. . . . Legislation restricting access to and ownership of firearms, and limiting the types of weapons available to the public, is essential to minimize gun-related deaths and injuries.

Of course, all of this is in memory of Geneviève Bergeron, Nathalie Croteau, Hélène Colgan, Barbara Daigneault, Anne-Marie Edward, Maud Haviernick, Barbara Klucznik, Maryse Laganière, Maryse Leclair, Anne-Marie Lemay, Sonia Pelletier, Michèle Richard, Annie St-Arneault and Annie Turcotte.

I would like to add that my mother passed away a few days after these young women were killed, so it is a very difficult anniversary for me.

[English]

CORPORAL KYLE BUTTON

Hon. Fabian Manning: Honourable senators, I'd like to take this opportunity to recognize a special young soldier, Corporal Kyle Button, from Newfoundland and Labrador, who was on duty at the National War Memorial on that tragic day in October.

Kyle was born and raised in Seal Cove. He graduated from Queen Elizabeth Regional High School in Conception Bay South in 2006 and immediately joined the army. He has served two tours in Afghanistan and is currently stationed at CFB Gagetown. His hope is that one day he will be posted to Ottawa; a city he loves.

I want to speak in this place today to share with you the full extent of Kyle's heroism, bravery and compassion during the line of duty on Wednesday, October 22.

Corporal Button was on duty in front of the Tomb of the Unknown Soldier. He was standing close by when the shooting started. He saw the gunman but initially didn't recognize any threat until he witnessed Zehaf-Bibeau raise a gun and shoot Corporal Cirillo twice. This was followed by more gunshots, forcing Corporal Button to take cover, but only briefly. He raced to his wounded friend, as we all witnessed on our televisions, and, with the aid of civilian bystanders, commenced to do all he could in an attempt to save Corporal Cirillo's life and selflessly did not stop until the paramedics arrived.

Corporal Kyle Button lost a comrade that Wednesday morning while proudly fulfilling his duties at the National War Memorial — an extremely honourable and distinguished duty for a Canadian Forces member to be chosen for.

Being the dedicated soldier that he is, he resumed his duties following October 22, standing guard at the National War Memorial despite the tragedy of that morning. Before returning to his base at CFB Gagetown, Corporal Button completed his posting, undoubtedly with the constant reminder of the devastating, painful and tragic loss of his friend and comrade on that dreadful morning.

The events of October 22, 2014, will never leave him, just as the rest of us will never forget. He can be proud of his bravery and the actions that he took to come to the aid of his fellow soldier. He did the utmost of what he was trained to do as a soldier when faced with the gravest of circumstances while in the line of duty.

I had the privilege and honour to spend some time with Kyle following that fateful day in October. During a tour of this Parliament building, we discussed the events of that day and the vitally important role that our Canadian Armed Forces play in keeping our country safe and free. We also had the very fortunate opportunity to meet, talk with and have a photo taken with House of Commons Sergeant-at-Arms Kevin Vickers.

Kyle is a quietly humble and soft-spoken young man, but his dedication to his friend and comrade on that terrible day speaks loudly of his valour, bravery, commitment, compassion and professionalism. In telling his story today in the Senate Chamber, it is my hope that he will receive the formal recognition and acknowledgment he is so extremely deserving of.

When I think about Corporal Kyle Button, I am reminded of the words of Abraham Lincoln:

I like to see a man proud of the place in which he lives. I like to see a man live so that his place will be proud of him.

Indeed, we are, Corporal Button. Indeed we are proud of you today.

Kyle, I want to take this opportunity to express my profound gratitude and to tell you that your family, your friends, your fellow soldiers, your hometown, your province of Newfoundland and Labrador, and indeed your great country of Canada, are extremely proud of you and what you have done.

Thank you, Corporal Kyle Button.

Hon. Senators: Hear, hear!

NATIONAL DAY OF REMEMBRANCE AND ACTION ON VIOLENCE AGAINST WOMEN

Hon. Mobina S.B. Jaffer: Honourable senators, every December 6, Canadians are called upon to commemorate the 14 young women who were murdered at the École Polytechnique in Montreal. These female students were killed simply for being women. There was no other reason. They were women.

Canada's National Day of Remembrance and Action on Violence Against Women is an opportunity to remember those

women who died senseless deaths and also to consider the current state of violence against women in our country.

[Translation]

Twenty-five years have passed since the massacre at the École Polytechnique in Montreal. Nevertheless, Canadian women continue to be disproportionately affected by violence. Twenty-five years later, we still have to fight for the basic safety of women.

[English]

Honourable senators, this year, in commemorating the twenty-fifth anniversary of the shootings, the YWCA's Rose Campaign is more important than ever. This campaign raises awareness about violence against women in our country and encourages Canadians to change the course of this violence by lobbying lawmakers, but also by changing the way we understand and deal with violence against women as a society.

The social media hashtag for this year's campaign and the main message is: It is #NOTokay.

Honourable senators, it is not okay that we live in a society where we teach girls how not to be raped, but we do not teach boys not to rape. It is not okay that violence in the media and pop culture is disproportionately targeted at women. It is not okay that out of every thousand sexual assaults in Canada, only six are prosecuted and three lead to convictions. It is not okay that every six days a woman is killed by a spouse or a boyfriend. It is not okay that more than 800 Aboriginal women in Canada are missing or murdered and we still have not held a national inquiry. This is shameful.

When instead of numbers we hear of sisters, mothers and best friends missing and murdered by the hundreds, it is not hard to agree that our society is failing our women and girls. The Rose Campaign brings together victimized women and girls in the hopes that others will listen to their stories. One such girl, a girl who has not even finished high school, asks her young peers to take violence against women seriously and not to be desensitized by how they see this violence in the media. She, herself, is a victim of sexual assault, and this was not by a stranger in a dark alley at night, but by a close family member in her own home. She made herself believe that it was not a big deal and that nobody was really to blame.

The problem, honourable senators, is that most women feel this way. That is why 460,000 women are victims of sexual assaults every year and only 10 per cent are reported to the police.

Honourable senators, this December 6, let us honour the women who have died senseless deaths; the women who continue to live in fear of violence; and the women and men who are working to change this unacceptable reality in our country.

Women are killed just because they are women. This has to stop.

[Senator Manning]

MEDICAL AID FOR EBOLA OUTBREAK

Hon. Don Meredith: Honourable senators, I rise today to update you on what our Canadian government is doing in the fight against Ebola. During the G20 Leaders Summit held in Brisbane, Australia, on November 15 and 16, Prime Minister Stephen Harper made the following joint statement on the Ebola breakout in West Africa:

We are deeply concerned about the Ebola outbreak in Guinea, Liberia and Sierra Leone and saddened by the suffering and loss of life it is inflicting. We are mindful of the serious humanitarian, social and economic impacts on those countries, and of the potential for these impacts to spread.

Honourable senators, I'd like to report excellent news. Canada continues to be a world leader in the fight against Ebola in West Africa, with new resources being dedicated to support health, humanitarian and security interventions. I am pleased with the recent announcement by Minister Rona Ambrose of \$20.9 million in additional funding to combat this deadly disease, which has cost over 6,000 lives since the initial outbreak earlier this year. This brings Canada's total commitment to \$113 million, along with other in-kind support and donations of the Canadian Ebola vaccine.

• (1350)

Health Minister Rona Ambrose stated:

Canada is a world leader in the global efforts to fight against Ebola in West Africa. Canada is committed to encouraging and supporting the Canadian healthcare workers who courageously put their lives on the line to save others. We are honoured to work with the Canadian Red Cross to help even more healthcare workers to join the fight against Ebola.

Honourable senators, this demonstrates that Canada cares and we will do all we can to help the people in these African countries. Workers would do an eight-week tour, with one week of training, four weeks on the job and three weeks of recovery.

On Monday I had a briefing from Dr. Gregory Taylor, Chief Public Health Officer, and Ministry of Health senior staffers. He assured me that Canada is at the forefront of the Ebola response, with Canadians on the ground doing an excellent job. He speaks regularly with provincial counterparts, and Canada is ready should it reach our borders. I will continue to seek further updates from other departments, as this is near to my heart.

Honourable senators, we want to ensure that the disease is not spread to Canada and we have to do all we can to stop it in the country of origin. Our Canadian personnel are putting their lives at risk to save other lives. As Canadian senators, we ought to thank them for their service and dedication to this country.

There is much more work to be done, and we can all work together to make sure that, as we celebrate with our families at Christmas, we will remember those who have lost loved ones to this deadly disease. They, too, need our support. I encourage you

to engage those you know who work in the medical field who would be willing to make such a sacrifice to prevent further loss of lives, especially of our children and our seniors.

[Translation]

LES ÉTATS GÉNÉRAUX DE LA FRANCOPHONIE MANITOBAINE 2015

Hon. Maria Chaput: Honourable senators, on Saturday, November 29, 2014, I attended the launch of the États généraux de la francophonie manitobaine 2015 in Saint-Boniface, Manitoba. The États généraux are a consultation by, for and with Manitoba francophones to plan the future of life in French in Manitoba. The consultation will involve several months of meetings with francophones and stakeholders in the francophonie who recognize the importance of French in their personal and professional lives.

One purpose of the consultation is to assess the state of Manitoba's francophonie, draw up a list of its priorities and uncover its real concerns. Over 200 Manitobans accepted the Société franco-manitobaine's invitation and were there on November 29 for the launch of the États généraux de la francophonie.

Manitoba's francophonie and its friends are reflecting on their future as individuals and as a group. I thank those who initiated this process. Like them, I know that this reflection and these decisions are important. This is a critical time. We must act.

[English]

ROUTINE PROCEEDINGS

COPYRIGHT ACT TRADE-MARKS ACT

BILL TO AMEND—SEVENTH REPORT OF BANKING,
TRADE AND COMMERCE COMMITTEE
PRESENTED

Hon. Irving Gerstein, Chair of the Standing Senate Committee on Banking, Trade and Commerce, presented the following report:

Thursday, December 4, 2014

The Standing Senate Committee on Banking, Trade and Commerce has the honour to present its

SEVENTH REPORT

Your committee, to which was referred Bill C-8, An Act to amend the Copyright Act and the Trade-marks Act and to make consequential amendments to other Acts, has, in obedience to the order of reference of November 19, 2014, examined the said bill and now reports the same without amendment.

Your committee has also made certain observations, [Translation]
which are appended to this report.

Respectfully submitted,

IRVING GERSTEIN
Chair

(For text of observations, see today's Journals of the Senate, p. 1413.)

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

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

CORRECTIONS AND CONDITIONAL RELEASE ACT

BILL TO AMEND—TWENTIETH 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, December 4, 2014

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

TWENTIETH REPORT

Your committee, to which was referred Bill C-483, An Act to amend the Corrections and Conditional Release Act (escorted temporary absence), has, in obedience to the order of reference of Thursday, June 19, 2014, examined the said bill and now reports the same without amendment.

Your committee has also made certain observations, which are appended to this report.

Respectfully submitted,

BOB RUNCIMAN
Chair

(For text of observations, see today's Journals of the Senate, p. 1414.)

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

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

[Senator Gerstein]

ECONOMIC ACTION PLAN 2014 BILL, NO. 2

FOURTEENTH REPORT OF NATIONAL FINANCE
COMMITTEE ON SUBJECT MATTER TABLED

Hon. Joseph A. Day: Honourable senators, I have the honour to table, in both official languages, the fourteenth report of the Standing Senate Committee on National Finance, which deals with the subject matter of those elements contained in Parts 1, 2 and 3 and Divisions 1, 8, 13, 14, 19, 23, 25, 30 and 31 of Part 4 of Bill C-43, A second Act to implement certain provisions of the budget tabled in Parliament on February 11, 2014 and other measures.

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

[English]

THE SENATE

STATUTES REPEAL ACT—NOTICE OF MOTION TO
RESOLVE THAT THE ACT AND THE PROVISIONS
OF OTHER ACTS NOT BE REPEALED

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, pursuant to section 3 of the Statutes Repeal Act, S.C. 2008, c. 20, the Senate resolve that the Act and the provisions of the other Acts listed below, which have not come into force in the period since their adoption, not be repealed:

1. *Canada Grain Act*, R.S., c. G-10:
-paragraphs (d) and (e) of the definition "elevator" in section 2 and subsections 55(2) and (3);
2. *Parliamentary Employment and Staff Relations Act*, R.S., c. 33 (2nd Supp):
-Parts II and III;
3. *Contraventions Act*, S.C. 1992, c. 47:
-paragraph 8(1)(d), sections 9, 10 and 12 to 16, subsections 17(1) to (3), sections 18 and 19, subsection 21(1) and sections 22, 23, 25, 26, 28 to 38, 40, 41, 44 to 47, 50 to 53, 56, 57, 60 to 62, 84 (in respect of the following provisions of the schedule: sections 1, 2.1, 2.2, 3, 4, 5, 7, 7.1, 9 to 12, 14 and 16) and 85;
4. *Agreement on Internal Trade Implementation Act*, S.C. 1996, c. 17:
-sections 17 and 18;

5. *Canada Marine Act*, S.C. 1998, c. 10:
-section 140;
6. *An Act to amend the Canada Grain Act and the Agriculture and Agri-Food Administrative Monetary Penalties Act and to repeal the Grain Futures Act*, S.C. 1998, c. 22:
-subsection 1(3) and sections 5, 9, 13 to 15, 18 to 23 and 26 to 28;
7. *Comprehensive Nuclear Test-Ban Treaty Implementation Act*, S.C. 1998, c. 32;
8. *Preclearance Act*, S.C. 1999, c. 20:
-section 37;
9. *Public Sector Pension Investment Board Act*, S.C. 1999, c. 34:
-sections 155, 157, 158 and 160, subsections 161(1) and (4) and section 168;
10. *Modernization of Benefits and Obligations Act*, S.C. 2000, c. 12:
-sections 89 and 90, subsections 107(1) and (3) and section 109;
11. *Marine Liability Act*, S.C. 2001, c. 6:
-section 45;
12. *Yukon Act*, S.C. 2002, c. 7:
-sections 70 to 75 and 77, subsection 117(2) and sections 167, 168, 210, 211, 221, 227, 233 and 283;
13. *An Act to amend the Criminal Code (firearms) and the Firearms Act*, S.C. 2003, c. 8:
-section 23;
14. *An Act to amend the Canadian Forces Superannuation Act and to make consequential amendments to other Acts*, S.C. 2003, c. 26:
-sections 4 and 5, subsection 13(3), section 21, subsections 26(1) to (3) and sections 30, 32, 34, 36 (with respect to section 81 of the *Canadian Forces Superannuation Act*), 42 and 43;
15. *Assisted Human Reproduction Act*, S.C. 2004, c. 2:
-sections 12 and 45 to 58;
16. *Public Safety Act*, 2002, S.C. 2004, c. 15:
-sections 40, 78, 105 and 106; and

17. *Amendments and Corrections Act*, 2003, S.C. 2004, c. 16:

-sections 10 to 17 and 25 to 27.

• (1400)

[Translation]

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw to your attention the presence in the gallery of the wife of the Honourable Claude Carignan, Leader of the Government in the Senate.

Ms. Carignan, on behalf of all honourable senators, welcome to the Senate of Canada.

Hon. Senators: Hear! Hear!

[English]

APPROPRIATION BILL NO. 4, 2014-15

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-45, An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2015.

(Bill read first time.)

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

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

CANADA PENSION PLAN OLD AGE SECURITY ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-591, An Act to amend the Canada Pension Plan and the Old Age Security Act (pension and benefits).

(Bill read first time.)

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

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

MAIN POINT OF CONTACT WITH THE GOVERNMENT OF CANADA IN CASE OF DEATH BILL

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-247, An

Act to provide that the Department of Employment and Social Development is the main point of contact with the Government of Canada in respect of the death of a Canadian citizen or resident.

• (1410)

[*English*]

(Bill read first time.)

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

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

COMMONWEALTH PARLIAMENTARY ASSOCIATION

WESTMINSTER SEMINAR ON PARLIAMENTARY
PRACTICE AND PROCEDURE, JUNE 16-20, 2014—
REPORT TABLED

Hon. David P. Smith: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Commonwealth Parliamentary Association to the Sixty-third Westminster Seminar on Parliamentary Practice and Procedure, held in London, United Kingdom, from June 16 to 20, 2014.

INTERNATIONAL PARLIAMENTARY CONFERENCE
GROWTH FOR DEVELOPMENT,
NOVEMBER 18-20, 2014—REPORT TABLED

Hon. David P. Smith: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Commonwealth Parliamentary Association to the International Parliamentary Conference Growth for Development, held in London, United Kingdom, from November 18 to 20, 2014.

[*Translation*]

NATIONAL SECURITY AND DEFENCE

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO
EXTEND DATE OF FINAL REPORT ON STUDY OF
SERVICES AND BENEFITS FOR MEMBERS AND
VETERANS OF ARMED FORCES AND CURRENT AND
FORMER MEMBERS OF THE RCMP, COMMEMORATIVE
ACTIVITIES AND CHARTER

Hon. Joseph A. Day: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, notwithstanding the order of the Senate adopted on Tuesday, November 19, 2013, the date for the final report of the Standing Senate Committee on National Security and Defence in relation to its study on the services and benefits provided to members of the Canadian Forces; to veterans who have served honourably in Her Majesty's Canadian Armed Forces in the past; to members and former members of the Royal Canadian Mounted Police and its antecedents; and all of their families, be extended from December 19, 2014 to December 31, 2015.

ABORIGINAL PEOPLES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO
EXTEND DATE OF FINAL REPORT ON STUDY OF
FEDERAL GOVERNMENT'S RESPONSIBILITIES
TO FIRST NATIONS, INUIT AND
METIS PEOPLES

Hon. Dennis Glen Patterson: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That notwithstanding the order of the Senate adopted on Thursday, November 21, 2013, the date for the final report of the Standing Senate Committee on Aboriginal Peoples on the federal government's constitutional, treaty, political and legal responsibilities to First Nations, Inuit and Métis peoples be extended from December 31, 2014 to September 30, 2015.

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO
EXTEND DATE OF FINAL REPORT ON STUDY OF
PRESCRIPTION PHARMACEUTICALS

Hon. Kelvin Kenneth Ogilvie: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That notwithstanding the Order of the Senate adopted on Tuesday, November 19, 2013, the date for the final report of the Standing Senate Committee on Social Affairs, Science and Technology on prescription pharmaceuticals in Canada, be extended from December 30, 2014 to April 30, 2015 and that the date until which the committee retains powers to allow it to publicize its findings be extended from March 31, 2015 to July 31, 2015.

[*Translation*]

HUMAN RIGHTS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO
EXTEND DATE OF FINAL REPORT ON STUDY OF
INTERNATIONAL MECHANISMS TOWARD
IMPROVING COOPERATION IN THE
SETTLEMENT OF CROSS-BORDER
FAMILY DISPUTES

Hon. Mobina S.B. Jaffer: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That, notwithstanding the order of the Senate adopted on Thursday, February 27, 2014, the date for the final report of the Standing Senate Committee on Human Rights

in relation to its examination of international mechanisms toward improving cooperation in the settlement of cross-border family disputes, including Canada's actions to encourage universal adherence to and compliance with the Hague Abductions Convention, and to strengthen cooperation with non-Hague State Parties with the purpose of upholding children's best interests be extended from December 31, 2014 to March 31, 2015.

[English]

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO EXTEND DATE OF FINAL REPORT ON STUDY
OF HOW THE MANDATES AND PRACTICES OF
THE UNHCR AND UNICEF HAVE EVOLVED
TO MEET THE NEEDS OF DISPLACED
CHILDREN IN MODERN CONFLICT
SITUATIONS

Hon. Mobina S. B. Jaffer: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, notwithstanding the order of the Senate adopted on Tuesday, May 6, 2014, the date for the final report of the Standing Senate Committee on Human Rights in relation to its examination of how the mandates and practices of the UNHCR and UNICEF have evolved to meet the needs of displaced children in modern conflict situations, with particular attention to the current crisis in Syria, be extended from December 31, 2014 to June 30, 2015.

[Translation]

QUESTION PERIOD

FINANCE

TAXATION—CREDIT UNIONS

Hon. Maria Chaput: Honourable senators, my question is for the Leader of the Government in the Senate and concerns credit unions in Canada.

Leader, we learned that caisses populaires and credit unions in Canada are campaigning to have the federal government give them back their tax credit. This tax credit was abolished in 2013 through a measure included — not to say hidden — in clause 15 of omnibus Bill C-60, which penalized credit unions that are cooperatives and not banks.

According to Gary Rogers, Vice-President of Financial Policy at the Credit Union Central of Canada, this was the first time in his 28 years of service that there had been such a stark disagreement between the federal government and the credit unions. He added that the government had refused to engage in any discussion or consultation in its decision-making process.

Leader, credit unions are cooperatives and not banks. Their role is different, especially in smaller communities. You could say that they are small- or medium-sized businesses. However, in

2013, they were taxed in the same way as banks under Bill C-60. That is why now, in 2014, they have to lobby the federal government in order to correct the situation.

With the realization that this measure, as enacted, is detrimental to credit unions and caisses populaires and also to the economic development of communities, is your government planning to correct the situation in its next budget and tax credit unions fairly, as was the case in the past?

Hon. Claude Carignan (Leader of the Government): Thank you, senator, for your question. As you can imagine, tax measures will be announced in future budgets and not several months in advance, in this chamber, by the Leader of the Government in the Senate.

With regard to tax measures, as you know, all our tax measures are part of economic action plans, which aim to ensure tax fairness, create jobs and stimulate the economy. We will continue to work towards these objectives.

Senator Chaput: Leader, does your government intend to listen to the credit unions and caisses populaires and reverse its decision?

Senator Carignan: As you surely know and have seen, this government always listens to Canadians and ensures that its tax measures are fair and that they stimulate the economy and create jobs. That is what we will continue to do in the coming months.

Senator Chaput: Would your government be willing to meet with representatives from credit unions and caisses populaires to discuss this situation?

Senator Carignan: As you know, this government and all Conservative senators and members of Parliament are always available to meet with people, be they representatives from organizations or businesses or individuals who live in their community.

Senator Chaput: If I understand correctly then, leader, if your government receives a formal request for a meeting from credit unions and caisses populaires, are you telling me that it would be willing to meet with them in the relatively near future?

Senator Carignan: It is important to remember that it is not up to me to arrange meetings with a specific minister. Like any Canadian, Canadian organizations, businesses and individuals can submit requests to meet with their member of Parliament or their senator.

I assume you also receive these kinds of requests for meetings. I regularly receive such requests, practically every week, from student associations, businesses and people who want to raise awareness about certain problems, and we are always open to listening to what Canadians have to say.

PUBLIC SAFETY

GUN CONTROL

Hon. Céline Hervieux-Payette: Honourable senators, my question is for the Leader of the Government in the Senate. In two days, we will commemorate the twenty-fifth anniversary of

the École Polytechnique massacre in Montreal. As I said earlier, it has been 25 years since 14 young women were killed by a weapon, the Ruger Mini-14, which is known as the “poor man’s assault rifle.”

This semi-automatic rifle is still considered a non-restricted weapon in Canada. Anders Breivik used the same kind of gun to kill 69 young people in Norway.

Mr. Leader, the Ruger Mini-14 should not be used for hunting animals or humans. Is your government prepared to change the classification of the Ruger Mini-14 to make it a restricted weapon?

Hon. Claude Carignan (Leader of the Government): Senator, as you pointed out, this week we are taking time to remember the crimes committed at the École Polytechnique 25 years ago. As you said, on December 6, 1989, 14 young women lost their lives in a senseless act of violence.

• (1420)

We will continue to work on eliminating violence against women and making our communities safer for all Canadians. We will continue to support victims and punish criminals. We encourage you to support our measures to eliminate violence against women.

Senator Hervieux-Payette: I have a supplementary question. Mr. Leader, neither the Constitution Act, 1867, nor the Canadian Charter of Rights and Freedoms gives Canadians the right to possess or use firearms, contrary to what people claim in the United States. The Supreme Court of Canada has, on a number of occasions, rejected the argument that the Charter indirectly recognizes the right to own firearms. In 2005, the Supreme Court ruled that possessing and using firearms was not a right or freedom guaranteed under the Charter, but a privilege.

Could your government officially acknowledge today, in light of the issues at hand here, that possessing and using firearms in Canada is not a right, but a privilege?

Senator Carignan: Senator, as you know, it is illegal to sell a firearm to someone who does not have a licence. It is the seller’s responsibility to ensure that a firearms licence is valid. Anyone who sells a firearm illegally, and that includes selling to a buyer without a licence, is liable to a mandatory prison term of three years for a first offence and five years for subsequent offences. If memory serves, you voted against those minimum sentences.

I therefore urge you to join us on the side of victims and in taking action to protect Canadians.

Some Hon. Senators: Hear, hear!

Senator Hervieux-Payette: Although I generally sit on other committees, I served on the committee that examined the legislation amending provisions on the use and possession of firearms. In this legislation, you eliminated the requirements related to verifying the validity of a firearms licence upon the purchase or transfer of a long gun. There used to be such requirements, but now they are no longer in place.

What is more, you eliminated the obligation to register non-restricted firearms, eliminated the obligation to keep records of firearm sales, repealed the legislative authority under which the Chief Firearms Officer was able to require companies to keep an up-to-date sales registry, eliminated the regulations on gun shows, destroyed the data on 5.6 million firearms, and repealed the RCMP’s authority to change the class of a firearm as a result of certain incidents. I could go on.

What do you think the parents of the young women who were killed at the École Polytechnique think about these reforms, which I could not vote for? Who will benefit from them other than the gun lobby? Tell me who will benefit from these changes.

Senator Carignan: Senator, I find it offensive that you are using this tragedy to play politics. With regard to the Common Sense Firearms Licensing Act, our government is determined to continue establishing safe and sensible firearms policies. We introduced legislative measures to reduce unnecessary red tape and prevent people who should not have guns from having them. The Common Sense Firearms Licensing Act will make it possible, for the first time, to impose weapons prohibition orders on people who have been found guilty of serious domestic violence. It will also require people to take a training course before they can buy a firearm for the first time.

I’d like to read a quote from the Fédération québécoise des chasseurs et pêcheurs, which is thrilled with this initiative. It issued the following statement, and I quote:

Quebec hunters are very pleased with this bill because it simplifies the licence issuing process for law-abiding users, while reinforcing the concepts of safety and education.

Senator, these measures are designed to strengthen licensing controls to ensure that those who are at risk of committing or who have committed acts of violence, particularly domestic violence, can’t obtain a licence. There are extremely strict controls in place, and we will continue along those lines.

Senator Hervieux-Payette: It seems as though you’ve forgotten that nearly every police association in Canada, including the RCMP and provincial police, is concerned about the changes that your government has made with regard to gun control. That includes the fact that since 2012, owners of a Ruger Mini-14, outside of Quebec, can sell their weapon without checking to see if the buyer has a licence. Who knows where that gun will end up? All the seller needs is to have no reason to believe that the buyer is not authorized to buy a gun. Clearly, the buyer has a reason to buy one.

Leader, what country, what society has anything to gain from selling guns to anyone and everyone when we don’t know who the next owner will be? Now that the gun registry has been destroyed in nine provinces, the police have no way of verifying. I would like to know how you will be able to track down previous owners.

Senator Carignan: I would like to remind you that it is illegal to sell a firearm to someone who does not have a licence. It is the seller’s responsibility to ensure that a firearms licence is valid. Anyone who sells a firearm illegally, and that includes selling to a buyer without a licence, is liable to a mandatory prison term of three years for a first offence and five years for subsequent offences. You voted against those sentences.

[Senator Hervieux-Payette]

For the first time, the Common Sense Firearms Licensing Act will prohibit a person sentenced for an offence involving domestic violence from purchasing firearms. It will also require those wishing to acquire a firearm for the first time to take a firearms safety course before they can buy a firearm.

Senator, the fact is that criminals don't register their firearms, they don't acquire them legally, and they don't use them legally. Our government will continue to take common sense measures to keep Canadians safe without imposing useless red tape on law-abiding Canadians.

I would like to remind you that according to Statistics Canada, the firearms-related homicide rate is at its lowest point in nearly 50 years. The handgun-related homicide rate has dropped by 30 per cent since 2008. In 2013, the first full year after the elimination of the long gun registry, there were fewer firearms-related homicides than ever before. You ought to be congratulating us on having implemented measures that work.

Senator Hervieux-Payette: With Bill C-42, licensed gun owners will eventually no longer have restrictions in their home province. They will no longer require authorization to transport firearms. This means that they can put firearms in their car and leave them there. This means that restricted firearms, such as handguns, will be able to be freely transported and kept in a vehicle at all times.

If someone can transport a firearm, they may not want to leave it in their car, so they will carry it on their person. We'll no longer be safe. What's the idea behind this open attitude towards handguns and these new measures that will no longer require an authorization to transport?

Senator Carignan: Senator, the problem with your question is that your preambles are untrue. Unfortunately, in light of all of your incorrect statements, it's difficult to answer and address each one.

All I can tell you is that the bill in question will be studied by Parliament, in the appropriate committees.

• (1430)

I invite you to pay particular attention to these bills instead of spreading falsehoods and rumours and causing unnecessary concern.

I would ask you to act responsibly and read the bill.

Some Hon. Senators: Hear, hear!

Senator Hervieux-Payette: Leader, I will agree with you that there are fewer gun homicides in Canada than in the United States. I can also tell you that someone in France is fifty times less likely to be killed by a gun as an American because the measures in France are much stricter than ours.

I think we would much prefer to compare Canada with the best students in class rather than the worst.

I would like to make a comparison with Australia, for example. After the massacre in Port Arthur, Australia adopted certain measures, including providing incentives to gun owners. Through

this measure, Australia recovered 700,000 guns. People were required to declare all legally obtained guns. Australia also introduced a 28-day waiting period between receiving a permit and acquiring a gun. Therefore, they had records — and records never killed anyone. This allowed them to find out who owned the gun.

When will it be our turn to perform well enough to rank among the top students and stop comparing ourselves to the United States, which is the worst student in the class when it comes to gun homicides?

Senator Carignan: Your question is funny, senator, when you say that I am referring to the worst student in class. I think you misunderstood the statistic I gave you. Statistics Canada was comparing Canada with Canada, not the United States. It was making a time comparison and the label of "worst student in the class" applied to the period under the Liberal government, before our time.

[English]

EMPLOYMENT AND SOCIAL DEVELOPMENT

SOCIAL SECURITY TRIBUNAL

Hon. Jane Cordy: Two years ago, in 2012, I stood in the chamber to question a measure that was buried in one of the government's omnibus bills. The measure in question was the decision to replace the regional Employment Insurance Boards of Referees and umpires and the Pension Appeals Board with a 74-member, full-time Social Security Tribunal.

Serious questions were raised at the time by many stakeholders, fearing that the elimination of the regional EI boards of referees and umpires and the Pension Appeals Board would lead to hardship for some of Canada's most vulnerable citizens: the disabled, the poor and the ill.

The Leader of the Government at the time dismissed the concerns that I raised, and the concerns of Canadians, as a lot of "squawking and screaming." She went on to say:

Let it work and I think honourable senators will find when we are back in the fall that some of these things people were anticipating as disaster will be anything but.

Honourable senators, here we are two years later and we find that the so-called squawking and screaming of Canadians was more than justified. The new Social Security Tribunal has indeed been a disaster. In just over a year and a half, since the tribunal replaced the old boards of appeal, the backlog of appeals has almost doubled from 6,000 to 11,000.

As reported from data obtained from the Access to Information Act, the backlog consists of terminally ill patients, suicidal and debt-ridden Canadians. Many in the backlog have been waiting for years for a decision. Clearly this tribunal, set up by this government, is not working.

What is the government's plan to ensure that those who have been left waiting by this ineffective tribunal system will have decisions made for them in a timely way?

[Translation]

Hon. Claude Carignan (Leader of the Government): Senator Cordy, the new Social Security Tribunal inherited a higher-than-expected number of cases from the former boards. We have provided funding for 22 new part-time employees to deal with the backlog.

Bill C-43 being studied by Parliament will lift the cap so that we can clear up this backlog. As you are particularly concerned about this, I imagine that you will be voting with us in order to pass the bill.

[English]

Senator Cordy: What I didn't support was the setting up of this tribunal. The boards of appeal for pensions and for EI were based in the region so people could go to their regions. Currently, there's one tribunal located here in Ottawa, which certainly has proven that it is not effective.

Nearly 58 per cent of the Canadians who applied for disability benefits last year were denied — 58 per cent. The tribunal reports that 68 per cent of appeals were successful, while data collected from access to information suggests that only 40 per cent of appeals were successful. I'm not sure whether we look at the access to information or whether we look at the tribunal, but my inclination would be the access to information, so 40 per cent of appeals were successful.

These disability pensions average about \$10,000 a year. We're not talking about a lot of money. We're talking about people in desperate need for day-to-day expenses and a disability pension of \$10,000 a year. They are left waiting for years and 58 per cent of Canadians are refused; their disability pensions are denied. Then we have what the Access to Information Act suggests — 40 per cent of those who appeal the decisions are successful.

What is the holdup? Why does it take the tribunal so long to render a decision? Where is the compassion for those disabled Canadians waiting for months, and sometimes years, for their disability benefits?

Some Hon. Senators: Hear, hear.

[Translation]

Senator Carignan: Senator, as I said, the tribunal inherited a higher-than-expected number of cases from the former boards. We have provided funding for 22 new part-time employees to deal with the backlog. Bill C-43 being studied by Parliament will lift the cap so that we can clear up this backlog.

Therefore, once again, if you are particularly concerned about this, I hope you will support Bill C-43.

[English]

Senator Cordy: I did have concerns about this file when the tribunals were brought in. I raised the issue in Question Period to the previous leader and I was told that it was only Canadians squawking about their concerns. Well, their concerns have proved to be legitimate. The backlog has almost doubled. These are

people in crisis, people in need. To give a flippant answer about what I should be supporting or not supporting is not helpful to these Canadians.

Some Hon. Senators: Hear, hear.

Senator Cordy: In just 18 months of operation of the new Social Security Tribunal, the backlog of CPP disability and Old Age Security cases has increased by almost 50 per cent. This is not a joking matter. Many of these individuals are in dire crisis, either because of financial reasons or because of poor health. Waiting for years to have a decision made is not helpful for people in crisis. This is not the first time I've raised it.

On June 5, 2012, in response to my question about the proposed tribunal, the Leader of the Government in the Senate at that time said:

The government wants to ensure that those people who are in need of services of the government have them readily available. We would not do anything to cause difficulty for anyone who wants to access the services they require.

The reality is that this so-called streamlined process is causing difficulty for Canadians. It is causing difficulty for those wanting to access the system. The backlogs are growing.

Will this government review the current Social Security Tribunal system to help the 11,000 Canadians who are waiting to hear whether or not they receive Canada pension disability benefits?

[Translation]

Senator Carignan: As I said, we addressed the problem. I am pleased that you quoted the answer I gave at the end, because the beginning of your long introduction implied that we had not addressed it. Fortunately, you quoted my reply, which says the opposite of what you said at the beginning of your question.

• (1440)

As I said, and I will say it again, we addressed the problem, particularly by hiring additional staff and introducing Bill C-43, which will lift the caps. I hope you will support us and vote in favour of the bill. You said you voted against the other bill, which is nothing new, given that so far, you have almost always voted against our bills.

ORDERS OF THE DAY

LINCOLN ALEXANDER DAY BILL

MESSAGE FROM COMMONS

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons returning Bill S-213, An Act respecting Lincoln Alexander Day, and acquainting the Senate that they have passed this bill without amendment.

[English]

**CRIMINAL CODE
CANADA EVIDENCE ACT
COMPETITION ACT
MUTUAL LEGAL ASSISTANCE IN
CRIMINAL MATTERS ACT**

BILL TO AMEND—THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator McInnis, seconded by the Honourable Senator Enverga, for the third reading of Bill C-13, An Act to amend the Criminal Code, the Canada Evidence Act, the Competition Act and the Mutual Legal Assistance in Criminal Matters Act.

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

Hon. Senators: Question.

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

Some Hon. Senators: Agreed.

Some Hon. Senators: On division.

(Motion agreed to, on division, and bill read third time and passed.)

PUBLIC SERVICE EMPLOYMENT ACT

BILL TO AMEND—SECOND READING—
DEBATE ADJOURNED

Hon. Carolyn Stewart Olsen moved second reading of Bill C-27, An Act to amend the Public Service Employment Act (enhancing hiring opportunities for certain serving and former members of the Canadian Forces).

She said: Honourable senators, I am pleased to rise today to support Bill C-27, which will enhance hiring opportunities for current members of the Canadian Forces and our veterans.

[Translation]

I am pleased to support this bill, which will increase access to hiring opportunities for current Canadian Forces members and veterans.

[English]

It has only been a few weeks since we came together as Canadians to express our heartfelt sorrow and gratitude for the men and women in uniform who serve our country.

We have enhanced and will continue to enhance opportunities and provisions for our veterans when they serve and as they transition to civilian life. The veterans hiring act builds on

previous commitments of our government to help veterans find meaningful employment after their time in the military is complete.

[Translation]

The Veterans Hiring Act builds on commitments the government made to help veterans find meaningful employment once their military service has ended.

[English]

As outlined in Budget 2014, our government is proposing changes to the Public Service Employment Act to enhance opportunities for veterans in the federal public service.

The changes proposed in the veterans hiring act add to the considerable efforts our government has made over the past few years to increase and improve services to our veterans. These efforts have included hiring more mental health professionals, investing in and exploring new treatment options, like service dogs, and working to reduce the stigma associated with mental health. We are also cutting red tape and enhancing the way we deliver our services to ensure our veterans receive the full care and support they deserve. We now offer up-front payments for grounds maintenance and housekeeping services under the Veterans Independence Program. This change eliminated a cumbersome paperwork system for close to 100,000 veterans, survivors and primary caregivers.

We also launched the Veterans Benefits Browser, allowing users to more readily determine which programs and benefits they may be entitled to.

Colleagues, through eight budgets, our government has earmarked more than \$5 billion in new funding for veterans benefits and services — more than any other government in Canadian history.

Just recently, our government announced new and expanded mental health initiatives for veterans, members of the military community and their families.

First and foremost, we will expand the network of operational stress injury clinics and fund a brand new clinic in Halifax, Nova Scotia. Opening in the fall of 2015, this clinic will bring high-quality, specialized mental health services and supports to veterans in the Halifax and Maritime areas. It joins the 10 already-existing specialized clinics funded by Veterans Affairs across Canada, as well as the seven operated by the Department of National Defence. Each of these clinics has a team of psychiatrists, psychologists, social workers, mental health nurses and other specialists who understand the experiences and needs of our veterans.

Additionally, a satellite office will be set up in Montreal, while the existing satellite offices in the Greater Toronto Area will be expanded. Both offices will offer specialized care close to veterans' homes, allowing better access to assessment, diagnosis and treatment services.

Our government will also spend more money in the Operational Stress Injury Social Support Program. This means 15 new peer support coordinators can be hired to meet the needs of the

military community as well as veterans and their families. Additionally, it will allow the program to increase its outreach to those in need.

On a trial basis, access to the Military Family Resource Centres will be expanded to include medically releasing Canadian Forces personnel and their families. Traditionally, the services and programs offered through the centres have been available only to still-serving members of the military.

As well, a mental health first aid training course will be developed and offered across the country for veterans and their families. This training will help increase awareness of the various kinds of mental health conditions so that individuals can respond earlier or intervene when a veteran or a family member is in crisis.

These larger-scale projects will be accompanied by a number of smaller investments in areas such as developing national standards for psychiatric service dogs; hiring a psychologist to provide expertise and be the deputy chair of the new military and veterans mental health centre of excellence; and researching the connection between operational stress injuries and the mental health of veterans' families.

Colleagues, our government remains committed to improving the mental health of Canada's veterans and their families. These kinds of initiatives not only provide support but also allow for stability in the lives of those who have served our country and wish to return to society and live a normal life.

The veterans hiring act and its regulations are another step the government is taking to make the kinds of changes we need to support our veterans both while they serve and when they transition to civilian life. We know our veterans often face difficulties during this transition period. The civilian workplace is very different from the military, and many veterans face barriers trying to demonstrate how their military skill sets will translate to other occupations.

The veterans hiring act helps address this by providing a priority hiring process for veterans in the federal public service. The amendments presented in this bill will create a five-year statutory priority entitlement for Canadian veterans who are medically released for service-related reasons — our injured veterans. In plain language, this means veterans will be first in line for jobs as they become available in the civil service.

• (1450)

Full-time regular and reserve force veterans who are medically released for non-service-related reasons will see their existing priority entitlement period extended from the current two years to five. This will also allow them a longer period of priority entitlement for positions which they are qualified to fill.

Military personnel and veterans with at least three years of military service will be able to compete for internally advertised positions in the federal public service until five years after being honourably released.

Honourably released veterans with at least three years of military service will be given hiring preference on external federal public service hiring processes until five years after being released.

Once this proposed legislation is passed, it will be made retroactive to April 1, 2012. This means a veteran who previously had priority status under the regulations and lost that status because it expired will have it reinstated with a full five-year entitlement. The same principle applies for any veteran who still has priority entitlement. We will extend it for an additional five years.

Eligible veterans who are recovering from their injuries or illnesses have up to five years to be certified as fit to work within the military. This bill will give them up to 10 years to find a job in the federal public service, if they wish.

Colleagues, this bill is about providing veterans with job and career opportunities outside the military, in recognition of their service and the sacrifices they have made on Canada's behalf.

On average each year, approximately 7,600 Canadian Armed Forces regular and reserve forces personnel leave the military, including approximately 1,000 who are medically released. These veterans have the skills, the training and work experience to make them exceptionally strong candidates for federal public service jobs. The new measures in this bill will give veterans and releasing Canadian Forces personnel the ability to apply for internally posted positions, and give qualified veterans preference over other candidates in external hiring processes.

The veterans hiring act is yet another way we can continue to honour our veterans in a meaningful and practical way. I call upon all senators to support me in moving these important changes forward.

Some Hon. Senators: Hear, hear.

Hon. Joseph A. Day: Would the honourable senator accept a question or two?

Senator Stewart Olsen: Yes, of course, senator.

Senator Day: Thank you. The first question goes to the retroactivity issue that you mentioned just at the end of your address. As I understood it, the benefit will be for five years instead of two years, but you said it's retroactive to March 2012. So, that's two and a half years off of the five years. If we go back and we say a veteran qualified in March 2012 — 2013, 2014 and the end of 2014 — am I correct in understanding your comment that, in effect, it will be seven years — the two they had previously, plus five? Or is the two they've already had being subtracted from this and going back in the retroactivity aspect of this?

Senator Stewart Olsen: It's my understanding that it's a reinstatement, so that veterans who are in the service now — in my notes it says here that they will have that increased to the full five years, so they won't miss out either. But I will check. I'm not an expert on a lot of this and I will check to make sure that what I've answered you is correct.

Senator Day: Thank you very much. I appreciate that. We're at the second reading stage, which is just about the principle, and the principle is a good principle and I wholeheartedly support it. I'm interested in the answer to that in terms of the five years, if two and a half years back is subtracted from the five.

The other question that I have is about this. You made a point of talking quite a bit about mental health work that is being done or is planned to be done, but I understood that this bill related to hiring of veterans. Could you tell me if those other features that you talked about are in this bill, or are they somewhere else?

Senator Stewart Olsen: On the hiring of mental health veterans, what I spoke about was it's a continuum, the way I look at it, senator. It's a continuum of the care that we need to provide. So, soldiers or Armed Forces personnel with mental health issues are included in this veterans hiring act, but they have five years within the service to decide whether they will be able to come back to work or actually apply outside.

It's important for you to know that in those five years they have a wide range of services available to them to assist them in getting better, because not all of our soldiers, when they have issues, want a discharge. Some of them may want to continue on. So it's very important that there's that five-year term; and then, after they have their treatment if it's decided that they cannot come back to work, they have up to another five years once they are discharged.

Senator Day: My understanding, though, is that this bill deals with the hiring aspect and the five years, and all those other features that you've talked about — like the mental health facilities and the mental health assistance — are not in this particular bill but may be coming somewhere else. Is that correct?

Senator Stewart Olsen: That's correct. These announcements have been made. I just wanted to give you a full understanding of what the government is trying to do. The veterans hiring act and this initiative, I think as a part of everything that's happening, it's very important that you know so that you are not wondering: Is this just going to be that people are released and put out on the street? What happens? Do they have to get out and apply straight away? I thought it would be a good opportunity for all senators to understand that these are ongoing policies that we're looking after our veterans.

Senator Day: Thank you. The honourable senator will be aware that the Auditor General just did a report in relation to this, and you may well have heard my questions of the Leader of the Government in the Senate. Perhaps I should put this in question form.

You're giving us the full picture. Is that the full picture in answer to the Auditor General or as a result of the Auditor General's report which said that the process is long and complex and unacceptable in that there are veterans standing in line for assistance with respect to mental health and just not being able to get that help? Were your comments to try and counter the Auditor General, or say, "Well, we read what the Auditor General had to say and we're going to improve on what is being done"?

Senator Stewart Olsen: My comments were more to reassure everyone, because I don't consider our veterans a political issue, to be perfectly honest. I consider that every single person in this chamber wants the very best for our veterans. It is an ideal issue for senators to work on together, and every issue that we raise I like to take forward.

I think the Auditor General made some very good comments, comments that are being looked at. I didn't particularly respond to his issues. I responded to your question in my speech and in my notes as a beginning dialogue for all of us to look at this and see what's happening and actually perhaps contribute to maybe what could be better in terms of what's happening. I certainly didn't want to bring politics into this. I think it's extremely important to help our veterans, and I'd like to see us all do that.

Some Hon. Senators: Hear, hear.

Senator Day: I thank the honourable senator for her answers. I think the last answer prompted this comment that I think the honourable senator knows that I feel exactly the same way.

• (1500)

I have the great honour of serving on Subcommittee of Veterans Affairs with the honourable senator, and we try not to be partisan in our approach to veterans. I think we all in this chamber believe it is the best approach from the point of view of our veterans.

The point I was trying to get at is that our role is to look at any criticisms, whether we think they're right or wrong. The Auditor General did an in-depth look at the mental health treatment of Armed Forces personnel and retired personnel — veterans — and I'm hopeful that all of us will take that seriously. If there are things we've been doing in the past that can be improved upon, then we should all try to make sure those improvements are made.

Senator Stewart Olsen: Thank you, Senator Day. I totally agree. I'd be very happy to work with you and anyone else on this very serious issue. I personally would like to see us have a stand-alone veterans affairs committee. I think that would reflect the Senate's true interest and be a natural fit for what senators should be doing. Thank you very much. Any suggestions or critiques are always welcome because I don't think anyone is perfect, and I want to work on it with you all. Thank you.

(On motion of Senator Fraser, for Senator Kenny, debate adjourned.)

[Translation]

ENERGY SAFETY AND SECURITY BILL

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Tannas, seconded by the Honourable Senator Batters, for the second reading of Bill C-22, An Act respecting Canada's offshore oil and gas operations, enacting the Nuclear Liability and Compensation Act, repealing the Nuclear Liability Act and making consequential amendments to other Acts.

Hon. Grant Mitchell: Honourable senators, I am very pleased to participate in the second reading debate on Bill C-22. I would like to begin by thanking the officials who treated me to an excellent

briefing session in my office this week, on Tuesday to be precise. These professionals are very knowledgeable about the details of this bill. It was also useful to have a representative of Minister Greg Rickford, the minister responsible for this bill, at the meeting. I thank them.

[English]

I think there are some to many things to recommend this bill. If I had a criticism, it would be similar to the criticism I had of Bill C-3, which is that as far as it goes, it's good, but it probably just doesn't go quite far enough. It does do some things that needed to be done and that are worth doing. They have been described well by my colleague from Alberta, Senator Tannas.

It's interesting that Senator Tannas and I would be the sponsor and sponsor-critic of this bill, if you will, when neither of us lives near the oceans that it will regulate, nor anywhere near the nuclear facilities that it will address. However, being from Alberta, we have studied hard and we clearly know our file well. That's already clear in Senator Tannas' case, and hopefully it will be clear in my case.

The legislation will increase the maximum compensation payable by the operator of a nuclear facility to third parties on an absolute liability base from the current level of \$75 million to ultimately, in three years, \$1 billion. Absolute liability, of course, refers to the fact that you don't have to prove fault; they will have to pay up to \$1 billion without fault being proven.

This liability was \$75 million. It's interesting to note that one of the earliest recommendations to increase the level of liability commitment on the part of nuclear industry companies came from the Senate in a recommendation in the early 2000s. Once again, the Senate's work is being reflected in government work. It just took a bit longer than many of us would have liked, but nevertheless, here it is, and good for the fact that it is.

Operators will be required to maintain insurance or some form of alternate legitimate security. I'm quite convinced from the briefing that I received that there are forms of security that are reliable, in this respect, beyond simply financial assets for this full \$1-billion liability limit. That's good.

Bill C-22 will also — and this is important — increase the span of time over which an effect, an impact, a disease arising from exposure to a nuclear release could be attributable to that accident. Up to this point it's been 10 years. Now it will be expanded to 30 years. As a result of this act, people who would suffer an effect from a nuclear accident, for up to 30 years, would be eligible for compensation. All good.

The question arises, and it would be by way of criticism to some extent, certainly concern, as to why this act applies largely only to nuclear facilities, generating facilities. There are other forms of facilities which are covered, such as research facilities, like those you might find in a university lab and that kind of thing. But there doesn't seem to be any coverage for liability from accidents caused by, created by or involving companies that supply, for example, a nuclear facility in some way, shape or form, or for those who work as third parties to support that facility.

[Senator Mitchell]

That would be by way of raising a concern. Again, it's not a question of that being a specific problem with the bill. It's a question that the bill maybe could have gone somewhat further.

It's also true that this bill will permit Canada to ratify the treaty which comes under the International Atomic Energy Agency's Convention on Supplementary Compensation for Nuclear Damage. We can now ratify our involvement in that treaty, and that opens up another fund for compensation from the international level, which could be helpful if there were an accident in Canada. The problem, of course, with nuclear accidents is that \$1 billion can be a relatively small amount when you consider the overall potential impact and risk involved. In the case of Japan, I think that the costs now are at about \$42 billion and rising.

I'm sympathetic to those forms of energy that don't emit carbon, and this is one of them. But the problem on the other side is that it's a very expensive industry. It's very expensive to build and operate these plants, so the question of ultimate costs is important.

The other thing to keep in mind, of course, is that these plants are largely owned by governments, so the liability limit is, to some extent, I don't want to say moot, but certainly there are resources that back that liability that go beyond the \$1 billion in any event.

The second major section of this bill applies to offshore oil and gas exploration and production. We all know of the risks involved in that, vividly from the BP's blowout in the gulf, and we all share a grave concern about that.

• (1510)

Again, the bill is good in that it has raised the limit of absolute liability from about \$30 million in the Atlantic offshore area and \$40 million in the Arctic to \$1 billion. That's absolute liability. No fault has to be proven. The companies that would be involved in a spill or a blowout in those regions would be responsible, no questions asked, for \$1 billion, and they are required to put up assets to cover that.

There is a way that companies can combine that liability, or a portion of that liability, in a fund that would be available to all of them to reduce the overall cost and burden, but it looks to me like that collaboration will work and will assist in managing costs for that industry. So that's a good thing.

Unlike an improvement over the nuclear features side of this bill, the companies in the case of oil and gas have no legal liability limit. Over and above the no-fault limit of \$1 billion — you don't have to prove it; they're on the hook for \$1 billion — they are liable to be sued for much, much more than that and they can be sued by government. So that's all good.

I should also point out that there is some concern about the difference between the two, that there is a liability cap in the case of nuclear. This concern, among several others, has been laid out very clearly by the Canadian Environmental Law Association in a letter dated June 3, 2014, to the committee in the other place. I expect that it will be presented in the course of committee

hearings here. I would recommend that Theresa McClenaghan, the Deputy Executive Director and Counsel of the Canadian Environmental Law Association, be called as a witness to testify about these concerns. I happened to meet her just recently. I think she's very reasonable and very impressive and would be a good witness to assist in covering off some of these concerns and being able to evaluate their magnitude and significance.

Those are the guts of the bill, but I would like to go on and again take credit for the Senate. It is interesting to note the August 2010 report of the Standing Senate Committee on Energy, the Environment and Natural Resources, *Facts Do Not Justify Banning Canada's Current Offshore Drilling Operations*, which was done when our former colleague Senator Angus was the chair. We, of course, miss him, although we have a great chair to replace him in Senator Neufeld.

This is a report where we stopped everything, dropped everything we were doing because of the BP Gulf blowout. When I went back to it, I was pleasantly reminded and surprised at how extensive it was, the detail and quality of research that the committee did and the researchers helped us do, as well as the witnesses, of course.

There are a number of recommendations in it. Recommendation 6 states:

The committee recommends a comprehensive review of the issue of liability, including whether the thresholds should be adjusted to reflect current economic realities.

I stand here on behalf of the Energy Committee and take credit for the fact that the government listened to the Senate once again and listened to this committee in particular once again.

There are some other important recommendations in this report that should be considered and may well have been considered by the government. I'd just like to highlight them.

The committee recommended a thorough discussion by regulators and industry respecting whether and under what circumstances relief wells should be prescribed. This arose out of observations in the case of the BP Gulf issue where it took weeks — 87 days, in fact — before the company was able to drill another well to divert the blowout emissions successfully to a place where they could be captured. So the whole question of readiness, of capacity, of the proximity of resources so that relief wells can be drilled quickly is an issue. Not that you'd want to drill a relief well in anticipation of a blowout because you would then be drilling two wells when only one might be needed and you double the risks of drilling a well in the kinds of harsh environment that undersea drilling often involves.

Another recommendation was that there be greater collaboration between all those responsible for responding to an oil spill in developing, preparing and practising in advance of an event. There are many different actors in this area. There are two non-profit corporations, one in the east and one in the west, although the eastern one goes quite far west and handles inland waters as well. Companies, of course, are required to have resources. There are international partners. The committee, in doing its study last year of the transportation safety of petroleum products, actually visited Alaska and Washington

and were very impressed by the resources for spill capture in those two jurisdictions, particularly in Alaska, which is renowned for the *Exxon Valdez* spill. They are particularly sensitive about spills. The level of resources, organization and leadership that they have in that region was quite remarkable and immensely impressive.

The problem is that in the North and in offshore drilling generally there can be real risks; it's difficult to have resources close to all of the drilling platforms. There needs to be, we felt as a committee, greater collaboration in discussing how to rally these resources at a time when they might, unfortunately, be needed.

The committee also felt that there needed to be more openness about the companies' plans for spill reaction, blowout reaction and recovery. I'm not sure whether that has been responded to by government, but certainly there are good intentions on the part of the industry to do something about that and on the part of the non-profit organizations that do oil spill recovery. Again, I just want to highlight that that was an issue in our report.

The bill does something that is very important. It allows spill responders to make a decision about using spill-treating agents if, on balance, the environmental effect is more positive than not using them. You can imagine a case where there is a blowout, where there's a toxic substance, a petroleum product, for example, now seeping out or worse and beginning to drift towards a coastline where there might be sensitive habitat. The decision needs to be made to do something more dramatic than is being done because rough waters mean that the barriers aren't working or there are insufficient barriers or the oil is moving too quickly and they haven't been able to control or contain it. So it might be that it would be a wise decision, on balance, and to the environment's advantage to use diluents, different kinds of absorption products or to even ignite the product that is leaking.

To this point, there hasn't been the authority to do that, and spill responders asked for that authority. These are responsible people. I've met them and talked to them; the committee has as well. I think this is a great advantage and won't be used frivolously or without grave consideration.

Finally, I'd like to say that it has frequently been said by the minister and others that this bill enshrines the polluter-pay principle. Enshrining the polluter-pay principle is, of course, intrinsically defensible and intrinsically good, one would think, and it is.

• (1520)

There is a question again, in summary of my earlier comments, to suggest whether or not the limits that have been set are requiring that the polluter pay enough, particularly on the nuclear side. Again, I've explained why I think that probably the limits are about as reasonable as can be expected within the commercial and economic regime and the balance that we have to find in that regard.

While many environmentalists will disagree with me and are quite concerned about nuclear, I'm very concerned about nuclear as well, but I'm particularly concerned about climate change and I think alternative renewable energies need to be given the chance to work and to work effectively.

The bill is also important in this whole area of establishing social licence, which I've talked about at great length and often in this Senate. It shows that steps are being taken to make us more responsible when it comes to the environment in Canada, but, again, this is not enough.

As Mr. Manning has said, we have to get very serious about pricing carbon. We have to be clear that if there is a blowout in an offshore drilling operation, particularly for gas, then there can be tremendous impacts on greenhouse gas emissions. It remains an issue and it remains an issue with respect to our earning the social licence to build the projects like the pipelines that we believe we need so that we can get the wealth that we need, so that we can use that wealth to begin to develop a renewable energy future. That has to be core to a vision for the future.

I said it yesterday, and I reiterate it today, that I believe that the leverage of per dollar for dollar invested in an oil and gas project versus a renewable energy project with respect to jobs is six to one. You get six more jobs for that dollar in a renewable energy project than you get for one dollar in an oil and gas project.

All of us are concerned about rural Canada and the support for and sustaining rural communities. When you build a single huge plant somewhere outside a major city like Edmonton, you don't sustain too many rural communities. But if you have dispersed renewable energy, like bioenergy such as solar and wind, these are energy projects that by definition will be done in rural areas, often supporting rural communities directly with jobs, not to mention power, and sustaining farming operations. It evens out farm income, often enhancing their income, making farming more profitable and more survivable in many cases because, of course, our farming population experiences risks that many other businesses can't even imagine. Distributed energy and renewable energy are ways to assist them.

I'll close with a quick mention of the fuel quality directive. Again, this gets into the issue of social licence. We have a very bad reputation in Europe. I was just there with a delegation talking with European Union members of Parliament. Some of them were derisive of Canada's reputation in the world with respect to greenhouse gas emissions. This bill helps us fight that kind of derision and that diminished reputation, but it's also true that it's not enough and we need to do more.

Now we've seen it with the fuel quality directive. The fuel quality directive has been developed by the EU. They've been developing it for a number of years, and it is directly discriminatory against Alberta oil, largely because we actually have science that you can rely on that tells them what our emissions are. They think it's dirtier than Nigerian oil, for example, and they're happy to buy that, but they're less happy to buy ours. They haven't got to buy ours yet, but if we ever get a west-to-east pipeline, that might actually be an issue. Products that are derived from our oil can be sold now, probably are being sold now in Europe, and they're at risk as well. We don't need an organization as powerful and significant as the European Union discriminating against our oil. That sends a message around the world that's very difficult for us to overcome.

We thought we were overcoming it. In fact, when I was there last week, on several occasions, our diplomatic staff told the delegation that you don't have to mention anything about the fuel quality directive because it will look like we're gloating and we've won that one. Well, not so much.

[Senator Mitchell]

Yesterday it was announced that while the European Commission, which is kind of the public service, had recommended to the European elected representatives to back off on that fuel quality directive, the elected representatives didn't accept that recommendation. Now the fuel quality directive, which discriminates against Canadian oil and gas products, is back on the table. Again, it's a question of social licence and of us doing more to prove that we are serious and to prove that government is serious, in particular, about the environment.

When we have a government that attacks environmental processes and groups, fails to negotiate specifically with Aboriginal groups — delegating that to companies that really don't have the authority or the power to do that — we are sending exactly the wrong messages. We need to embrace environmental issues and problems, and prove to the world that we are serious about doing that before we will get the social licence to build the projects that this kind of bill covers.

I'm not saying that I am by any means opposed to the bill. I think the bill will accomplish some positive things. I look forward to the review in the committee where our concerns can be aired, and positives and negatives can be assessed. I expect those committee hearings will be very productive, as they always are.

Thank you.

Hon. Leo Housakos (Acting Speaker): Are honourable senators ready for the question?

Some Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

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

(On motion of Senator Martin, bill referred to the Standing Senate Committee on Energy, the Environment and Natural Resources.)

ADJOURNMENT

MOTION ADOPTED

Hon. Yonah Martin (Deputy Leader of the Government), pursuant to notice of December 3, 2014, moved:

That when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Monday, December 8, 2014 at 6 p.m. and that rule 3-3(1) be suspended in relation thereto.

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

Hon. Senators: Agreed.

(Motion agreed to.)

JOURNEY TO FREEDOM DAY BILL

THIRD READING—VOTE DEFERRED

On the Order:

Resuming debate on the motion of the Honourable Senator Ngo, seconded by the Honourable Senator Enverga, for the third reading of Bill S-219, An Act respecting a national day of commemoration of the exodus of Vietnamese refugees and their acceptance in Canada after the fall of Saigon and the end of the Vietnam War, as amended.

Hon. Mobina S. B. Jaffer: Honourable senators, I rise to speak on Bill S-219, which is An Act respecting a national day of the exodus of Vietnamese refugees and to declare a Black April Day, which has now been amended in committee to “Journey to Freedom Day.”

Honourable senators, today I rise to speak about Bill S-219, and I would like to thank Senator Ngo for raising the issue.

• (1530)

Honourable senators, for Vietnamese communities around the world, April 30 is one of the most significant days of their collective history. It recognizes the fall of Saigon on April 30, 1975, the takeover of South Vietnam by the North and the beginning of the mass exodus of millions of Vietnamese people from their homeland.

As you are aware, honourable senators, at committee stage, we had a number of witnesses, and there was one witness who wanted to appear in front of our committee whom we were not able to accommodate. I did promise him that I would read his letter to all of you, honourable senators. He is the Ambassador of Vietnam to Canada. His letter reads as follows:

Dear Senators of the Committee,

Thank you for this opportunity to share with you the present state of Vietnam-Canada relations and a different view on S-219.

Last year, Canada and Vietnam celebrated 40 years of diplomatic relations. Canada recognized the then Democratic Republic of Vietnam in 1973 (before the end of the war in 1975) and has continually recognized and supported Vietnam since reunification of our country. Vietnam is grateful to Canada for its kind understanding and support over the past 40 years now.

The ambassador goes on at length to describe all the bilateral relationships that Canada and Vietnam have had and, because of time limits, I will not read those.

The ambassador then continues:

Meanwhile, Bill S-219 introduced by Senator Ngo reaches back into the past and paints a dark and narrow view of Vietnam, its international relations and history. Moreover, this Bill proposes to enshrine this view with the recognition of the thirtieth day of April as “Black April Day”.

The Government of Vietnam disagrees with this negative and selective portrayal and has expressed its concerns privately and publicly.

I submit that, if this Bill receives parliamentary approval, it will send the wrong message to the public of Vietnam and the international community about Canada’s goodwill towards our country.

Senator Ngo, in his presentation to the Committee stated that this Bill is not political and would not have any impact on bilateral relations between Canada and Vietnam. This is incorrect.

In fact, the Government of Vietnam has made many representations to the most senior levels of the Government of Canada and leaders of Parliament expressing our serious concerns about the language and intent of this Bill.

If passed, this Bill will have an adverse impact on the growing bilateral relations between our two countries. Despite claims of being non-political, this Bill clearly incites national hatred and division, not unity.

As Ambassador, I have travelled across Canada and I believe strongly that this Bill does not represent the views of the majority of Vietnamese-Canadians. It is regrettable that there has been no opportunity for the Committee to hear other witnesses from different parts of Canada.

Honourable senators, on the issue of refugees, one that is being highlighted in S-219, the Government of Vietnam is grateful for the role Canada played in welcoming the thousands of Vietnamese refugees to its shores at a very difficult time in our country’s history many years ago.

This was a time of war, poverty, disunity and suffering of all involved. Millions of innocent Vietnamese were victims.

The black days of war and suffering are the enemies of humanity, development and hope.

Vietnam and its people all over the world are focused on the future and the bright days of a better future with the help and friendship of countries like Canada.

Since that difficult time, the relations of friendship and cooperation between our two countries have increasingly grown on all fields.

As previously mentioned, our two countries have just celebrated 40 years of diplomatic relations. We should build on this milestone by highlighting the positive, the present and the future — not the negative of the past.

Honourable senators, Vietnamese Canadians living all over in British Columbia, the Prairies, Ontario or Quebec, the Atlantic provinces, Newfoundland and Labrador, even Canada's North, are hard-working people and important part of the Canadian cultural mosaic. These citizens also represent the bridge between our countries. This is what we should celebrate together.

In conclusion, let us leave the black days of war, suffering and disunity in the past. Vietnam and the Vietnamese people around the world have come a long way in 40 years. Let us focus on building the future as mapped out by Ministers Baird and Pham Binh Minh in September 2014. Let us focus on those things that bring us together, not tear us apart.

Once again, I thank you for your time and consideration.

Honourable senators, as I said earlier, this bill has now been amended at committee stage and the name of the day has changed to "Journey to Freedom."

The United Nations High Commissioner for Refugees has reported that at least 250,000 Vietnamese people lost their lives at sea in their desperate attempt to flee.

As I stated at second reading, honourable senators, to be a refugee is one of the most difficult trials a person can face. There is an overwhelming helplessness that you feel when you are in the hands of the goodwill of the international community.

I, again, want to take the opportunity to thank Canada and the policies of Prime Minister Trudeau, which allowed the Vietnamese to come to Canada and also allowed my family to come to Canada in 1975.

Those of us who have been refugees share an unspoken bond. We are acutely aware of the varying levels of suffering that each refugee undergoes. Some of us, through sheer chance, were put in a position where a country welcomed us with open arms. In particular, it is a recognition of the Canadian families, religious groups, charities and non-governmental organizations that sponsored an estimated 34,000 Vietnamese refugees to Canada. It is also an acknowledgment of the suffering of the many Vietnamese refugees.

Honourable senators, at this point, I would like to recognize the former mayor of Ottawa, who did a yeoman's job in welcoming Vietnamese people to Ottawa. Marion Dewar, Mayor of Ottawa in 1975, saw that there were many refugees suffering and, as we remember, they were called the "boat people." She went to her community and asked for support for the Vietnamese refugees, and then she contacted the federal government and challenged the government, which had set a quota of 8,000 people, to say that Ottawa would accept 4,000 of those refugees. The project was known as "Project 4000," in which 4,000 refugees were going to be accepted by Ottawa.

As a result of her challenge, Ottawa increased the number it would accept to 60,000. Marion Dewar led this initiative, and she encouraged many mayors across the country to also be part of this initiative. As a result, many communities came together and supported Marion Dewar's work and recognized that what she was doing was very important.

[Senator Jaffer]

Today, I spoke to Marion Dewar's son, Paul Dewar, who is the MP for Ottawa Centre. He said: "If you praise my mother for the work she did, if she were here, she would say: It was not me. It was Canadians. It was my community."

Honourable senators, as a refugee myself, I would be very remiss if I didn't thank Marion Dewar and all the Canadians who helped refugees to make Canada our home.

Some Hon. Senators: Hear, hear.

Senator Jaffer: I know most of you have heard my story of being a refugee from Uganda ad nauseam, but I can never speak enough about it. As you know, I am an Indian and, as a result of being an Indian, I was thrown out of Uganda. We all proudly call Canada our home. Let me share with you what my home looks like.

My grandchildren speak Gujarati, an Indian language with some of us at home. My grandson is in French immersion and is starting to play the bagpipes. My son is a professional bagpiper with the Irish Regiment, which Senator Campbell knows very well. My daughter is an expert Indian Bharatnatyam dancer and reached a very high standard in dancing. She reached this standard because of her Quebecois teacher, Benoît Villeneuve, a renowned Indian dancer. He is such a renowned Indian dancer that when Mr. Chrétien, as Prime Minister, went to India, the Indian Government invited Mr. Villeneuve to dance with the other professional Indian dancers.

That is why we love Canada. We love and cherish Canada because we can strengthen our Indian culture and become part of other cultures.

• (1540)

Sadly, some things in my household never change. Honourable senators, my two children are continuously trying to correct my English and the words I use. When they sometimes hear the debates they say to me, "Mom, you butchered the words. Why don't you learn the words properly?" Now it continues.

My grandson shudders when I speak French with him. He is forever correcting my pronunciation.

[Translation]

My grandson often says to me, "Grand-maman!" He tells me that I should improve my French. Easy for him to say. Not for me.

[English]

My grandson speaks French as if he were from Quebec. My children speak English because they are from British Columbia. Both of those languages are often a challenge for me.

But, honourable senators, I share my family's story because what we love is that we can love who we are: our Indian origin; we love to be Canadians with pride; and we love that we are Muslims and can pray with pride. My grandson has been the youngest person to say the prayers in the mosque recently. We are proud to be Canadians, because in Canada we are part of the community. That's what it means to be a refugee here.

When you arrive in a country and when you are included in the community, when you are not excluded because of your faith, your colour, your skin, and you become part of building that community, then you have the same dreams and aspirations as all Canadians. That is why I am a proud Canadian.

Hon. Grant Mitchell: Honourable senators, I would like to say a few words about this because Vietnam has a particular place in my heart and in my life.

I want to begin by congratulating Senator Ngo on his efforts to recognize this era in Vietnamese and Canadian history. I was very aware of that time, the time of the boat people. In fact, my wife and I were part of a group that sponsored several Vietnamese refugees, but unfortunately over the years we've lost touch with them. They were a pair of brothers, 16 and 17 years old, so now they must be 55. I've tried to track them down but, despite my efforts on the Internet, I haven't been able to.

In any event, it was a wonderful period of time in Canada. There was a great sense of purpose amongst so many Canadians and, for whatever reason, a real affinity for the plight of the Vietnamese people. I guess you can imagine, with the history of the Vietnamese War so clear in our minds, as close as we were to the U.S., that that might have heightened our awareness, empathy and our sense of the Vietnamese people and our desire to help. It was a wonderful time.

I also would like to mention something that's probably not known to many Canadians, and perhaps not to very many people, very many senators, but Canada played a peacekeeping role in Vietnam. When Vietnam was divided into North and South in 1956 after the French were driven out, for whatever reason the international community — not the United Nations, and I don't know why that was — put together an observatory force. The force was contributed to by three nations: India, which was seen to be neutral; Canada, which represented the then Cold War West; and Poland, which represented the then Cold War East.

This was called the International Control Commission. It set up outposts all over Vietnam, North and South, where one representative of each of those three countries would be stationed for a month at a time on a rotational basis and then moved along. There were always three, one from each country, in each of these outposts, and they were there to observe and report on any arms buildup by what became the Viet Kong and the North and South Vietnamese armies.

Clearly, it didn't work as well as it might have, unfortunately, but I just wanted to acknowledge the fact that Canadians did contribute in that way. These were Canadian soldiers. They weren't combatants, but they were often at great personal risk. Canadians participated in that International Control Commission from 1956 right up until about 1972.

The reason I know about this is because my father was there for a year, between 1963 and 1964. As a young boy of 12 years, that left a vivid impression in my mind, my father leaving for a year. In those days, there were no holidays where you met halfway and there were no long-distance calls. A year was a year. That was a long time for me, my sister, my brother and undoubtedly, as you

can imagine, my mother as well. That experience has never left me, and his respect and admiration for the Vietnamese people has never left me either.

It was a very formative time in my life, and it has made me — although everybody would in any event — highly respectful of the Vietnamese people: their resilience, courage, strength, and of course their tremendous contribution to Canada's development over the many years that they have been immigrants and now fully-fledged citizens of this country.

Hon. Joan Fraser (Deputy Leader of the Opposition): Just a couple of words, colleagues. I hadn't planned to speak at all, but listening to the remarks today there was something I thought I would add.

I have only been to Vietnam once in my life, and that was maybe eight or nine years ago. I went to Hanoi, representing the Inter-Parliamentary Union. There are several things I remember. One is being advised, almost before I left the airport, by a Vietnamese that if I was walking around, I should not look at drivers approaching me at red lights, because if they made eye contact with me they wouldn't stop. I followed that advice and I survived, although I did learn that at that time red lights were considered more in the way of advisory signals than compulsory rules.

Senator Munson: Just like Quebec; it's just a suggestion.

Senator Fraser: At that time, already there was a growing amount of Western investment in Hanoi which is, by the way, a beautiful city. Old Hanoi is really beautiful. I spent more than a day just walking around, and it was very impressive. One of the things you see is a 1,000-year-old university, predating Oxford, Cambridge and the Sorbonne, and even the Italian universities by two or three centuries.

What I remember most is a Vietnamese parliamentarian saying to me, his face shining, "Did you see the banner in the airport?" It had been a very long flight from Montreal and I had not noticed the banner in the airport. He gave me the precise wording, which I don't remember, but it was something like, "Welcome home Vietnamese from overseas." I said, "That's very nice." He said, "No, no, you don't understand. This was a big deal for us. For years and years the people who left —" like Senator Ngo and thousands of others, so many of whom came here — we didn't want to know about them. We thought they were illegitimate. We thought they were enemies. Suddenly it dawned on us that they're not enemies; they're our brothers. For years we would refuse when they would try to send money home to their families. We would say it's illegal to accept that money," he said.

• (1550)

"Suddenly it dawned on us," he said, and his face just shone, "that they are sending that money out of love, and we should not reject gifts that are based on love." And I thought: Something is happening here. That poor country had such a terrible, terrible time. After the end of the war, I think that terrible exodus of refugees is more proof than there could otherwise be of how bad it got under the new regime. But what I saw was an indication that

things can change, that time can heal, can bring at least some measure of wisdom, and I would hope that our country would be intent on building on that.

I cannot tell you, Senator Ngo, how much I respect your experience and the experience of all of those thousands, but that is although an important part, just one part of the long, long history of what was then your country.

Hon. James S. Cowan (Leader of the Opposition): I move the adjournment of the debate.

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

Some Hon. Senators: No.

Some Hon. Senators: Yes.

The Hon. the Acting Speaker: All those in favour please say “yea.”

Some Hon. Senators: Yea.

The Hon. the Acting Speaker: All those opposed please say “nay.”

Some Hon. Senators: Nay.

The Hon. the Acting Speaker: Clearly the “nays” have it.

I see one senator rising.

Senator Cowan: Honourable senators, I assume debate is going to continue.

Mr. Speaker, colleagues, I was surprised and I was disappointed when I learned this morning that the government would deny what is a normal courtesy, and that is my request for adjournment so that I could speak following the speech by Senator Jaffer. No reason was offered by the government other than the government wanted the bill today.

Colleagues, this is a private member’s bill. It was introduced by Senator Ngo on April 10, 2014. Senator Ngo spoke to it on April 30, and our colleague Senator Jaffer, as critic, spoke three sitting days later, on May 7. Senator Martin took the adjournment, and there the bill sat. The Deputy Leader of the Government, Senator Martin, reset the clock on June 19 and again there was no further activity until suddenly, on October 29, the leadership on the other side called the question. No further speeches, just the question, and the bill was referred to our Human Rights Committee.

Then, after the bill had been left to languish in the chamber for months, suddenly everything had to move fast. A mere 18 hours passed between the bill receiving second reading and the first hearing taking place before the Human Rights Committee. At that time, Senator Ngo appeared as the sponsor of the bill. A second hearing was held three weeks later, when two witnesses were heard, and then the committee moved immediately to clause-by-clause consideration.

Colleagues, only witnesses supportive of the bill were permitted to testify. As we’ve heard from Senator Jaffer, the committee received an unusual letter from the Vietnamese ambassador, dated October 30, portions of which she has read into the record this afternoon, in which he requested an opportunity to appear before the committee. He disagreed with Senator Ngo’s characterization of the bill as not having any negative effect on bilateral relations between Canada and Vietnam. He wrote, and this was quoted by Senator Jaffer a few moments ago:

If passed, this bill will have an adverse impact on the growing bilateral relations between our two countries.

The ambassador’s request to appear was denied by the government. The committee chose instead to ask the ambassador to provide a written submission.

Colleagues, I don’t know who is correct, Senator Ngo or the Vietnamese ambassador, but I am troubled that we’re being asked to pronounce on this bill today without our committee having had the opportunity to hear all sides of the issue.

The Vietnamese ambassador was not alone in opposing this bill. We now know that there were others. There were letters which were referred to in the chamber last week by Senator Munson that had been sent to the committee by individuals and organizations wishing to express their opposition to the bill. None of these Canadians were given an opportunity to be heard by our committee.

The primary role of the Senate and senators, as we heard from the Supreme Court of Canada and as was spoken to this morning by our Speaker in an address to the media, is to review legislation. This was not done in a balanced and fulsome way by our committee on Bill S-219.

We were allowed to hear only one side of the story. The committee only heard from people who supported the bill. They may well be right, but there is another side to this story: that of the committee members and, since the committee reports to us, we don’t have the benefit of the other side of the story so that we can weigh the alternatives.

The Vietnamese ambassador’s unusual request to appear before our committee was denied. Vietnamese Canadians, as I’ve said and as Senator Munson pointed out last week, wrote letters opposing the bill. Those views were never presented to the committee.

Colleagues, our job as senators has at times been compared to that of a judge. What judge would ever pass judgment on a case without providing an opportunity for both sides to be heard? Would anyone in this chamber support that kind of justice system? Why then would we accept it for our legislative process?

I’m not saying that Bill S-219 does not deserve our support — perhaps it does. Our colleague Senator Ngo and the other witnesses who appeared before the committee did an admirable job in making their case in support of the bill. The problem is that his was the only side of the story we were allowed to hear. We simply do not know if the bill deserves our support because our

committee was not permitted to do a serious and balanced study of its provisions and impact. We were not permitted to do the kind of study that Canadians expect from us.

I wanted to take the adjournment today so that I would have an opportunity — denied by the government to the committee — to discuss the bill with the Vietnamese ambassador. That is something I've arranged to do next Tuesday morning, which was the first occasion when he was available to meet with me, and he's also meeting with Senator Jaffer and Senator Munson. That was the first opportunity that he was available to meet with me and I asked for what I thought was a reasonable thing to do, which was to ask for the adjournment so that I could listen to him and then I could form an informed opinion on this bill.

And let's be clear about one other thing: There is no apparent urgency to this bill. No reason has been put forward by the other side as to why this bill must be passed today. Colleagues, the bill would declare April 30 to be "Journey to Freedom Day." We're now at December 4 — more than four months before April 30. Why couldn't we delay our vote for a few days, until we have an opportunity to benefit from the views of the other side?

In these circumstances — and I'm speaking simply for myself here — I will be left with no choice. I will abstain from voting on the bill at third reading. I simply do not consider that I have enough information to form a position to vote "yea" or "nay."

I'm afraid that our only hope now is that the other house takes upon itself the responsibility to do the work that we were not permitted to do here. I will urge my colleagues in the other place from all parties to hear those witnesses with different perspectives, to allow the ambassador to appear and present the views of his government and to hear from others as to why they oppose the bill. Honourable senators, it will fall upon the other place to become the chamber of sober second thought. We have not done our job on this bill. This is not how legislation should be passed in our country. This is not the right path for any "journey to freedom." People have the right to be heard before this Senate and before its committees.

• (1600)

MOTION IN AMENDMENT NEGATIVED

Hon. James S. Cowan (Leader of the Opposition): Therefore, colleagues, for these reasons, I move:

That Bill S-219, An Act respecting a national day of commemoration of the exodus of Vietnamese refugees and their acceptance in Canada after the fall of Saigon and the end of the Vietnam War, as amended, be not now read a third time but that it be referred back to the Standing Senate Committee on Human Rights for further study and report.

Some Hon. Senators: Hear, hear!

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

Some Hon. Senators: Agreed.

Some Hon. Senators: No.

The Hon. the Acting Speaker: Those in favour of the motion please say "yea."

Some Hon. Senators: Yea.

The Hon. the Acting Speaker: Those opposed to the motion please say "nay."

Some Hon. Senators: Nay.

The Hon. the Acting Speaker: I think the "nays" have it.

Senator Fraser: On division.

An Hon. Senator: Question!

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

Some Hon. Senators: Question.

The Hon. the Acting Speaker: It was moved by the Honourable Senator Ngo, seconded by the Honourable Senator Enverga, that this bill be read a third time. Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: No.

Some Hon. Senators: Yes.

The Hon. the Acting Speaker: All those in favour of the motion please say "yea."

Some Hon. Senators: Yea.

The Hon. the Acting Speaker: Those opposed to the motion please say "nay."

Some Hon. Senators: Nay.

The Hon. the Acting Speaker: I think the yeas have it.

And two honourable senators having risen:

The Hon. the Acting Speaker: I see two senators rising. Is there agreement by the whips on the time?

Senator Munson: Your Honour, I wish to defer the vote to the next sitting of the Senate.

INTELLIGENCE AND SECURITY COMMITTEE OF PARLIAMENT BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Segal, seconded by the Honourable Senator Greene, for the second reading of Bill S-220, An Act to establish the Intelligence and Security Committee of Parliament.

Hon. Grant Mitchell: I'm working hard today, and so are you because you kind of have to listen to me.

Senator Day: That's a chore.

Senator Mitchell: It is a chore. I wanted to make a few comments about Bill S-220, which was the bill sponsored officially by Senator Segal with the co-sponsorship of Senator Dallaire, both former colleagues and both, of course, sorely missed.

I want to say that I agree with this bill. I agree with the concept that it embodies and with what it is designed to accomplish. I want to say that I believe that now there is particularly a sense of urgency for us to have the kind of oversight mechanism of our security and defence communities in this country within our government structure that this bill calls for.

The bill calls for an oversight parliamentary body comprised of senators and elected members of Parliament, more elected members of Parliament than senators, as one would expect and as is perfectly acceptable. This group would have the highest of security clearances so that they could talk openly and frankly with members of the various national security and defence and intelligence establishment bodies within our governance structure. They would be able to offer policy advice, direction and the development of vision. They would be able to assist the public servants who are involved, the military personnel and others, in this kind of activity with answering questions, giving perspective and providing input from a public perspective.

Ultimately, it comes down to these institutions being accountable to our parliamentary institutions in a way that they are not today. They are accountable, if at all, only to a single minister, a number of different ministers, and there is very little play structurally and probably in fact where their work can be properly coordinated and they can be given policy advice, direction, perspective and input of that kind.

Canada, it should be noted, is the only Western democratic nation without a mandated legislative oversight body of this kind. It is the only one of the Five Eyes with which we work particularly closely that doesn't have a body of this kind.

Currently, members of Parliament and senators — generally, this is done in committee sessions — can ask questions of our security chiefs, of our senior general staff in the military, of deputy ministers of the Department of Foreign Affairs, Trade and Development and other deputy-minister level officials, the Commissioner of the RCMP, but for anything that approaches the revelation of some kind of a national security secret, they simply can't answer. It really diminishes the level at which parliamentarians, both in the other place and here, can, with any kind of effect at all, supervise and provide direction and answer the very many difficult questions that these kinds of groups and bodies encounter in their work.

What groups are we talking about? We're talking about CSIS. We are talking about SERC, which is the group that oversees CSIS but only with respect to complaints and with a retroactive look. They don't have any proactive role. We are talking about CSEC, the communications branch of our intelligence service, if

you will. We are talking about the RCMP, the Canada Border Services Agency, DFATD, the national security adviser in the Prime Minister's Office, National Defence, and the Integrated Terrorism Assessment Centre that is under the Department of National Defence.

That is nine different groups that I can think of that operate in the area of intelligence and national security and defence. There are documented cases with evidence of structural problems in the relationship.

• (1610)

They do work quite well together often, but there are documented and consistent issues with respect to their relationships, the different rules under which they operate, and the implications of "evidence" coming from certain groups that can't be treated the same way as evidence coming from other groups when it comes to court cases, with respect to terrorism cases, for example. There is a serious problem, as a result, with coordination.

To put people's minds at rest, it isn't as though the selection of members to the committee that is being suggested in this bill would be somehow random. It would be at the discretion of the Prime Minister. It is based on the U.K. model, where the Prime Minister consults widely with any party over 12 members in that political system — and we could have our own threshold — to determine who would be the best kinds of people to have on this body. Nobody in this Parliament, on either side, would view these in any way as partisan issues. I think Senator Stewart Olsen put it very well this afternoon that none of us view veterans' issues as partisan issues. I think the same would apply here.

So it's not as though we're taking power away from the Prime Minister. It is simply that we would be enhancing, with a strong, well-defined, well-selected group of people and a well-defined mandate, the ability to hold our national defence, security and intelligence community accountable to the political process, to the parliamentary institutions, and to help in coordinating their activities.

The former Privacy Commissioner, Chantal Bernier, said:

I believe Canadians are very smart and Canadians appreciate the fact they live in a democracy, a real democracy where we are lucky to have robust government structures.

She said that in the context of supporting this bill and the measures that it would embody.

There are two major pressures now. One is the need for coordination. As I said, there are at least nine groups working in this area. Specifically, they all have a role in terrorism interdiction, in preventing terrorism and capturing terrorists before terrorist acts occur in our own country and before Canadians leave to go somewhere else to undertake terrorist activities. Perhaps it has never been more important, given the intensity of the issue of terrorism and radicalization in our country. It's never been more important that we can have a group

that can hold this community of groups accountable, that can give it direction and that can coordinate its efforts, where there is or isn't an overlap, and where these groups should be meeting but are not meeting regularly or don't have a structured way to set up a meeting or communicate. There is evidence of that, to some extent. This parliamentary oversight group could and would have the power to bring these groups together and to solve many of these problems.

Up until last week, when I was briefed by somebody who knows a lot about this, I used to say that you could argue that today there are very few interstate wars. There are Ukraine, Russia, Israel, but, truly, in the way that we saw interstate wars 20 or 30 or 40 years ago, they don't really exist today. Today what we have are civil wars. In one sense you could argue, certainly with the Cold War over and the Berlin Wall down, that the world was safer. There is an argument to be made for that. It doesn't feel safer, but structurally it might be.

This person made a very powerful point to me. He said that although it was dangerous back in that era, at least the world understood what was going on and had built around the Cold War era, around the Cold War phenomenon, structures to deal with that. In effect, while it was dangerous, it was much more predictable and, in some senses, much more stable.

But we have had some serious shocks to that stability since the Cold War. The first one was the Berlin Wall coming down, the breakup of the Soviet Union and its sphere of influence. These are just some of them. That was followed, relatively quickly, by the first Iraq war and the Balkans war. The Yugoslavian breakup and the wars that ensued there were further shocks to this system. Then we had 9/11. Then we had Afghanistan. Then we had the second Iraq war. Then we had the Arab Spring, which we weren't even imagining three or four years ago. We had further war in Israel. Then all of a sudden we have, out of the Arab Spring, the almost reversal of that. We had Syria. We had Egypt. Now we have ISIS. We have Russia entering the Ukraine, and we have terrorist attacks, or attacks yet to be defined officially as terrorist attacks, in our own Parliament.

So what has happened is that the world order really has changed. It's world disorder, if you will. What is particularly dangerous about it is that we're still, as a world community, trying to figure out what exactly is at the root of what's driving this disorder. We are still in this stage of fundamental instability and unpredictability about it. So we haven't developed the structures, as a world community, a Western community, if you will, versus whatever other side there is now. We haven't developed the structures to at least deal with it and create some predictability, if not some greater stability to it. So these shocks have had a great impact.

It's not, in the history of human events, all that surprising that it takes time for the world and its powers of all natures to begin to adjust and readjust to what's going on. But we haven't. So in some senses we have a national defence, security and intelligence community that is facing a completely different world disorder, has very little broad, coordinated leadership on how to deal with that, and has nowhere for detailed, extensive debate and discussion about what Canada's role needs to be and how we should fulfill it. We maybe don't even have an answer to the question of what exactly the problem is, let alone what it is we

need to do to prevent it or how it is that we would deploy the resources we have or get the resources we don't yet have because we don't yet know that we need to have them. None of these questions have anywhere to be debated or discussed in any concentrated and consistent way. This parliamentary oversight body that's proposed in Bill S-220 would be critical in fulfilling that role.

I argue it, then, for three reasons. It is a proven necessity and proven to be very successful in every Western democracy except ours. It is in each of the four other Five Eyes, and us not having one makes it difficult to relate to those other four of the Five Eyes in as effective a manner as we might. There is a huge issue heightened by the terrorist threat, and the world instability specifically.

The Hon. the Speaker: Is five minutes granted to Senator Mitchell to finish his remarks?

Hon. Senators: Agreed.

Senator Mitchell: There is a huge issue of the coordination of all of our national defence, security and intelligence assets.

• (1620)

There are issues arising out of that, privacy in particular, and the balance between getting the evidence needed to deal with potential terrorists and the privacy considerations of all Canadians and our rights and way of life.

There is the general question of a complete restructuring of the world order that we have yet to really understand. For those reasons, I think the time has come where we need to consider supporting this bill very strongly and I would ask that my colleagues do that.

(On motion of Senator Moore, debate adjourned.)

CRIMINAL CODE

BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

Hon. Nancy Ruth moved second reading of Bill S-225, An Act to amend the Criminal Code (physician-assisted death).

She said: Honourable senators, most Canadians don't like to suffer. I don't like to suffer. Most Canadians don't want a debilitating and terminal illness. I don't either. Most Canadians don't want to be sick, beyond the reach of treatment or medication, nor do I. Eighty-four per cent of Canadians want the right to physician-assisted death, and so do I. That's why I'm introducing this bill.

Canada derives no benefit from letting laws stand that cause people to suffer pointlessly. Eighty-four per cent of Canadians know this and they want us to do something about it. It's time for Parliament to respond to the wishes of those we serve and give physician-assisted death, also known as PAD, serious consideration and decide how we're going to allow it in law.

The issue deserves to be studied not just in the courts and in the media, but in Parliament, in the context of committees, where Canadians have the opportunity to participate directly in ways made impossible beyond these walls.

Most Canadians die from old age or from progressive ill health. Most of us would like to do so at home, but that's not what happens. Due to the nature of chronic disease and aging, most of us — 70 per cent of us — will die in hospital settings. Worse, even though 95 per cent of us would benefit from palliative care as we near death, less than a third of us are able to access it. And because the number of seniors in Canada is expected to double in the next two decades, these figures are bound to worsen. No wonder Canadians overwhelmingly support alternatives.

A September 2014 Ipsos Reid poll asked us if a doctor should be able to help someone end their life if the person is a competent adult who is terminally ill, suffering unbearably, where medicines can't relieve the pain and repeatedly asks for assistance to die, and 84 per cent of us agreed. Eighty per cent of those who identify as Christians support PAD. We don't know the rates for other religious affiliations because the sample sizes were too small to draw a conclusion, but 85 per cent of health professionals support physician-assisted death. The Canadian Medical Association is now offering conditional support. Significantly, 85 per cent of severely physically disabled Canadians support physician-assisted death.

This debate has been going on in Parliament since 1991. The Senate should take the lead on this important issue now. Many things have changed in the past five years since the last bill on PAD. Not only does the Ipsos Reid poll make clear where Canadians stand, but Justice Lynn Smith's ruling in the *Taylor* case last year concluded that the prohibition on physician-assisted death violates the Charter for reasons not contemplated in the *Sue Rodriguez* case more than 20 years ago.

Justice Smith found that current Canadian law and medical ethics already permit several end-of-life practices. It's not against the law for citizens to take their own lives. We allow them to direct their doctors to withhold or withdraw life-sustaining treatment, to request pain control drugs that accelerate death. That's why Justice Smith ruled that preventing physicians from responding to a patient's desire to die is arbitrary. It discriminates against people unable to end their own lives without assistance, such as in section 15 of the Charter, which she deemed was violated by doing this.

When the B.C. Court of Appeal heard the *Carter* case last year, it upheld the current law that's now being reviewed by the Supreme Court. We won't know the outcome of the Supreme Court's decision on the *Carter* appeal until next year probably, but there's no good reason for us not to have this bill go forward. Why would we wait for that decision? They aren't going to outline the terms under which this can happen.

Interestingly, the only judge still sitting who was present for the 1992 *Rodriguez* case is Chief Justice Beverley McLachlin. She wrote the dissenting opinion, saying that Criminal Code section 241(b) violates section 7 of the Charter. She concluded that it would be contrary to the principles of fundamental justice to deny Ms. Rodriguez the choice, which is available to the physically able who can still take action themselves to end their suffering.

Chief Justice Lamer's dissent was based on section 15(1) of the Charter. He concluded that section 241(b) created an inequality in that physically disabled persons are unable to commit suicide without assistance. A person capable of ending his or her life may commit suicide with impunity. No such legally sanctioned options exist for those unable to act alone.

Although Chief Justice Lamer was concerned that the decriminalization of assisted suicide might increase the risk for those vulnerable to manipulation by others, he contended such speculation and the fear of a "slippery slope" could not justify restricting the rights of those who are not vulnerable and would freely consent to suicide.

This bill has been carefully crafted. It does not impose a single moral stand on our diverse population. It merely gives Canadians an option, and a legal framework, to make it possible for them to consider acting not in Holland, not in Belgium, Switzerland or the U.S., but in Canada, at home. Indeed, we benefit from the actions taken by other nations, the evidence and experience they've assembled. This bill includes proven safeguards to protect patients, including the most vulnerable.

Consider Oregon. In 1997, Oregon passed an act to allow terminally ill patients to obtain prescriptions from their doctors for lethal doses of medication that they could take themselves if and when they chose. Oregon's act lays out clear and stringent guidelines. It requires that all prescriptions be documented, that an annual report be published. When the legislation was introduced, those against it argued that vulnerable people would be put at risk.

The evidence proves otherwise. Not everyone takes the prescribed medication, and most who do are well-educated, suffering from cancer and concerned about losing autonomy, dignity and their ability to enjoy life. Oregon's law is being used as intended by those who suffer from a terminal illness while still able to exercise decisions in their own best interests.

In 2011, the Royal Society of Canada applied scientific rigour to a review of physician-assisted death in a number of places, including Oregon and Washington, the Netherlands, Belgium and Switzerland. The Royal Society of Canada found no evidence that a legal regime with safeguards places vulnerable people at risk.

• (1630)

Let me be clear: This bill does not allow for non-voluntary ending of life. It does not allow for uninformed ending of life. And it incorporates safeguards for physicians, too. What it does is restrict requests for physician-assisted death to those who are 18 years or older, who are citizens or permanent residents of Canada at the time of the request and who have been diagnosed by a physician with an illness, disease or disability including from a traumatic injury. Their condition must cause intolerable physical or psychological suffering that cannot be alleviated by any medical treatment acceptable to that person.

It also allows requests from those in a state of weakening capacities with no chance of improvement, as long as they're of sound mind, capable of full understanding, acting voluntarily, free from coercion and undue influence. In fact, physicians in our

system already have deep experience with this process because many current medical circumstances require doctors to determine patient capacity.

Let me tell you how a request for physician-assisted death must be made. The request must be in writing and signed in the presence of the assisting physician and two witnesses. Not everyone can be a witness. Those excluded from being a witness include the partner of the person making the request or other relatives or adopted children, beneficiaries of the patient's estate, and health care workers in the health institution where the person is or has been.

Once a request has been made, two physicians, including a qualified consulting doctor independent of the assisting physician, must examine the person making the request to determine if he or she meets the conditions prescribed by the law. The assisting physician must then provide specific information to the person making the request about his or her medical prognosis, the consequences of the request and all the feasible alternatives. These should include but not be limited to comfort, palliative or hospice care and pain control.

The bill also imposes a waiting period of at least 14 days before the request can be carried out. Moreover, a request for access to physician-assisted death may be revoked at any time orally, in writing or by other means. At the time of the act, the assisting physician must record the details and explicitly ask the patient if he or she still wishes to proceed. The bill stipulates that related documents must be placed in the person's medical record, and within 30 days the assisting physician must file a report to the provincial Minister of Health.

This bill respects Canadians. It respects those who would choose palliative care, hospice care or home care — all current options supported by good public policy that limits risk and suffering to Canadians and their families. It respects those who now have no choices beyond the agonies of self-starvation or withdrawal of life-support. We can no longer justify abandoning these Canadians and their families to a public policy vacuum that increases risk and suffering. If in order to avoid a slow and agonizing death, a loved one, your partner, your parent or child, your friend wanted to end their life but couldn't without your help — remember Robert Latimer and his daughter — would you be willing to spend 14 years in prison as payment for alleviating their suffering? That's the burden our laws impose on Canadians and those we love.

We have good reason to change this law. Furthermore, an alternative approach that's been tried and tested elsewhere now exists. That is why I'm asking for your timely approval of this bill for second reading so it can be sent to committee after our speeches on physician-assisted death, are done here, where Canadians can make their own voices heard on the issue. I urge you to encourage our leaderships to not delay action that has the potential to benefit us all. The bill allows for transparency, monitoring and oversight of the framework for physician-assisted death. It gives us the chance to make history, to initiate legislation with the potential to offer emotional and physical relief to everyone in this country and, in doing so, to deliver on the express wishes of the majority of those we serve.

At the recent Supreme Court hearings, our Crown lawyers acknowledged that Canada's current laws impose unnecessary pain and suffering on patients. As a result, some will take their

own lives well before they're really ready just so they won't be deprived of the option when they really want it but can no longer act without help. That's why we need to act. Joseph Arvay, the respected constitutional lawyer who argued the *Taylor* case before the Supreme Court reminds us: "Nobody wants to die if living is better."

This proposed legislation will not inspire a mad rush of cases. It hasn't done that in other jurisdictions. Sometimes, especially in difficult circumstances, for a few individuals, dying in a manner of their own choosing is the lesser of two evils.

It's been said that all politics is personal. The issue of end-of-life care, of having the right to manage pain and choose your exit, is as personal as it gets. What it isn't is partisan. Members of every party have publicly embraced the need for us to change our laws, and Canadians are already leading us there. We need to follow. Senators, please help me pass this bill.

Hon. Denise Batters: Would the honourable senator take a question?

Senator Nancy Ruth: Absolutely.

Senator Batters: Honourable senators, Senator Nancy Ruth referred to this, but I just want to draw to everyone's attention what this bill indicates. Proposed section 241.1(3)(c) states:

(i) that causes the person physical or psychological suffering that is intolerable to that person and that cannot be alleviated by any medical treatment acceptable to that person, or . . .

In my opinion, honourable senators, on that aspect alone, this bill comprises a dangerous slippery slope in that it encompasses psychological suffering that is intolerable.

Would the honourable senator concur that including psychological suffering could be a dangerous precedent as anyone who is suffering, as I unfortunately know all too well, with severe anxiety or depression could well be in that situation, and this bill would then allow a physician to assist their suicide? I note that Senator Nancy Ruth did a media interview earlier this week in which she indicated that from her "experience and from talking with many people who want to commit suicide, they're going to do it now, like now. The 14-day waiting period would mean the patient has time to reconsider and decide." Unfortunately, it's typical that people have a plan when they commit suicide. I would ask her to comment on that, too.

Senator Nancy Ruth: Honourable senators, not only Senator Batters but also at least one other senator has asked me to remove the psychological suffering section from the bill; and I've chosen not to do so after several conversations with lawyers, doctors and those who suffer from clinical depression. The decisions in the *Rodriguez* case, which mentions sections 7 and 15(1) of the Charter, are influences on me.

The bill states, amongst other requirements, that the person must have an illness, disease or a disability that causes the person physical or psychological suffering intolerable to that person that

cannot be alleviated by any medical treatment acceptable to the person or results in the person being in a state of weakening capacities with no chance of improvement.

In my view, the bill strikes the right balance between the interests of the individual who wishes to make a request and the concerns of others involved with that person, both personally and professionally.

• (1640)

Legally speaking, we are required to respect the wishes of those who are suffering, regardless of the type of illness, disease or disability. The Charter and our human rights codes extend equality to those with mental or physical disability.

As a practical matter, the bill is very clear with respect to any illness, disease or disability that: (a) it has to be diagnosed by a physician; (b) the person making the request must be of sound mind and capable of fully understanding the information provided; and (c) the person must be acting voluntarily.

Both the assisting physician and the consulting physician must examine the person making the request to determine that all the conditions are met, including the ones I've just cited, and the doctor has to reaffirm the decision 14 days later. I understand that this provision causes a great deal of pain for some, and I acknowledge that, but I believe it would be discriminatory to remove those suffering psychologically from the possibility of physician-assisted death.

The Hon. the Speaker: Senator Meredith, I think you had a question.

Hon. Don Meredith: Thank you, Mr. Speaker.

Senator, I've heard you speak eloquently on this bill. This is very close to your heart, but, as a person of faith, and you as well, I am moved to ask this. What about our spiritual responsibility with respect to preserving life and allowing God to take us when he so deems, irrespective of the fact that we are going to suffer and that we're going to go through certain things on this earth? How do you respond, from a spiritual perspective, on this?

Senator Nancy Ruth: As I remember the scriptures, Jesus said, "Suffer the little children to come unto me." I believe in this instance it means use the capacities available to us as a society, with the technologies we have, to relieve suffering. That means we have a spiritual entity; but, hell, I don't want to suffer too much, and I want the possibility of me making a choice in place before I get there.

Hon. A. Raynell Andreychuk: Will the senator take another question?

The Hon. the Speaker: There's time.

Senator Nancy Ruth: Yes, sure.

[Senator Nancy Ruth]

Senator Andreychuk: You've pointed out, I think in answer to Senator Batters, psychological as well as other physical illnesses, and you have the safeguard of two doctors. Have you contemplated the fact that when you talk about physical illnesses, whether it is terminal in that sense — a number of illnesses — two doctors probably can rely on a lot of research and some body of opinion that leads you to a conclusion? In psychological — and maybe it's my work in the criminal courts — they seem to have more differences of opinion. Do you think the safeguard of two doctors is sufficient when it is a psychological issue or an emotional issue as opposed to a physical terminal illness?

Senator Nancy Ruth: Senator, I don't know the answer to your question. I'd have to hear more testimony from the psychiatric profession. But there are two witnesses there who are independent of the patient who also must concur. So, it's not just the doctors, and we all know that doctors sometimes get together and collude, but the intention of the bill is to not have that happen.

If it was a family member of mine and I thought there was some kind of collusion, and I did not believe the patient wished to use PAD, I would get another consulting physician in real fast.

Hon. Anne C. Cools: Honourable senators, I thank Senator Nancy Ruth for her work on this bill and for the deep commitment that she has made to this cause. I will ask Senator Nancy Ruth just where, in law and in the Constitution, does she or any person derive a power to take a human life? I would like to know the constitutional basis of such power. That is the first question.

Interestingly, many years ago, this country, Canada, moved, like most Western countries — let us leave the United States of America out of the scenario — in acknowledging that no human being has the power to take another human being's life. This was demonstrated in many communities by their abolition of capital punishment, on the grounds that no human decision and no human decision-making apparatus is so perfect as to be accurate in every circumstance. The legal condition reached a point in most countries where governments, judges and juries avoided findings of guilt so as to avoid death sentences because of the lack of certainty in process.

It is very interesting that the law of our land set aside capital punishment. Now we want to create a form of capital killing.

Senator Campbell: Question!

Senator Cools: Honourable senators, I am asking Senator Nancy Ruth's opinion on what I am saying. I would invite you to give it careful consideration as well.

I put my question to you, senator, because you have done a lot of research on this. From whence is a legal power derived to ask one man or one woman to take the life of another human being? This is very unsettled, it is an unanswered question in the history of humanity for millennia. It is the essential question that will have to be answered in this debate, the source of the power to take another human life.

Senator Nancy Ruth: Honourable senator, I'm not aware of any constitutional power to end life, nor am I aware of any constitutional power to begin life.

Senator Cools: There is a constitutional power to begin life.

The Hon. the Speaker: All the questions have been asked.

(On motion of Senator Campbell, debate adjourned.)

[Translation]

SUPPORTING NON-PARTISAN OFFICES OF AGENTS OF PARLIAMENT BILL

SECOND READING—DEBATE ADJOURNED

Hon. Michel Rivard moved second reading of Bill C-520, An Act supporting non-partisan offices of agents of Parliament.

He said: Honourable senators, today I am pleased to speak to this bill, which will prevent conflicts that could occur or be perceived to occur between the partisan activities and the official duties and responsibilities of anyone working for the office of an agent of Parliament.

Bill C-520 is in keeping with the government's long-standing commitment to strengthen accountability and transparency, and that is why the government is pleased to support it.

Honourable senators, accountability and transparency are two important elements of a sound administration. If we do everything possible to instill them in our public institutions, Canadians will be all the better for it. The government truly believes this, and we never miss an opportunity to take action in that regard. Take, for example, such measures as the Federal Accountability Act of 2006 and the accompanying action plan.

The aim of the act and the action plan is to strengthen accountability of a long list of important stakeholders in our public institutions, whether it is the Prime Minister, parliamentarians, public servants or publicly funded entities.

I will give you a few examples. We designated the deputy ministers as accounting officers. This designation underscores the key role played by deputy heads in running their organization and supporting the accountability activities of their minister.

• (1650)

Honourable senators, it is important to note that the accounting officer regime was not created to alter the fundamental constitutional principle that ministers, and ministers alone, are accountable to Parliament for all actions of the executive.

Rather, it was created to codify and strengthen a long-standing practice of having deputy ministers appear before parliamentary committees to provide information and explanations on issues

related to corporate management, for example, compliance with government policies and the implementation of effective systems of internal controls.

We also introduced measures to strengthen ethical conduct in the public service. Through the Public Servants Disclosure Protection Act, we empowered public service employees and Canadians to honestly and openly report government wrongdoing without fear of reprisal. We brought in reforms to the Lobbying Act and its regulations to respond to Canadians' desire for more transparency and ethical behaviour in lobbying activities.

We also brought into force the Conflict of Interest Act and named a conflict of interest and ethics commissioner so that Canadians would have the opportunity to voice their concerns about unethical behaviour in government. We introduced new criminal penalties and sanctions for anyone who commits fraud against the Crown.

As you can see, we implemented a series of measures to further increase the accountability and transparency of government. This bill is another step in that direction.

I would like to talk about other things that our government has done to make our public institutions more transparent and accountable. For example, we gave Canadians access to a large amount of information about public organizations. In 2013, the President of the Treasury Board set up an online database on spending, a new search tool that gathers all the information on government spending in one place.

The database includes information on everything from spending on government programs to operational spending on things like personnel and equipment. Canadians can therefore have a more complete picture of how taxpayer money is spent, and parliamentarians are better equipped to do their jobs. We all know how difficult and time-consuming it can be to go through numerous and complex financial documents to try to get a whole-of-government picture of what is being spent and where.

With this database, users can find in one place all the information regarding the expenditures of each government department and agency for items such as transfer payments to the provinces. This database is in addition to the measures that our government has already taken to improve financial reporting and support parliamentary scrutiny of estimates and supply.

This includes such measures as the introduction of quarterly financial reports. Since the beginning of the 2011-12 fiscal year, all departments, agencies and Crown corporations have been preparing and publishing quarterly reports. These include financial tables that compare planned and actual spending during the preceding quarter and for the entire fiscal year. They also include a section that describes all major changes that have affected the quarterly results and cumulative financial results, as well as any changes made to activities, personnel and programs.

Honourable senators, these reports have become vital tools for parliamentarians who want to keep an eye on how government departments are using the spending authorities they have been granted in the budget documents.

However, that is not all. The government has also announced a number of new measures to increase transparency in government procurement.

In April 2013, an announcement was made about the proactive disclosure of public contracts over \$10,000 issued to former public servants in receipt of a pension. We started to publish more detailed information on contracts for professional services and management consulting.

I also want to talk about the measures taken to improve the flow of information in the access to information system.

With the Federal Accountability Act, we gave Canadians expanded and improved access to more information from public organizations. We did so by expanding the scope of the Access to Information Act to include the Canadian Wheat Board, five foundations, five agents of Parliament and most Crown corporations and their wholly owned subsidiaries.

Furthermore, in April 2013, we launched a pilot project to receive access to information requests and payments online for three participating departments. This number has now expanded to 29. The project helps us provide better services to Canadians by simplifying the process for requesting government files and making access timelier.

In addition, we worked harder to increase transparency by requiring the online posting of summaries of completed online access to information and privacy requests.

Everyone can now view these summaries online from a single access point at open.canada.ca. All federal organizations now post summaries of completed access to information requests. I also want to point out that in 2012 we gave Canadians access to a larger amount of government information — nearly 6 million pages, which is more than ever before.

Honourable senators, it is clear that the government has taken measures to strengthen accountability and ensure that the powers conferred by Canadians on our public institutions are used in the public interest. With Bill C-520, we can contribute significantly to accountability. This bill will make our system of government stronger by helping us avoid the conflicts that may arise or be perceived to arise between the partisan activities and the official duties and responsibilities of agents of Parliament and their staff.

I enthusiastically support this bill, and I invite all senators to do the same.

Hon. Joan Fraser (Deputy Leader of the Opposition): Would Senator Rivard accept a question?

Senator Rivard: Yes.

Senator Fraser: Since this is not a government bill, I wonder, and perhaps you could tell me, whether the Department of Justice

was asked for its opinion as to whether this bill is consistent with the Charter of Rights and Freedoms.

Senator Rivard: Thank you, honourable senator. I don't know if an opinion was sought, but if this bill is sent to a Senate committee, there is nothing stopping us from getting that opinion. However, as we speak, I don't know whether that opinion was requested and provided.

Senator Fraser: Do you know whether this was discussed, at least, during the review of this bill in the other place?

• (1700)

I am asking because, if memory serves me correctly, the Supreme Court of Canada already confirmed that public servants are free to vote and have political affiliations. You can see where I'm going with this. Do you know if this issue has already been studied?

Senator Rivard: Again, I can't say for certain. However, I'd like to note this bill impacts only people who work for agents of Parliament, meaning the nine commissioners or offices, including the Office of the Auditor General and the Office of the Chief Electoral Officer. This bill impacts those nine offices alone. The other departments are not affected by this bill. We want to avoid real and potential conflicts. On all new applications, candidates will have to state whether they have done any political work in the past 10 years. The bill sets out the positions in question, such as a federal electoral candidate, an official agent, an association president or chief executive officer or an agent. The positions are defined in the bill.

As for current employees, we cannot turn back time. If, in a future election, they decide to take on one of these roles, they will have to advise their director, and it will be posted on the website of that agent of Parliament that so-and-so is involved with or will be nominated by a political party.

Senator Fraser: It seems to me that there is enough material for quite a serious study in committee.

(On motion of Senator Fraser, for Senator Downe, debate adjourned.)

STUDY ON THE IMPACTS OF RECENT CHANGES TO THE IMMIGRATION SYSTEM ON OFFICIAL LANGUAGE MINORITY COMMUNITIES

FOURTH REPORT OF OFFICIAL LANGUAGES
COMMITTEE AND REQUEST FOR
GOVERNMENT RESPONSE—
DEBATE ADJOURNED

The Senate proceeded to consideration of the fourth report of the Standing Senate Committee on Official Languages, entitled *Seizing the Opportunity: The role of communities in a constantly changing immigration system*, tabled in the Senate on December 2, 2014.

[Senator Rivard]

Hon. Claudette Tardif moved:

That the fourth report of the Standing Senate Committee on Official Languages, entitled *Seizing the Opportunity: The role of communities in a constantly changing immigration system*, tabled in the Senate on Tuesday, December 2, 2014, be adopted and that, pursuant to rule 12-24(1), the Senate request a complete and detailed response from the government, with the Minister of Citizenship and Immigration being identified as minister responsible for responding to the report.

She said: Honourable senators, I am pleased to speak to the motion to adopt the fourth report of the Standing Senate Committee on Official Languages, entitled *Seizing the Opportunity: The role of communities in a constantly changing immigration system*, tabled in this chamber on Tuesday, December 2, 2014.

I would like to begin by thanking Senator Fortin-Duplessis, deputy chair of the committee, for her important contribution to the committee's work and the preparation of this report. I would also like to thank my honourable colleagues, Senators Chaput, Charette-Poulin, Maltais, McIntyre and Poirier, for their active participation in the committee's work on this file. Of course, I would also like to thank the senators who participated occasionally, but who nevertheless played a very important role in this study. I would like to acknowledge the outstanding work of our analyst, Marie-Eve Hudon, and our clerk, Daniel Charbonneau. I thank them most sincerely on behalf of the committee. All members of the committee would like to express their gratitude to the witnesses who agreed to share their knowledge and suggestions.

In April 2013, the Standing Senate Committee on Official Languages began a study of the impact of the most recent immigration reforms on official language minority communities. The committee held 15 meetings to study the issue and 44 witnesses attended to share their views.

The committee examined changes made since the beginning of the 41st Parliament and those that will be implemented by the end of 2014 and in 2015, including legislative or regulatory amendments, decrees approved by the Governor-in-Council, spending reallocations and ministerial instructions.

The objective of the nine recommendations presented by the Senate committee to the Minister of Citizenship and Immigration is to ensure that the department fully meets all its language obligations — namely those in Part VII of the Official Languages Act, which requires that the government take positive action to support francophone immigration — and fulfills the terms of section 3 of the Immigration and Refugee Protection Act, which seeks “to enrich and strengthen the social and cultural fabric of Canadian society, while respecting the federal, bilingual and multicultural character of Canada; . . . to support and assist the development of minority official languages communities in Canada.” The intent behind this report's recommendations is to make it possible for francophone and anglophone communities in Canada to seize the opportunities available to them in a constantly changing immigration system.

As a result of demographic and sociological changes, immigration has become a determining factor for the future and the vitality of official language minority communities, which have made immigration a priority in order to ensure their long-term development.

Honourable senators, the government has undertaken a major reform of the immigration system, making the economy the central focus of those changes and giving employers a more important role to play.

Since immigration is an area of shared jurisdiction, most of the witnesses stressed the importance of coordination among the various stakeholders. The federal government has a role to play in supporting the development of official language minority communities through immigration. This objective has economic and demographic benefits that are unique to each region. A coordinated national strategy, which requires everyone to participate, must therefore take into account the various partners and the unique characteristics of each region.

Your committee therefore made its first extremely important recommendation:

That Citizenship and Immigration Canada, in cooperation with all of its partners and in consultation with official language minority communities, quickly develop a coordinated national strategy to support the development of these communities through immigration. This strategy must identify the roles and responsibilities of the various partners and be flexible enough to take into account the unique characteristics of each region.

Honourable senators, since I don't have enough time to present the entire report — and I realize that it is already late — I would like to draw your attention to four main observations that stood out from all the witness testimony we heard during the course of this study.

First of all, with respect to economic immigration and the more prominent role given to employers, Citizenship and Immigration Canada must ensure that francophone immigrants can register in the pool of qualified candidates in the new Express Entry system without hindering the recognition of their foreign credentials. With the implementation of the Express Entry system in 2015, employers will be called on to play a key role in recruiting newcomers.

• (1710)

The Fédération des communautés francophones et acadienne, or FCFA, stated that anglophone employers have to be convinced of two things. First, these employers must be reassured that, in general, immigrants who settle in minority linguistic communities are bilingual, and if they aren't, they can take language training. Second, employers have to understand that there are francophone immigration networks that offer support to families.

The FCFA noted the importance of looking at this through a francophone lens to ensure that the communities' needs are being recognized. It also indicated that it would like to assist in developing such a tool. Other witnesses also spoke in favour of this francophone lens. Technical concerns about the new system were expressed in a brief to the Senate committee, and I quote:

The FCFA and others [francophone minority communities] stakeholders have raised concerns about the inclusion of French-speaking immigrants in the pool of candidates. This concern is based, in particular, on the difficulties associated with the recognition of foreign credentials. . . . Thus, it is likely that the requirement to provide an educational credential assessment at the outset of the process prevents many potential French-speaking immigrants from submitting an EOI and being placed in the pool of qualified candidates.

A francophone representative from Alberta was more pessimistic when he appeared before committee. He made the following statement, and I quote:

We feel that the important role employers are offered to play in the selection of immigrants, coupled with the major involvement provinces and territories with have in this file — and none of this is subject to language obligations — could dilute the federal government's commitments toward official language minority communities.

That is a very worrisome statement.

Honourable senators, the Express Entry system is one of the changes to the immigration system that has attracted the most attention from researchers and community stakeholders. A number of them are concerned that too much emphasis is being put on selecting English-speaking candidates. A 2013 report stated:

It will be necessary to approach Anglophone employers to select French-speaking immigrants.

Another important finding from the study is that official language minority communities will have to move from a reactive to a proactive role. Some witnesses spoke about mounting a charm offensive to persuade newcomers to settle in francophone minority communities. A number of witnesses said that Citizenship and Immigration Canada must maintain an approach designed by and for the communities when it comes to current and future changes.

Communities are now more certain than ever of the potential that immigration represents for their vitality. However, the only way they will achieve the desired results is to have the necessary resources at their disposal. It is recommended that the minister pay special attention to providing ongoing and enhanced support for francophone immigration networks; providing support for

French-language pre-departure services; promoting the communities abroad; and considering the special needs of refugees, temporary workers and international students.

That was a key recommendation in this report. The representatives from official language minority communities who appeared before your committee all stressed the importance of consultation. The Commissioner of Official Languages said that it was important to consult these communities to understand their needs with respect to recruiting, welcoming and settling newcomers.

The report contains two recommendations on targeted positive measures to promote francophone immigration that the government could implement. They are as follows:

That the Minister of Citizenship and Immigration pay special attention to the following positive measure, namely recruitment initiatives targeting francophone countries.

That Citizenship and Immigration Canada recognize the following:

- the Provincial Nominee Program and the Canadian Experience Class must attract a sufficient number of francophone immigrants;
- the Express Entry system must include a francophone lens so that francophone and Acadian communities can capitalize on targeted positive measures; and
- these communities must participate in developing the tools to promote immigration to their communities.

Witnesses talked about the importance of working with immigrants before they arrive in Canada. They need specific and helpful information about the reality of the job market in which they want to get established, because it is not uncommon to come across immigrants who are disappointed at not finding a job that matches their skills and experience. Before immigrants decide to settle in a minority community, it is best that they are fully informed about the community in question.

Citizenship and Immigration Canada must also provide francophone and anglophone communities with solid data to help them capitalize on the changes made. The communities need to have up-to-date statistics in order to better target their efforts.

A representative from Statistics Canada had this to say when he testified at the standing committee, and I quote:

In this respect, community stakeholders have expressed great interest in having Statistics Canada conduct a survey of the French-speaking immigrants outside Quebec so that they can be better equipped to face the challenges of the coming decades.

[English]

In December 2013, the Quebec Community Groups Network Board of Directors passed a resolution regarding the research priorities of Quebec's anglophone communities related to immigration. The resolution identified six research priorities and three principles for conducting them:

- Tie research to objectives that provide a concrete and direct benefit to Quebec's anglophone communities.
- Support research that strengthens the communities by fostering collaboration, networking, the sharing of best practices and resources leveraging.
- Focus on research into economic improvement, family support and the integration of English-speaking newcomers to Quebec through anglophone community institutions.

The anglophone communities want to encourage the Quebec government, with federal support, to work with anglophone organizations to identify the resources available in the regions and help Quebec achieve the immigration objective. At this time, neither the federal nor the provincial government shows any sign of openness in this respect. An integrated approach is desirable.

[Translation]

Proficiency in the official languages, especially English, is a determining factor in whether immigrants are able to successfully integrate into our society. Access to language training is not guaranteed everywhere or for all categories of economic immigrants. Citizenship and Immigration Canada must support the pivotal role that French post-secondary institutions in Canada play in the new immigration system. It must increase access to language training programs in all of the regions and allow temporary foreign workers and international students to register for these programs.

The public hearings showed that a knowledge of English is particularly important to economic integration, while a knowledge of French is important for social and cultural integration. A representative of Statistics Canada indicated that the unemployment rate of francophone immigrants who do not speak English is 3 per cent higher, despite the fact that they have a high level of education. Although every immigrant's experience is different, witnesses all emphasized the importance of learning English. Training that focused on both official languages would promote the economic integration of newcomers in English while broadening their social network in French.

What is more, the public hearings showed that post-secondary institutions are being called upon to play a leadership role in the new immigration system. Year after year, these institutions are welcoming a growing number of international students.

As one researcher found, the government is focusing more and more on this type of immigration. He said:

We now recognize that one of the reasons for recruiting foreign students is to retain them.

May I have five more minutes, please?

The Hon. the Speaker: Honourable senators, is more time granted?

Hon. Senators: Agreed.

Senator Tardif: The researcher went on to say:

This is a very important vehicle for the minority communities because it is a vehicle that we control. We have post-secondary institutions that are capable of recruiting foreign students, of bringing them in and of having them live in our communities for three, four, five or six years before they move on to permanent residence. This is becoming another way to consolidate their emotional attachment to the minority community.

• (1720)

The fourth key theme is the federal government targets established in 2003 for increasing the number of francophone immigrants settling in minority communities. A target of 4.4 per cent by 2008 was initially set and subsequently lowered, allowing the government until 2013 to achieve a proportion of 1.8 per cent for French-speaking immigrants settling outside Quebec, and until 2023 to achieve the initial target of 4.4 per cent. In 2013, in the wake of changes to foster economic immigration, the government set a new target of 4 per cent for French-speaking economic immigrants by 2018.

To achieve that target, Citizenship and Immigration Canada must include a francophone lens in the Express Entry system, the Provincial Nominee Program and the Canadian Experience Class. The testimony heard by the Senate committee suggests some doubt about whether these targets can be met. There was no clear indication in the public hearings as to what variables the department uses to calculate the number of French-speaking immigrants to Canada. As pointed out by one Statistics Canada official, the government's targets are not enough to compensate for the decreased demographic weight of francophone and Acadian communities.

Honourable senators, since immigration is a critical issue for official language minority communities, I am sure you will agree, based on the findings of this report, that it is both urgent and extremely important for federal and provincial governments to work together to include a genuine francophone lens in their immigration policies and programs. Immigration should be a powerful developmental tool for these communities and a truly positive force.

It is crucial that this report's recommendations be implemented because francophone and anglophone minority communities must derive tangible benefits from immigration in the very near future. Their very survival is at stake.

The following quote from the Fédération des communautés francophones et acadienne du Canada clearly sums up the expectations that communities have of Citizenship and Immigration Canada.

The reform of the immigration system continues, and the changes have not been fully implemented. Although the communities have adapted many of their activities and practices to ensure their relevance and effectiveness in the new immigration context, that in no way diminishes governments' responsibility to ensure that the recent changes to the immigration system have a positive impact on Francophone communities.

Statistics Canada anticipates that by 2050, renewal of the majority of the population will be due to immigration. That is another reason to redouble our efforts to increase immigration to official language minority communities.

In closing, I would like to quote what the Commissioner of Official Languages said on October 30:

We've reached a turning point. In the past year, the federal government has renewed its commitment to addressing the shortage of Francophone immigrants. Meanwhile, we are just months away from one of the most substantial immigration system reforms in our history. Right now, we have an opportunity to transform immigration into a truly positive force for Francophone communities outside Quebec. We cannot let it pass us by.

Honourable senators, I strongly recommend that you support this motion, read the report and adopt it.

Thank you.

(On motion of Senator Martin, for Senator Fortin-Duplessis, debate adjourned.)

[English]

COMMITTEE OF SELECTION

FOURTH REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the fourth report of the Committee of Selection, (Nomination of a Speaker *pro tempore*), presented in the Senate on December 2, 2014.

Hon. Elizabeth (Beth) Marshall moved the adoption of the report.

She said: Honourable senators, this is the report of the Selection Committee, which met on Tuesday morning. It relates to the nomination of Senator Housakos as Speaker *pro tempore*. I think the report speaks for itself. Thank you.

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

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

[Senator Tardif]

THE SENATE

MOTION TO STRIKE SPECIAL COMMITTEE ON SENATE TRANSFORMATION—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Ringuette, seconded by the Honourable Senator Cordy:

That a Special Committee on Senate Transformation be appointed to consider;

1. methods to reduce the role of political parties in the Senate by establishing regional caucuses and systems to provide accountability to citizens;
2. methods to broaden participation of all senators in managing the business of the Senate by establishing a committee to assume those responsibilities, and to provide for equal regional representation on said committee;
3. methods to allow senators to participate in the selection of the Speaker of the Senate by providing a recommendation to the Prime Minister;
4. methods to adapt Question Period to better serve its role as an accountability exercise; and
5. such other matters as may be referred to it by the Senate;

That the committee be composed of nine members, to be nominated by the Committee of Selection and that four members constitute a quorum;

That, the committee have power to send for persons, papers and records; to examine witnesses; and to publish such papers and evidence from day to day as may be ordered by the committee;

That, notwithstanding rule 12-18(2)(b)(i), the committee have power to sit from Monday to Friday, even though the Senate may then be adjourned for a period exceeding one week; and

That the committee be empowered to report from time to time and to submit its final report no later than June 30, 2015.

Hon. Elizabeth (Beth) Marshall: Honourable senators, this item is at day 15, and in the absence of Senator Poirier, I take the adjournment in my name.

(On motion of Senator Marshall, debate adjourned.)

SPEAKER'S STATEMENT

The Hon. the Speaker: Honourable senators, I wish to advise you that a conflict has arisen between the time for the deferred vote on the motion relating to Bill S-219 and the time for the Senate's sitting on Monday, December 8. According to rules 9-10(1) and 9-10 (2) the vote would be at 5:30 p.m. on the next sitting day. But, under the order respecting Monday's sitting, the Senate will only sit at 6 p.m.

We must resolve the difference between these two times. It would also be preferable to bear in mind that deferred votes are normally not held at the start of the sitting, allowing senators to have sufficient time to come to the Senate Chamber without difficulty.

• (1730)

Taking into account these factors, this situation can be resolved by holding the deferred vote at the start of the Orders of the Day on Monday, that is to say after Question Period. This solution balances the different provisions of the Rules and the decisions of the Senate, while also allowing senators to be present for the vote.

The deferred vote will therefore be held on Monday at the start of the Orders of the Day.

[Translation]

AGRICULTURE AND FORESTRY

**COMMITTEE AUTHORIZED TO EXTEND DATE OF
FINAL REPORT ON STUDY OF IMPORTANCE OF
BEES AND BEE HEALTH IN THE PRODUCTION
OF HONEY, FOOD AND SEED**

Hon. Percy Mockler, pursuant to notice of December 2, 2014, moved:

That, notwithstanding the order of the Senate adopted on Thursday, June 12, 2014, the date for the final report of the Standing Senate Committee on Agriculture and Forestry in relation to its study on the importance of bees and bee health in the production of honey, food and seed in Canada be extended from December 31, 2014 to May 31, 2015.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[English]

HUMAN RIGHTS

**COMMITTEE AUTHORIZED TO MEET DURING
SITTING OF THE SENATE**

Hon. Salma Ataullahjan, pursuant to notice of December 3, 2014, moved:

That the Standing Senate Committee on Human Rights have the power to sit at 6 p.m. on Monday, December 8, 2014, even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[Translation]

OFFICIAL LANGUAGES

**COMMITTEE AUTHORIZED TO MEET DURING
SITTING OF THE SENATE**

Hon. Claudette Tardif, pursuant to notice of December 3, 2014, moved:

That the Standing Senate Committee on Official Languages have the power to sit on Monday, December 8, 2014, even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

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

Hon. Senators: Agreed.

(Motion agreed to.)

(The Senate adjourned until Monday, December 8, 2014, at 6 p.m.)

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