



DEBATES OF THE SENATE

1st SESSION • 42nd PARLIAMENT • VOLUME 150 • NUMBER 94

OFFICIAL REPORT
(HANSARD)

Wednesday, February 8, 2017

The Honourable GEORGE J. FUREY
Speaker

CONTENTS

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

Debates Services: D'Arcy McPherson, National Press Building, Room 906, Tel. 613-995-5756
Publications Centre: Kim Laughren, National Press Building, Room 926, Tel. 613-947-0609

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

THE SENATE

Wednesday, February 8, 2017

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

Prayers.

DISTINGUISHED VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of our former colleague, the Honourable Wilfred P. Moore.

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

Hon. Senators: Hear, hear!

The Hon. the Speaker: Honourable senators, I would like to invite all senators to join me in the Speaker's chamber for a reception for Senator Moore at the adjournment of today's sitting.

SENATORS' STATEMENTS

THE HONOURABLE WILFRED P. MOORE

Hon. Charlie Watt: Honourable senators. . .

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

I rise to say a few words about our former colleague, Willie Moore, who retired before I had a chance to say goodbye.

We've known each other since 1996, when he was appointed to the upper chamber, and I have tremendous respect for his work. In particular, his interest in the North and indigenous communities has been great. As the only Inuk senator in the country, it can be lonely for me. He was a great advocate for indigenous people, and his well-informed and thoughtful contributions to the committee are much appreciated.

Willie puts a lot of attention into everything that he does, and that includes his preparation for the Standing Senate Committee on Aboriginal Peoples. As a newcomer to the committee, he was able to inject fresh and meaningful perspectives on the issues. His concern over our housing issues and the need for improved living conditions was admirable.

We will miss Willie's considerate nature and his contributions on behalf of indigenous people. He is a great example of how we

can work together for the betterment of our under-represented communities.

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

Thank you, Willie, and best wishes for your new adventures. *Nakurmiik.*

Hon. Elizabeth Hubley (Deputy Leader of the Senate Liberals): Honourable senators, I am very pleased to have the opportunity to pay tribute to my friend and our former colleague, the Honourable Willie Moore. I had been so disappointed to be travelling during the time for his official tributes, so I am glad he has come today to peer down on us.

I know many before me spoke at length about Willie's achievements here in the Senate and in his beloved Nova Scotia. But as a dancer, artist and fiddler, I have a special place in my heart for the arts, and I know very well that Willie does, too. I want to highlight some of those contributions.

We know that Willie was a dedicated volunteer at the Nova Scotia College of Art & Design, and was recognized with an honorary Doctorate of Fine Arts from NSCAD in 2014.

He also initiated the establishment of NSCAD's Community Studio Residency program in Lunenburg, which offers recent graduates donated studio space in the town. Willie said later that he pitched the idea to the then-NSCAD president as: "I want you to open a facility in Lunenburg. You are the Nova Scotia College of Art and Design after all, not the Halifax College of Art and Design." As always, he was right, and now NSCAD offers its residency program in Sydney, New Glasgow and Dartmouth.

A few years ago, he helped form the Lunenburg School of the Arts and now serves as the chair of its board of directors. The school offers workshops to kids and to students of all ages in areas like pottery, drawing, writing and photography. Willie recently told the Halifax *Chronicle Herald* that he looks forward to spending more time volunteering there. He is passionate about working with young people in the arts, and this school offers a wonderful start to those children who participate.

Willie Moore has done more than his fair share to help foster Nova Scotian and Canadian art, and I would say that his work is just beginning.

Thank you, Willie, and best of luck to you, Jane, Alexandra and Nicholas, as you take on this next chapter in your life.

INSTITUTE OF ASIAN RESEARCH

UNIVERSITY OF BRITISH COLUMBIA—
CONGRATULATIONS ON TWENTIETH ANNIVERSARY

Honourable Yuen Pau Woo: Honourable senators, today marks the twentieth anniversary of the Institute of Asian Research at the C.K. Choi Building at the University of British Columbia. I

would like to send greetings on behalf of the Senate to mark this important milestone and our good wishes for the continued contribution of the institute to teaching, scholarship, public engagement and policy development on Asia and Canada-Asia relations.

Founded in 1978, the Institute of Asian Research is the focal point for Asia policy and current affairs at the University of British Columbia. The institute supports research and a wide range of Asia-Pacific policy issues, including global and regional governance; culture, religion and society; energy and resource management; regional security; and trade and human rights.

• (1410)

In 1997, the institute relocated to the C.K. Choi Building at the north end of UBC's Point Grey campus, a bold move that was made possible largely because of the leadership of then-president David Strangway, who sadly passed away in December. The building was built with recycled materials. It has employed a number of best practices in minimizing the environmental impact of the premises through reduction of water consumption and energy use, including most famously the non-flushing toilet.

The Institute of Asian Research is part of a constellation of Asia expertise at UBC that spans all disciplines, from medicine to forestry to business. In fact, one of the key roles of the institute is to facilitate Asia-related teaching and research across the university, so that Asia research is not seen as a rarified activity of small cognoscenti, but as a core competence for any serious scholar in any discipline who is interested in being relevant to the issues of the day. As a result, UBC likely has the greatest concentration of Asia-relevant expertise of any university in Canada, and is surely near the top compared to other universities in the Western world. As part of the evolution in thinking about the contemporary relevance of Asian studies, the institute has also been at the forefront of developing a Masters of Public Policy and Global Affairs, with an emphasis on Asia, which is a precursor to the establishment of a school of public policy and global affairs.

In celebrating the twentieth anniversary of the Institute of Asian Research at the Choi Building, my intention is not just to inform this chamber of a very fine institution at a very fine university on the West Coast of Canada. There are many very fine research institutions at universities across the country. What I want to highlight instead is the way in which the Institute of Asian Research at UBC is pioneering an approach to the study of Asia that is based not just on "area specialization" but on the contemporary relevance of Asia for all fields of study.

If you are a social scientist, and you know nothing about research on Asia or research by Asian scholars, your education is grossly incomplete. Likewise, you cannot be a world-class oncologist if you are not plugged into cancer research networks in Asia, or an expert on environmental protection without some knowledge of practices in Asian countries.

The shift in power and influence toward Asia has profound implications for global governance, international economics and regional security. Needless to say, the rise of Asia matters to Canada, not just because we are a Pacific nation and have a large

population of Asian Canadians, but more important because what happens today in China, Japan, Korea, India and Southeast Asia has cascading effects around the world —

The Hon. the Speaker: Senator Woo, your time has expired. You have ten seconds to close, please.

Senator Woo: — because of the work of UBC's Institute of Asian Research and the community of Asia-focused scholars and practitioners across the country.

YUKON

JOSEPH WHITESIDE BOYLE

Hon. Daniel Lang: Thank you, colleagues. First of all, I would like to extend a special welcome to Senator Moore. I really appreciate the time and effort he put in as a member of our Senate.

Colleagues, 2017 holds many important anniversaries for Yukoners and for all Canadians.

It is the one hundred and fiftieth anniversary of our Confederation. It is also the one hundredth anniversary of the Battle of Vimy Ridge; and closer to home, in Yukon, we will be commemorating the one hundred and fiftieth anniversary of the birth of a legendary Canadian and proud Yukoner, Lieutenant-Colonel Joseph Whiteside Boyle, who was born on November 6, 1867, in Toronto. His birthdate makes Boyle one of the first Canadian-born citizens, which alone is worth celebrating, but there is more.

Lieutenant-Colonel Boyle grew up in Woodstock Ontario, and later made his way to Yukon and made a fortune mining gold in the Klondike.

At the outset of the Great War, Lieutenant-Colonel Joe Boyle established and funded Yukon's own Boyle's Machine Gun Battery, which saw 35 Yukoners make a two-year journey from Dawson City, Yukon to the battlefields of France, where they gallantly participated in the Battles of Courcellette, Vimy Ridge, Passchendaele and the German offensives of March 1918 in Amiens and Canal du Nord.

Colleagues, 100 years ago, in 1917, Lieutenant-Colonel Boyle began a major undertaking for the Allies in Eastern Europe, which included operating a spy network of almost 500 agents for the British Secret Service. He was active in Russia, the Ukraine and Romania during the chaotic period of 1917-18.

At all times, the single-minded goal of Lieutenant-Colonel Boyle was to keep up the allied effort on the Eastern Front. His actions earned him the nickname "The Saviour of Romania," and his heroics were compared to those of Lawrence of Arabia. He was awarded nine medals from Russia, Romania, France and Britain.

Following the war's end, Boyle was present at the Paris Peace Conference.

[Senator Woo]

He was instrumental in convincing the Allies, including Canada, to provide post-war aid to Romania. This unique relationship between our two countries began with a pledge of \$25 million in aid to Romania from Canada.

Following the war, Lieutenant-Colonel Boyle suffered a fatal stroke in 1923. He was buried in London, and his remains were later returned to Canada.

Colleagues, 2017 is an important year in our country's history.

On this, the one hundred and fiftieth anniversary of Confederation, let us proudly tell those stories like that of Lieutenant-Colonel Boyle, which make our regions and our country great.

And as we celebrate, let us remember our Queen, who this Monday celebrated her sapphire anniversary, having served 65 years as Queen of Canada.

God Save the Queen and God bless Canada.

Hon. Senators: Hear, hear!

BILINGUALISM

Hon. André Pratte: Honourable senators, according to the projection released recently by Statistics Canada, if nothing is done, Canada will become a decreasingly bilingual country. Indeed, by 2036, the percentage of bilingual people, those able to conduct a conversation in French or English, will increase only very slightly.

This increase in English-French bilingualism is attributable entirely to Quebec, where a growing number of francophones will be able to converse in English. By contrast, outside Quebec, the portion of bilingual individuals will drop from 10 per cent to 9 per cent. Although immersion classes are popular, Statistics Canada data shows that once students leave high school, young anglophones quickly lose their knowledge of French because opportunities to speak the language are very scarce. This situation is not likely to improve.

[*Translation*]

The proportion of francophones living outside Quebec, which has been trending downward for many years, will continue to decrease over the next two decades from 4 per cent to 3 per cent in 2036.

In other words, from an official languages point of view, the more the trend continues, the more Canada outside Quebec will be English and unilingual, and the more Quebec will be French and bilingual. Some might say that that is only natural, but I think it is sad and does not bode well for the future.

If we want bilingualism to remain vibrant from coast to coast, then French needs to continue to have a strong presence outside Quebec. For that, we can already count on some extremely

dynamic communities, but there needs to be more. The vitality of these communities depends on significant growth in francophone immigration to provinces other than Quebec. Currently, only 3 per cent of immigrants who arrive in English Canada speak French as their first official language. To keep the proportion of francophones outside Quebec at its current level, this percentage of French-speaking immigrants needs to be brought to 5 per cent.

[*English*]

Honourable senators, as with everything else that makes our country unique, bilingualism must not be taken for granted. We must implement policies so that francophone communities outside of Quebec not only survive, but also prosper. In particular, we must ensure that these communities become home to as many francophone immigrants as possible. If this can be achieved, Canada's francophone communities, indeed the country as a whole, will benefit. Thank you.

• (1420)

[*Translation*]

ROUTINE PROCEEDINGS

THE SENATE

NOTICE OF MOTION TO AFFECT QUESTION PERIOD ON FEBRUARY 14, 2017

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

That, in order to allow the Senate to receive a Minister of the Crown during Question Period as authorized by the Senate on December 10, 2015, and notwithstanding rule 4-7, when the Senate sits on Tuesday, February 14, 2017, Question Period shall begin at 3:30 p.m., with any proceedings then before the Senate being interrupted until the end of Question Period, which shall last a maximum of 40 minutes;

That, if a standing vote would conflict with the holding of Question Period at 3:30 p.m. on that day, the vote be postponed until immediately after the conclusion of Question Period;

That, if the bells are ringing for a vote at 3:30 p.m. on that day, they be interrupted for Question Period at that time, and resume thereafter for the balance of any time remaining; and

That, if the Senate concludes its business before 3:30 p.m. on that day, the sitting be suspended until that time for the purpose of holding Question Period.

ADJOURNMENT

[English]

NOTICE OF MOTION

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

That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, February 14, 2017 at 2 p.m.

[English]

INTER-PARLIAMENTARY UNION

ONE HUNDRED AND THIRTY-FIFTH IPU ASSEMBLY AND RELATED MEETINGS, OCTOBER 23-27, 2016— REPORT TABLED

Hon. Salma Atallahjan: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian Delegation of the Interparliamentary Union (IPU) respecting its participation at the 135th IPU Assembly and Related Meetings, held in Geneva, Switzerland, from October 23 to 27, 2016.

[Translation]

QUESTION PERIOD

INDUSTRY

BOMBARDIER INC.—GOVERNMENT SUPPORT

Hon. Claude Carignan (Leader of the Opposition): Honourable senators, my question is for the Leader of the Government in the Senate.

The Trudeau government announced yesterday that it was prepared to lend \$372 million to Bombardier. When we look a little closer, we see that, of this \$372 million, only one third, or \$125 million over a period of four years, will be allocated for research and development for the CSeries jet, which is built in Quebec. The other two thirds will be used for the Global 7000 aircraft, which will be built in Toronto.

Can the Leader of the Government in the Senate explain why it was necessary to have three ministers from Quebec attend a news conference held in Montreal when most of the federal assistance will go to Toronto?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question on this issue. He has raised the issue of Bombardier in the past. I hope that he, along with all members of the Senate, welcomes the announcement yesterday of a significant investment by the government, and therefore the people of Canada, in this important initiative. It is an initiative with respect to a firm based in Quebec but active across Canada and around the world.

It's important for us all to celebrate the well-being of this firm and not count heads of who is there. I take comfort in the fact that the Chief Executive Officer of Bombardier welcomed this initiative and spoke about how important it was to the ongoing well-being of this important corporation.

INTERNATIONAL TRADE

NORTH AMERICAN FREE TRADE AGREEMENT

Hon. Colin Kenny: Honourable senators, I rise today to ask the Leader of the Government a question about which I gave him notice earlier this week.

It seems pretty clear that the new administration in the United States is intent on reworking the North American Free Trade Agreement. Commerce Secretary Wilbur Ross has said that all aspects of NAFTA will be put on the table. We are beginning to hear reports of what issues the U.S. will target in the negotiations. We are hearing that the U.S. has a whole lot of grievances that will focus on issues ranging from intellectual property and telecommunications to cheese and dairy.

But so far, we have heard little from our government regarding any grievances Canadians have. It's as if we're going into the negotiations cap in hand, solely with the purpose of defending the status quo.

Our Ambassador to the United States has said that changes to NAFTA are coming, and changes to NAFTA are needed. What are the changes to NAFTA that are needed by Canada that our ambassador is referring to? Given that our government is welcoming the opening of negotiations, what are the things that we're looking out for to modernize NAFTA?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. I want to assure all senators and Canadians that the Government of Canada is well prepared for its engagement with this new administration. As senators will know, senior ministers have not only been in personal contact on the phone, but are also beginning visits to the United States where there are appropriate consultations with respect to how to advance our mutual interests in North America, and the prosperity and security of North America.

It would be premature at this time for me to outline to the chamber what asks Canada might have, except to reference statements made by ministers with respect to ways in which the

free trade agreement needs to take into account developments in the past 25 years, particularly with respect to rules of origin.

Senator Kenny: Honourable senators, if the Leader of the Government isn't prepared to tell us what the government is looking for, how are we to determine whether the meeting has been a success?

Senator Harder: The success of the meetings will be the "proof of the pudding" of the relationship over time, if I can mix metaphors. We should not, in a premature fashion, signal or indeed articulate in broad terms specific expectations on our side or the American side. Diplomacy is the yard of engagement and of, over time, having a positive relationship on a wide spectrum of issues, and that is well-launched. I have every confidence that the Prime Minister and his ministerial team will ensure the success of the relationship over the longer term.

IMMIGRATION, REFUGEES AND CITIZENSHIP

SYRIAN REFUGEES

Hon. David Tkachuk: Senator Harder, thank you for your answer to my question of October 20 regarding a number of refugees who came to this country in late 2015 and early 2016 — other than from Syria and Iraq.

I haven't received an answer to my question, though, of October 6 regarding refugees who came into this country from Syria and Iraq during the same period. I was wondering if I can expect to receive an answer to that question. It has been four months now since I asked the question.

Hon. Peter Harder (Government Representative in the Senate): I will certainly inquire. I want to assure all senators that I take seriously written answers and written responses, and it gives me an opportunity to remind the honourable senator that we have bills before the Senate that have been here longer.

Senator Tkachuk: There is some urgency to my question, Senator Harder. My fear is that the sudden prioritization of refugees from Syria has meant that those equally deserving of safety fleeing persecution in other countries have suddenly found themselves shunted aside. We are hearing reports now that the LGBTQ community in Iran that was prioritized by Stephen Harper's government in 2010, and whose numbers finding refuge in Canada were around 100 a year, have now slowed to a trickle, if not a complete halt.

Can you assure me, Senator Harder, that the sudden prioritization of Syrian refugees has not been at the expense of others suffering equally and fleeing persecution in other countries?

Senator Harder: I would be happy to inquire and have a fuller answer for the honourable senator's question. However, I do want to indicate that if you have priorities, by definition you're giving priority to a particular group. It was the judgment of the government that the priority that was intended, with respect to the Syrian refugees, was an appropriate one.

• (1430)

INDIGENOUS AND NORTHERN AFFAIRS

FORCED ADOPTIONS

Hon. Art Eggleton: My question is to the Government Representative in the Senate. It's a question I was going to ask yesterday of Minister Bennett, but I didn't come up on the list.

I will start by saying that I congratulate you for the decision to bring justice to those who were victims of the Sixties Scoop. As she pointed out last week, it was a dark and painful chapter for indigenous people in our country.

Another dark and painful chapter with some similar characteristics occurring at about the same time was the issue of what has been called "forced adoptions" or the "baby scoop era." This involved non-indigenous, unwed mothers who were scurried away from public view to tightly controlled and regimented religious maternity homes where they could dwell during pregnancy and then, in many cases, were coerced into putting their babies up for adoption. These institutions were funded by the federal and provincial governments. In Canada, it is estimated that 300,000 unmarried mothers were impacted by this adoption mandate from 1940 to 1970. An interesting statistic is that during that period of time, 96 per cent of the babies that were born were adopted. Today, in the case of unwed mothers, it's 2 per cent.

For many, the trauma of that experience continues to haunt them to this day. Trying to find out what happened to their children also meets resistance. My question is: First, is your government willing to look into these matters, and second, who is the appropriate minister to handle this file?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. I want to start by saying that it is the view of the Government of Canada, and I would suspect the view of senators, that the practice you have referred to is abhorrent and it's good that public policy has moved on to a more humane response in situations like you reference.

With respect to a particular minister involved, I would be happy to raise this with Minister Duclos, who is the appropriate minister, as Minister of Families, Children and Social Development. I also want to acknowledge, as you have in your question, that this is a matter of federal and provincial jurisdiction and I am sure this is an issue that has been and will continue to be raised in federal-provincial fora. However, I will, on his behalf, take it up with the appropriate minister.

Senator Eggleton: Thank you for that, and I would appreciate if you could get back to me with his response. I realize when you talk about matters that are the jurisdiction of two orders of government, there is always the possibility that buck-passing will occur, and I hope that's not the case.

I would like to point out that in the case of Australia, they had their states, as they call them, involved, as well as the national government. However, the national government did take it under its jurisdiction, did a study on it. In fact, the Prime Minister of the

day issued an apology and there were services provided for the people who were still going through some pain and suffering as a result of those experiences.

I hope that the minister will respond accordingly to try to bring some closure for many of these people who are in a very difficult, painful situation.

Senator Harder: I thank the honourable senator for a supplementary and I want to assure all honourable senators that my reference to federal-provincial relations is not meant to be a dilatory step, but simply to acknowledge the respective roles that provinces, territories and the federal government have on this matter, and indeed on matters of great significance that affect children, families and social development. In that spirit, I'm sure the minister will be responding fulsomely.

Hon. Terry M. Mercer: I have a supplementary to Senator Eggleton's question to the Leader of the Government in the Senate. When he speaks to the minister, I would hope that the tone of the discussion is a little more positive than the exchange here with respect to adoption.

As a founding member of the Adoptive Parents Association of Nova Scotia, I'm very sensitive to the fact that adoption is not treated as a positive thing. Indeed, those adoptions were awful and the treatment of those young women was not right and thank God we have moved on. However, as an adoptive parent myself, I understand the joy of being an adoptive parent. I want to ensure when you engage with the minister that adoption as an alternative should not be looked at in a negative light, but in a positive light and as an opportunity for the tens of thousands of young couples in this country who are unable to have children of their own.

Senator Harder: I thank the honourable senator for his question. My comments weren't made in a judgmental fashion, but simply wanting to complement and to recognize there is a significant social advance when choice is involved as opposed to the state exercising its authority. The reference to the numbers that Senator Eggleton spoke to describes the significant social change with the situation that we face.

FOREIGN AFFAIRS

BURMA—PERSECUTION OF ROHINGYA MUSLIMS

Hon. Salma Atallahjan: Senator Harder, last week I rose to ask you a question about the Rohingya Muslims. Since then, the United Nations High Commissioner for Human Rights from the Office of the High Commissioner for Human Rights has released a report with respect to the ongoing campaign of brutality against the Rohingya Muslims being carried out by the Myanmar authorities. Of particularly grave concern is what is happening to the Rohingya children.

The High Commissioner Zeid Ra'ad Al Hussein said:

The devastating cruelty to which these Rohingya children have been subjected is unbearable — what kind of hatred could make a man stab a baby crying out for his mother's

[Senator Eggleton]

milk. And for the mother to witness this murder while she is being gang-raped by the very security forces who should be protecting her.

The situation is more distressing than ever. When is the government going to take this horrific situation seriously? What is the government prepared to do to help bring an end to the ethnic cleansing of the Rohingya, and when can we expect a statement from Minister Freeland in the regard?

The Rohingya, especially the children, have little time left to wait.

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for her ongoing interest in this issue and other similar issues on human rights and children internationally. The government does take this seriously. It is not a question of it perhaps taking it seriously in the future; it does.

It has been raised regularly in appropriate fora, both bilaterally and multilaterally. I will enquire with respect to the specific question of Minister Freeland. However, I want to assure all senators that this issue is high on the minds of the appropriate ministers, including the Minister of Immigration, who has responsibilities on the refugee file, in particular. I will be happy to report back, as I look forward to reporting back on the question that was asked last week.

[Translation]

IMMIGRATION, REFUGEES AND CITIZENSHIP

ILLEGAL IMMIGRATION

Hon. Pierre-Hugues Boisvenu: Honourable senators, my question is for the Leader of the Government in the Senate and concerns an unlawful act that is a growing problem in Canada and will continue to escalate in the years ahead, that of illegal immigration. I am originally from the Eastern Townships, and every week I see newspaper articles with headlines like "Border services sound the alarm: 300 illegal immigrants have crossed into Quebec."

This is also a problem in Western Canada. I have here an article that talks about the problem. A huge number of immigrants have come to Canada, and communities often don't have the resources to welcome them.

Six years ago the government created a special advisor position to deal with this very issue. Ward Elcock was appointed Special Advisor on Human Smuggling and Illegal Immigration. Mr. Elcock left that role last June. Can the Leader of the Government in the Senate tell us whether that position has been filled since then? If not, does the Liberal government plan to fill that position soon, especially given that this is a growing problem and this position of Special Advisor plays a key role within the government?

[English]

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question, and I want to compliment him. I share his view of the important work that

Ward Elcock did in this area. Mr. Elcock was a long-serving public servant and this assignment was the last, and very significant, contribution that he made. I will inquire with respect to the particular questions on succession and intentions and report back.

• (1440)

[Translation]

FOREIGN AFFAIRS

MISSION IN UKRAINE

Hon. Jean-Guy Dagenais: Honourable senators, my question is for the Leader of the Government in the Senate. It has to do with Operation UNIFIER, Canada's contribution to support Ukrainian forces in coordination with the United States and the United Kingdom.

The deployment of approximately 200 Canadian Armed Forces personnel is slated to end on March 31. Ukraine's ambassador to Canada said he is concerned by the fact that Canada has yet to make an official statement regarding our continued support for this mission. As honourable senators know, combat between the Ukrainian army and pro-Russian forces has intensified in eastern Ukraine over the past few days.

Can the Leader of the Government in the Senate tell us whether the government intends to extend Canada's involvement in Operation UNIFIER?

[English]

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. When I visited Ukraine, I had the pleasure of being briefed by the Canadian commanders involved in this program and know first-hand from that briefing and from discussions with senior authorities in Ukraine how important this contribution is. The Government of Canada continues to be dedicated and committed to this project, particularly in light of events of the last number of weeks. With respect to the particular question on a specific announcement, I will inquire of the appropriate minister.

[Translation]

INDUSTRY

BOMBARDIER INC.—GOVERNMENT SUPPORT

Hon. Leo Housakos: Honourable senators, yesterday the Trudeau government announced that it was prepared to loan \$372 million to Bombardier. Can the Leader of the Government in the Senate explain to us why Canadian taxpayers should support Bombardier and why middle-class Canadians should take on risks that the banks aren't willing to take on?

[English]

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question, and I assume by the question that he is opposed to this initiative.

The government takes the view that the aerospace sector is an important one for Canada. It contributes over 211,000 jobs in Canada, particularly quality jobs, and \$28 billion annually in GDP to Canada's economy. I would remind all senators that Bombardier remains the largest single private sector investor in R&D. That alone would suggest that the nature of the investment of \$372.5 million for the firm to be able to advance its 7000 and CSeries is entirely appropriate. If the honourable senator feels otherwise, I would encourage him to express that and have the debate.

Senator Housakos: I would like to correct you. First of all, Bombardier is a private company; it's not a public company.

Second, I think we are all in favour of supporting the aerospace industry in Canada, but can you tell us why this government thinks it's so essential to support a bunch of billionaire family members, like the Beaudoin and Bombardier families, at the expense of middle-class Canadian taxpayers? What assurances does this government have for taxpayers that this \$373 million won't be going into the pockets and bonuses of senior executives of Bombardier, who have run the company into the ground and have not shown the private sector that they have been able to get, on merit, orders that would make a justification for such a huge investment on the part of the government?

Senator Harder: I thank the honourable senator for the question. He is clearly describing his view, which is a view not shared by the government. First, the company is publicly traded and in that sense is a public company. I just want to get that on record.

And with respect to driving this company into the ground, I would not share that view of the innovation and creativity of the Bombardier family. Indeed, this is a company that is professionally managed and disciplined by the market, and I welcome that discipline and the contribution that the Government of Canada is making to this important sector.

Senator Housakos: I would like to ask another question of the government leader.

No, we don't have the same view, because we don't believe in corporate welfare. We believe that, in this country, you should have companies that can stand on their own two feet, create jobs on merit and be competitive. I think this government should be focused on creating a competitive climate, lowering corporate income tax, lowering personal income tax and giving our companies the most competitive climate in the marketplace for our companies to flourish and grow. I think that's a lot more useful than the corporate welfare system that this government is implementing.

Senator Harder: I thank the honourable senator for his clarity. Let me just say that the Government of Canada has a different view.

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of New York State Senator Patty Ritchie.

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

Hon. Senators: Hear, hear!

PUBLIC SAFETY

ASYLUM SEEKERS—BORDER SECURITY

Hon. Victor Oh: My question is for the Leader of the Government in the Senate. It concerns the unprecedented number of asylum seekers crossing the Canada-U.S. border into Manitoba on foot instead of through official ports of entry. According to the Canada Border Services Agency, a large number of asylum seekers have entered near the Emerson, Manitoba, border crossing in an attempt to get refugee status in Canada. The figures have increased from 68 in fiscal year 2013-14 to over 400 between April and December 2016.

Advocates suggest that similar incidents are taking place across the country and have raised alarms over the rise in severe weather-related injuries being reported. It is expected that the number of irregular entries will continue to increase not only because of the uncertainty of new policies that President Trump will enact, but also because the Safe Third Country Agreement pushes many to take risky routes across the border into Canada to file claims inland. Given the obvious national security and humanitarian concerns involved, it is clear that this situation requires immediate attention.

My questions are the following: First, what specific measure has the federal government taken to ensure the integrity of our borders and the security of our people?

Second, will the federal government take steps to prevent the loss of life along the Canada-U.S. border and ensure that bona fide refugees are not returned to their country for persecution?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. I want to assure all senators that the Government of Canada remains committed to its obligations under the Geneva Convention and its 1957 update. This is also, of course, in the context of our bilateral agreement with the United States with respect to Safe Third Country Agreement. As the minister responsible has said, this is an evolving situation, one in which the particular circumstances in Emerson, Manitoba, have achieved some national news.

This is a situation where asylum seekers are being dealt with as appropriate under our obligations. There is no entitlement to stay, other than an entitlement to have your claim heard and to determine whether or not it is a well-founded fear of persecution within the context of both our international obligations and our bilateral understanding with the United States.

The situation is obviously being monitored carefully. Care groups are also involved. I was happy to see that Emerson, Manitoba, is acquitting itself well in responding to this humanitarian issue, and the Government of Canada is very closely monitoring this.

• (1450)

[Translation]

ORDERS OF THE DAY

CANADIAN HUMAN RIGHTS ACT CRIMINAL CODE

BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Mitchell, seconded by the Honourable Senator Fraser, for the second reading of Bill C-16, An Act to amend the Canadian Human Rights Act and the Criminal Code.

Hon. Renée Dupuis: Honourable senators, this is my first speech in this chamber. I have chosen to focus on Bill C-16 before us and to share with you my thoughts on this bill.

Two weeks ago, on January 25, the Canadian Human Rights Commission announced a major settlement agreement involving Employment and Social Development Canada following a complaint filed with the Canadian Human Rights Commission in 2011. This out-of-court settlement recognizes that:

... personally-identifiable sex or gender data can only be collected if there are legitimate purposes.

For example, the department can collect this type of information for analysis and program planning. Consequently, this department will no longer be requesting supporting documentation for changes to gender designations in the Social Insurance register.

Bill C-16 would amend two acts. The Canadian Human Rights Act will be amended to ensure that every person is protected against discrimination and harassment based on gender identity and gender expression. The Criminal Code will be amended to ensure that anyone who is a member of an identifiable group consisting of trans people or people of different genders has protection from hate propaganda and also to ensure that hate propaganda targeting trans or persons of different genders is considered an aggravating circumstance in deciding the sentence of a person found guilty.

Honourable senators, we know that gender identity or expression is an essential part of who people are, not only in terms of the perception they have of themselves from a very young

age but also in terms of the relationships that they have with family, friends, society, and the state. The way people look, their attitude, and the way they are treated by those around them, beginning with their own family, are determining factors in the formation of their personality. Whether they are accepted or rejected has real, documented impacts on these individuals and their loved ones, both in the short- and long-terms.

The federal government's requirement that individuals register for public services, registries and programs, such as the Canada Child Benefit, the voters' list, marriage and divorce certificates, the census, employment insurance benefits, employment insurance parental benefits, and permanent resident cards, presents obstacles to the exercising of their rights. It is discrimination on a personal, individual level.

In addition to individual discrimination, discrimination is also present in systems, legislation and policies, practices, and preconceived notions, for example, in the information requirements on public forms, and in hiring processes and labour relations. That is systemic discrimination.

Thanks to the hard work of those directly involved, health and support services, professional social work and psychologist associations, and researchers these past decades, it is now possible to document the reality of trans or gender diverse individuals and conclude that there is a need to ensure they are explicitly protected under the law.

Over 15 years ago, in 1999, the Canadian Human Rights Act Review Panel was mandated by the federal justice minister to review the act and the operations of the Canadian Human Rights Commission. The panel, which was made up of four members, myself included, published a report in 2000, entitled *Promoting Equality: A New Vision*. In it, the panel recommended that gender identity — the reality of trans people was often described that way at the time — be added to the federal human rights legislation to specifically prohibit discrimination against or harassment of individuals because of who they are.

I should point out that this recommendation was based on conclusions drawn from the major consultations we held from Halifax to Vancouver and the many stories we heard from trans people about the violence, discrimination and harassment they have experienced. We also heard about how sex and disability are not grounds that really apply to trans people, and we realized that they need explicit protection in the act.

Since 2005, a number of bills on this subject have come before the House of Commons. The House of Commons adopted two bills, one in 2011 and another in 2013, with the support of members of all parties in the house. I would emphasize that these two bills did not make it as far as a vote in the Senate. Most human rights legislation in Canada now recognizes and protects the right of people not to be discriminated against or harassed for reasons of gender identity or gender expression.

This matter is now before us in the Senate just as a federal department recently ceased asking for supporting documentation from people who request a change to their sex or gender designation in Canada's Social Insurance register.

As Vice-President of the Commission des droits de la personne et des droits de la jeunesse du Québec for the past five years and chair of the discrimination and harassment complaints committee, I know that trans people face very real obstacles that affect them in many ways beginning in childhood and lasting throughout their lives.

A few weeks ago, the Commission des droits de la personne et des droits de la jeunesse du Québec wanted to recognize the work of two individuals who have contributed to higher levels of protection for trans people by presenting its 2016 Rights and Freedoms Award to Annie Pullen Sansfaçon, Vice-President of the organization Gender Creative Kids Canada, an advocacy group that provides resources for supporting and affirming gender creative kids within their families and communities, and her young daughter, Olie Pullen.

Bill C-16 seeks not only to protect individuals against discrimination and harassment, but it also seeks to completely eliminate this kind of discrimination on a systemic level from the operations of all public and private institutions and businesses under federal jurisdiction.

In closing, Bill C-16 seeks not only to enhance protections for human beings and their loved ones, but it also aims to promote a society based on greater respect for people in communities that promote inclusion, rather than support the exclusion of certain members of our society. Bill C-16 seeks to ensure that people are no longer exposed to discriminatory acts, harassment or hate propaganda based on gender expression and identity. This bill aims to make clearly defined amendments to two pieces of legislation and seeks to strike a balance between all rights protected under the Canadian Human Rights Act and the Criminal Code. Thank you.

(On motion of Senator Martin, debate adjourned.)

• (1500)

[English]

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY— DEBATE CONTINUED

On the Order:

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

That the following Address be presented to His Excellency the Governor General of Canada:

To His Excellency the Right Honourable David Johnston, Chancellor and Principal Companion of the Order of Canada, Chancellor and Commander of the Order of Military Merit, Chancellor and Commander of the Order of Merit of the Police Forces, Governor General and Commander-in-Chief of Canada.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's most loyal and dutiful subjects, the Senate of Canada in Parliament assembled, beg leave to offer our humble thanks to Your Excellency for the gracious Speech which Your Excellency has addressed to both Houses of Parliament.

Hon. Howard Wetston: Honourable senators, the friendly reputation of the Senate is legendary. I rise here today overwhelmed by the warm welcome and support that I have received in this last couple of months, not only from senators but from administration and staff. I am encouraged by your support and your advice and feel especially fortunate to have been appointed to the Senate at a time when we are celebrating the one hundred and fiftieth year of our shared history.

I proudly spent most of my career in the public service. About 30 years ago, a colleague of mine said to me, "Howard, you make a pretty good public servant." It took me 30 years to realize that was a compliment.

Throughout my career, I was granted a licence, a licence to work in the pursuit of the public interest, whether as a judge or as an enforcement official or as a chair of a number of administrative tribunals. I had the opportunity to work with incredibly talented public servants, like Senator Dean, and ministers from a number of governments. I have been appointed to positions by Liberal governments and Conservative governments, both provincially and federally.

A friend of mine once said that he did not know, because of my appointments, if I even voted. There is a point in that. I have worked in Halifax. I have worked in Ottawa. I have worked in Toronto. As a judge on the Federal Court, I heard cases all across Canada. I know that Senator Sinclair might be envious of that because my jurisdiction was national, not provincial.

I was honoured to be appointed to these roles. They enabled me to better understand Canada and its regions, to tackle complex issues, to shape public policy, to make decisions that affect the well-being of Canadians from a societal, from an economic and from a business perspective.

As may be evident, I have served on the executive side of government and on the judicial side on the bench, and now, I'm honoured to serve on the legislative side.

I must say that virtually all of my previous roles required me, as a legal requirement, to be independent, and I have thought a lot about what that means, having been asked to sit as an independent senator. I can only best do that in the context of a quote that many of you may be familiar with from Justice Rosalie Abella of the Supreme Court. She was asked whether her colleagues at the time were ideological judges, left-leaning or right-leaning. Her comment was this:

If you see the brain as a basket, whatever case she or he hears takes the shape of the basket.

I think that is my intention as I arrive here in the Senate to act as an independent senator.

Your Honour, I would like to comment, if I may, on three matters today. I recognize I'm on the clock. First, what I might describe as the urban agenda: The stability of our national institutions is of great importance to Canada and is a significant reason why our country continues to rank as a highly desirable place for people to live, but, like other industrial nations, Canada is highly urbanized. Currently, just over 80 per cent of the country's population lives in cities and urban areas. While cities have become the focus of many of society's pressing challenges, like social cohesion and integration of new immigrants, they also offer the greatest potential to drive growth and opportunity, large-scale innovation and economic development.

I live in Toronto, and I realize how much Canadians like to take potshots at Toronto. But, as you know, Toronto is a leading financial centre, with diverse neighbourhoods, an engaged civil society and vibrant cultural institutions and many sports teams. I'll be waiting to hear about the support for that. It is also a hub, as you all know, for innovation and research. That's not to exclude other cities in Canada, but, as I live in Toronto, I should say that it contributes nearly 10 per cent of Canada's GDP.

It's also where many of society's most pressing economic and social problems play out. The high cost of housing is problematic. Toronto has the highest child poverty rates in Canada and faces the challenge of assisting and integrating thousands of newcomers to Canada.

These are complex policy issues. They play out in cities, Toronto and elsewhere, but they are not solely within the jurisdiction for cities to solve. They require cooperation, collaboration, flexibility from all levels of government. There is a distance, in my opinion, between traditional structures of government and constitutional allocations of responsibility and authority and the new reality of how large-scale public policy problems and issues are addressed by different levels of government.

As a legislator, I feel that it is important to be cognizant of the reality of the increasing importance of cities like Toronto, and other Canadian cities, and that there is a need for a new governance approach to solving complex public policy challenges. New governance approaches include providing cities with enough institutional authority to generate revenue and capacity to regulate on key issues that have a significant impact on people's lives.

I would like to stress that recognizing the importance of cities to society and the policy landscape does not, in any way, diminish the contributions of our Northern and rural and resource-based communities to our national identity and culture. We are, however, in an increasingly challenging and complex global economy, one that depends on the ability of our institutions to innovate and adapt to ever-changing circumstances to ensure the quality of life for all Canadians.

Honourable senators, I would like to discuss an issue regarding the capital markets. I had some experience in that area recently, and I just want to bring to your attention an issue that is developing in my mind. In 2009, the world was in a state of shock when the worst financial and economic crisis since the 1930s impacted the global economy. It has been quite a decade, but the global financial system has been strengthened by G20 reforms, of

which Canada is a member, which have attempted to fix the fault lines that led to the financial crisis. According to the Financial Stability Board, led by the Bank of England Governor Mark Carney, whom you are all aware of, the recession cost 25 per cent of global GDP. My calculation is that that's a little under \$20 trillion. The global GDP then was around 70. It's around 77 now. There were tens of millions of lost jobs and reduced confidence in open markets.

In Canada, we fared better. Our banks were better capitalized and had higher quality, sound prudential regulation. That being said, however, we were not immune. Low growth, higher unemployment and low interest rates have had a profound impact on the real economy.

The financial crisis revealed the shortcomings of not only global banks but also of regulatory systems. The crisis that substantiated that risk today is systemic. That is, macro prudential, no longer micro prudential, not institutional, Canada-wide or global. Financial markets today have nearly erased all borders. Financial markets are highly interconnected, sharing and transferring risk. Technological advances have made finance faster, larger, more global and often too big to fail and too fast to save.

Bubbles, panics and runs are quickly amplified and directly impact the real economy. I can't stress how important that is because it affects the real economy.

The G20 reforms, in which Canada has extensively participated, have created a more resilient and open global financial system, but, honourable colleagues, finishing the job of implementing these reforms regarding too-big-to-fail, derivative markets and shadow banking is still required. New vulnerabilities continue to develop due to the introduction of new financial technologies. Blockchain technology, algorithmic trading, high frequency trading in nanoseconds and pico-seconds, fintech This is a new world and a new world for regulators.

The financial crisis revealed the shortcomings, not only of the global banks but of all the regulatory systems. A lot was missed. Prudential regulators and securities regulators needed to work together as financial market regulators, not banking, not market conduct, but financial market regulators to fashion responses to deal not only with risk minimization but also risk optimization. Prudential regulators deal with minimizing risk. Securities regulators optimize risk; otherwise, the markets wouldn't function.

- (1510)

I realize that sounds like a bit of detail, but perhaps we could discuss it at some point.

Crises demand the highest level of protection that we can provide investors. If fragmentation of capital markets oversight cannot be resolved, then collaboration and consultation is a necessity. So regulators must continue to work together, and fortunately, while there are clearly challenges ahead, we have demonstrated success despite obvious inefficiencies.

I will take a brief moment to remind you of the asset-backed commercial paper crisis. Some of you may be aware of that. This

occurred in 2009. ABCP, as it was called, found its way into retail portfolios as well as sophisticated investor portfolios.

Paul Halpern, et al., recently wrote a book called *Back from the Brink*. The failure of this market was a \$32 billion market in Canada, in 2008-09. It could have clearly tipped Canadian markets into chaos if it weren't for the swift actions of a few powerful asset holders.

There is a good-news and a bad-news story. Collectively, through the Montreal Accord, led by Purdy Crawford, who is no longer with us, a great Canadian, managed to hold the market back from the brink of collapse by crafting a complex and innovative solution. Jim Flaherty was a facilitator. He was another great Canadian who is no longer with us.

Other markets around the world went into free fall during the 2008 financial crisis. The non-bank ABCP market in Canada narrowly survived through the sheer will of the groups at the negotiating table. They came together to find a solution. Contentious, there were gaps, there were failures, there were haircuts, it wasn't perfect, but we found the solution.

The book asks this question: Was the ABCP a uniquely Canadian solution to a uniquely Canadian problem? The answer is yes. No other country resolved that kind of a crisis together. I think that's a compliment to our Canadian institutions that were able to find a solution to that.

Why am I talking about this today? It's because President Trump wants to roll back post-crisis regulations associated with Dodd-Frank and the Volcker Rule. That worries me. Dodd-Frank is an integral part of the overall global reform of capital markets. The U.S. is a G20 member and participated extensively in the reform.

It has important implications for Canada, because we have large banks doing business in the United States. Clearly, this legislation places an enormous cost on the sector in terms of revenue opportunities, using their own capital and also compliance. I agree, it's a huge burden, but there is support for streamlining the framework, but recall one thing about this Dodd-Frank legislation: It's part of a big international response. It's insulating the real economy from systemic events. Tools are needed to address these market failures.

As such, I'm concerned, particularly if you add unethical or misconduct behaviour to the equation. Dodd-Frank and Volcker are both crisis-driven legislation, drafted during a crisis or during that period. It is worthwhile, and the Financial Stability Board tends to review the reforms to determine if there are unintended consequences.

But my bottom line is simple: Relaxing certain aspects of the regulation may not be prudent at this time. The markets are more resilient today. They may not be safer, but they are more resilient. Moving back on much of this reform is particularly worrisome for me, and I think it might be for others who have worked hard to put in place the necessary tools to create more safety in our capital markets.

My last point, if I may, honourable senators, is on the subject of diversity.

In my previous role, I had a wonderful opportunity to work on an important issue, and to be personally engaged in it, to support gender diversity on public company boards and executive management. To date, much of the discussion has focused on greater gender representation, but the conversation on ethnic representation is gaining momentum. The dialogue regarding women on boards in Canada has shifted in a positive direction over the past year. We need more action. The Ontario and federal governments are championing change in this area, and while governments do have an important role to play in accelerating progress, governments and private businesses need to work together to lead the way. It's time to promote more of the record number of highly educated, experienced and board-ready women in Canada, to boards and executive positions.

The business case for the advancement of women is persuasive. In the U.S., the Business Roundtable of corporate executives released a report recently that explicitly links board diversity with board performance in key areas of oversight and value creation. Other recent studies demonstrate clearly improved financial performance.

In Canada, momentum toward gender equity on boards is building, particularly in top-tier public companies. The largest issuers on the TSX in Canada range from 23 per cent to 35 per cent, with our Canadian banks leading the way.

Laura Tyson of Berkeley puts it this way:

Women's rights are human rights but they are also a key determinant of economic prosperity.

I would extend this thought to ethnic diversity as well.

Ignoring 50 per cent of Canada's workforce only leads to a reduction in our economic potential. Talent is not gender-specific. Talented people must be given the opportunity to succeed regardless of gender or ethnicity.

Honourable colleagues, I look forward to working with all of you. Thank you for allowing me to share these thoughts with you today.

Some Hon. Senators: Hear, hear!

Hon. Donald Neil Plett: Would the honourable senator accept a question?

The Hon. the Speaker: Senator Wetston, your time has expired. Are you asking for time to answer a question?

Senator Wetston: Yes, thank you.

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

Hon. Senators: Agreed.

Senator Plett: Thank you, senator, for allowing this question. You spoke at the end of your very eloquent speech about gender diversity and gender parity, ethnic parity. In light of that, have you given consideration to what Bill C-16 is going to do as far as

gender diversity and expression? When you talk about gender parity, and there is a male who identifies as a female, or a male who identifies as no gender, or an ethnicity that identifies as no ethnicity, where do we put these people in the realm of gender parity?

Senator Wetston: I think, senator, personally it's a very easy question to answer. If they are talented, they have skills, they have competencies, and they can fill that role, then they should be on that board.

Some Hon. Senators: Hear, hear!

Senator Plett: Well, senator, I agree with that; I have always agreed with that.

Some Hon. Senators: Hear, hear!

Senator Plett: But I also don't agree with quotas of people on any boards. I believe that the best people should be serving on boards, no matter what expression they use. But that, sir, isn't what you said. You believe that we should have gender parity. That did not answer the question. If there is gender parity, where does someone who does not identify, or identifies as dual gender or identifies one day as one gender and another gender another day, where do they fit in?

Some Hon. Senators: Oh, oh.

Senator Plett: Colleagues, you can cheer all you want about the answers; this is a very serious question about if we do vote at some point, and we will, on Bill C-16, which clearly will throw all of this —

An Hon. Senator: Oh, oh!

Senator Plett: Senator Mercer, if you have a question, please get up and ask it when I'm done.

Where do we put those people in this equation? That did not answer the question, sir.

• (1520)

Senator Wetston: I guess the best way for me to answer that is to say what I said. I never said "gender parity." I was emphasizing the fact that I think there is an imbalance on our boards, and we need to recognize that gender, in particular, and ethnicity need to be recognized as an important component of not only social but business policy for this country.

I never used the word "quota," because we're not at that place yet, but I will use the word "targets." We should develop targets, and we should move toward targets, because I think you agree with me, senator, that it's the only way we can get qualified people serving on our boards to improve not only how boards function, from an optimal perspective, but to enhance economic prosperity in our country. We are missing a great deal by not doing that.

Hon. Lynn Beyak: I wonder if the honourable senator would take another question. It's on a different part.

Senator Wetston: Certainly.

The Hon. the Speaker: I'm sorry, Senator Beyak, but Senator Wetston's time is up again. Is leave granted, honourable senators, for more time?

Some Hon. Senators: Agreed.

Some Hon. Senators: No.

The Hon. the Speaker: I hear a "no." Sorry, Senator Beyak.

(On motion of Senator Martin, debate adjourned.)

SENATE MODERNIZATION

FIFTH REPORT OF SPECIAL COMMITTEE— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator McCoy, seconded by the Honourable Senator Ringuette for the adoption of the fifth report (interim) of the Special Senate Committee on Senate Modernization, entitled *Senate Modernization: Moving Forward (Caucus)*, presented in the Senate on October 4, 2016.

Hon. Scott Tannas: Let me first thank honourable senators for the opportunity that I've had over the last couple of days to showcase my skills, deftly moving things through the chamber.

I have one last amendment to move today. This is on the fifth report, which is the recommendation with respect to caucuses. Both of these are technical in nature. The first is simply to remove the deadline, which is long past, that is referenced in the report recommendation. We have been told by the folks at the officers' table that if we leave it in and we passed it, it would immediately disappear because of the date. So the first part of my amendment is simply removing the deadline.

The second part of my amendment is consistent with the other three in that instead of instructing the committee, in this case the Internal Economy Committee, that we would instruct the administration to prepare a menu of all of the rule changes that would be required in order to make the report happen and to present that to the Rules Committee for them to review and to provide ultimately recommendations back to the Senate.

MOTION IN AMENDMENT

Hon. Scott Tannas: Therefore, honourable senators, I move:

That the fifth report of the Special Senate Committee on Senate Modernization be not now adopted, but that it be amended:

- (a) by replacing the words "That the Senate direct the Committee on Rules, Procedures and the Rights of Parliament and the Committee on Internal Economy, Budgets and Administration to draft amendments to the *Rules of the Senate* and the *Senate Administrative Rules* by 30 November 2016 respecting the following:" in the third paragraph with the following:

"That the Clerk of the Senate and the Law Clerk and Parliamentary Counsel be instructed to prepare and recommend draft amendments to the *Rules of the Senate* and the *Senate Administrative Rules* respecting the following, respectively, to the Standing Committee on Rules, Procedures and the Rights of Parliament and the Standing Committee on Internal Economy, Budgets and Administration, respectively, and that each Standing Committee examine and consider the draft amendments and report to the Senate:"; and

- (b) by replacing the fourth paragraph, starting with the words "That the Senate direct the Committee on Internal", with the following:

"That the Law Clerk and Parliamentary Counsel be instructed to prepare and recommend to the Standing Committee on Internal Economy, Budgets and Administration draft amendments to the *Senate Administrative Rules* to provide all groups (caucuses) of senators with funding for a secretariat and research projects, regardless of whether the groups (caucuses) are organized with or without political affiliation, and that the Standing Committee examine and consider the draft amendments and report to the Senate.".

The Hon. the Speaker: It was moved in amendment by the Honourable Senator Tannas, seconded by the Honourable Senator Plett:

That the fifth report of the Special Senate Committee on Senate Modernization be not now adopted but that it be amended —

May I dispense?

Hon. Senators: Dispense.

The Hon. the Speaker: On debate. Senator Tannas.

Senator Tannas: I think I have made my position clear.

Hon. Pierrette Ringuette: Would the honourable senator take a few questions?

You started out with the fact that you wanted to correct a deadline. I heard that you have, with your proposed amendment, removed November 30, 2016, but you have not put in place a new deadline. Why is that?

Senator Tannas: When the committee considered the deadlines, one of the reasons for the deadline was the influx of new senators that was coming. We felt the issue needed to be dealt with quickly. As everybody knows, we have come to a temporary accommodation. That means that we have a bit more time and that the Rules Committee and Internal Economy Committee can do this properly in a reasonable amount of time, without having to deal with a deadline.

That's my own opinion. I know Senator Eggleton yesterday moved an amendment to propose a new deadline. If a senator such as you wanted to do that, that would be fine.

For me, I felt that the deadline, given the accommodation that has been made that will last through until prorogation in the summer or fall is there, wasn't necessary.

(On motion of Senator Ringuette, debate adjourned.)

• (1530)

**STUDY ON THE STEPS BEING TAKEN TO FACILITATE
THE INTEGRATION OF NEWLY-ARRIVED SYRIAN
REFUGEES AND TO ADDRESS THE
CHALLENGES THEY
ARE FACING**

**FIFTH REPORT OF HUMAN RIGHTS COMMITTEE AND
REQUEST FOR GOVERNMENT RESPONSE—
DEBATE ADJOURNED**

The Senate proceeded to consideration of the fifth report of the Standing Senate Committee on Human Rights, entitled *Finding Refuge in Canada: A Syrian Resettlement Story*, deposited with the Clerk of the Senate on December 6, 2016.

Hon. Jim Munson moved:

That the fifth report, *Finding Refuge in Canada: A Syrian Resettlement Story*, of the Standing Senate Committee on Human Rights, deposited with the Clerk of the Senate on Tuesday, December 6, 2016, 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 Immigration, Refugees and Citizenship being identified as minister responsible for responding to the report, in consultation with the Minister of National Revenue.

He said: Honourable senators, a little more than a year ago we welcomed the first influx of our new friends, our new neighbours who live down the street from us now, and that is the 25,000 Syrian refugees and their resettlement in Canada.

Keeping this promise has been described as a “national project.” Its success to date is a testament to the commitment of thousands of Canadians, and of course hard-working public servants, during that time of quick integration into Canadian society.

As Chair of the Human Rights Committee, it is my pleasure today to talk about the report, which I have in front of me, *Finding Refuge in Canada: A Syrian Resettlement Story*.

Released in December, this report offers facts, insights and 12 recommendations to guide us in our efforts to support the social integration of these new Canadians. It is based on what committee members learned from representatives of government, private sponsors, support agencies and the refugees themselves.

Their testimony enabled us to prepare an analysis including far more than the demands for federal government programs and funding. In addition to its 12 recommendations, the report probes the distinct dimensions of Syrian refugee experiences. It highlights indicators of how we should move forward in helping those who escaped Syria to resettle in Canada. This is a crucial point in the process of integration.

The anniversary has passed. We are now moving into a crucial time, which is known as month 13. After one year, the federal government and sponsors no longer have financial obligations to the refugees. As a result of this and other changes, the pressure on these new Canadians to become self-sufficient is significantly more intense than ever.

Provincial and territorial aid, the Canada Child Benefit: Naturally these and other sources of financial support will fill gaps but, honourable senators, there will be financial shortfalls and we have to keep that in the mind in the year ahead.

There are also additional options that we should consider. During our fact-finding mission and hearings, we learned that, although most Syrian refugees came to Canada as part of federal government's resettlement program, others arrived here before this program was launched. Still others made the journey with the help of private sponsors and referrals from visa offices and other organizations. Some had to borrow money from the federal government for their travel. Now, after 12 months, they are expected to pay these loans back, with interest.

There was testimony from Malaz Sebai, Board Director, Lifeline Syria, who said there is somewhat of a running joke in the sponsorship community which is: How do we welcome refugees in Canada? With a debt?

This committee proposes a way to reduce the pressure on and create a far more fair arrangement for those refugees indebted to the government, and they are as follows:

Given the uphill battle of integration that refugees face, the Government of Canada must replace these loans with grants or introduce a debt forgiveness mechanism for those who are unable to repay them. At the very least, the Government of Canada should stop profiting from their hardship and not charge interest.

The federal government must continue to help and lead the resettlement program. In light of the complex nature of the situation, the program also has to include contributions from outside the public sector, from the grassroots level on up. This is certainly an appropriate way to deliver one of the most important means to achieve social integration: language training.

In October 2016, Immigration, Refugees and Citizenship Canada reported that since August, 64 per cent of eligible Syrian refugees outside of Quebec had enrolled in language training. John McCallum, the department's minister at that time, also announced an additional \$18 million, with 7,000 new spaces for language instruction. That's good news, but it's not good enough.

There remains a backlog of Syrian refugees who still don't speak English or French. As things currently stand, many of them will not receive training no matter how much the government invests in language programs. What is required is a solution tailored to the realities of their lives here. For example, within a family, one parent — typically the mother — will stay home with the children so the other parent can attend language classes. This creates a disadvantage not only for women but also for the children they are raising. Plans and arrangements, therefore, must be crafted to provide more child care spaces in conjunction with language training.

Another reality that has to be addressed with a combination of widespread programming and individual services is the psychological impact of what these people endured in their former homeland. They have witnessed and suffered unimaginable experiences of violence, hatred and torture. Human responses to experiences like these are typically delayed. Symptoms of post-traumatic stress disorder take time to surface.

We have to be prepared for this with services for specific forms of mental illness and their causes, and it has to be culturally sensitive. We believe as a committee that money should be set aside for more Arabic-speaking psychologists so they can be involved in the refugee community and their stories. The committee heard of a little boy who, months after coming to this country, would hide his toys under his bed in case soldiers came to his home to take them away. That's in Canada; that's in Ottawa.

A year ago, Canadians were swept up in a wave of altruism and compassion. The vulnerability of thousands of Syrian refugees and our collective will to assist them were top of mind. It was an extraordinary time, and it was time when the government worked hard and we all worked successfully together, when it seemed the best of human nature cast a bright light across the country. That light is still shining, but it is not shining bright enough.

Finding Refuge in Canada points out that although Syrian refugees left the hardships of war far behind them, they are now coping with new challenges and so, too, are governments and other organizations responsible for ensuring the successful integration of these newcomers in our country.

This brings me to the point. We hear this from groups today and during our hearings, and it's the idea of the backlog of thousands of people who were ready, willing and able. They are prepared to accept the refugees, their hearts are in place and yet there is a backlog. So it's not out of sight, out of mind, but it is a place where we think, as a committee, that civil servants should be encouraged to get back to what they were doing 12 months ago. Families are expecting this, and organizations and families are waiting. There are long delays for other members of the families to join them, as well. They are on the outside of a process, unable to get adequate or clear updates on where their loved ones are, the ones in the families, as well, who are here.

• (1540)

There are also thousands of sponsorship groups that have raised funds, collected household items and taken necessary training but have not yet been matched with families in Syria. They are waiting. This backlog has to be cleared up.

Going forward, we have to ensure that families can be reunited. Processes need to be more transparent and accountable. We heard this over again regarding family reunification. To eliminate backlogs, the government has to assign more staff to reunite families and to connect sponsors with refugees.

Late in the year 2015 we extended a fresh, heartfelt welcome to Syrian refugees. We cannot abandon them now.

I have a couple of quotes I would like to put on the record. One was from Reverend Brian Cornelius, Chair of the Finance Committee of the First United Church here in Ottawa. He is repeating, over and over again, that:

Loss of energy due to slowed processes would be really unfortunate because the energy of engaged sponsorship groups provides a network and even a sense of family for new arrivals.

Louisa Taylor, Director of Refugee 613, said:

Sadly, the bureaucracy around sponsorship is choking this goodwill from sponsors.

Deputy Chair Senator Ataullahjan and I have worked so closely with the rest of the committee, putting our hearts and souls into this report. It is our hope that our report reawakens Canada's and Canadians' compassion and desire to keep our promise to thousands of people — men, women, youth and children — who came here for a better life. We can only gain from learning about these new Canadians. Their experiences, their values and their dreams yield connections to us all.

We can search and search for reasons behind events like the vicious attack on worshippers in a Quebec mosque. Explanations, however, begin and end with the attacker and anyone who hates and harms people because of their faith or culture. Each of us has the right to dignity, to security and to explore and realize our potential. A country built on this principle is a place where the best parts of human nature shine.

If we turn our backs on those who escaped Syria and entrusted Canada with their destinies, we are letting down everyone who calls this country home, whether they have lived here for generations or have only just arrived.

Honourable senators, let's do what needs to be done to help Syrian refugees and new Canadians lay down roots and flourish so we, as a society, will also grow stronger.

On a personal note — and I don't really care if this is a conflict of interest — my family, along with other families, have sponsored a Syrian refugee family and it has been the most special year in our lives. I never thought, at this age of almost 71, that I would have six new friends, four of whom I skated with again on the canal, since I'm the senator from Ottawa/Rideau Canal.

A year ago, in January, this family came to this country and they came off the plane, as we see in that picture over and over again. A few days later I had Feras, Naim, Aboudi, Mohamed and their mother skating — well, trying to skate — on the Rideau Canal.

Here we are, a year later, in their homes. There we were, on Sunday afternoon, and I knew the Super Bowl was at 6:30, but what did Naim, Feras, Mohamed and Aboudi want to do? They wanted to go skating on the canal because they wanted to show Senator Jim that they could really skate now. Do you know what their first words were in the English language? I taught them, "He shoots, he scores!"

They can skate, but as we were skating along you could see where the teachers have already been involved in who they are as new Canadians and our next-door neighbours. And I get very emotional about it, because as we were skating along — and they are pretty good skaters, now — I think it was Naim who kept saying, “Work hard, learn more.” Where did that come from? It had to come from within the education system and his family.

And can you imagine the parents of this family, four years ago, living in little village outside Homs? The dad, Hekmat, would bring vegetables and fruit to the marketplace, and one day the bombing just got to be too much. They packed into the truck and tore away across the border into Lebanon. Just imagine leaving behind your mother and father, a mother who has passed away since they’ve been gone.

This family is here with us and is part of our fabric. It’s going to be wonderful to see in 10 years from now where these boys go and what they do in building our nation.

I encourage you to reread this report and I encourage the government to pay attention to our 12 recommendations, and let’s get on with welcoming more. They are Canadians; they are us.

(On motion of Senator Ataullahjan, debate adjourned.)

THE SENATE

MOTION TO URGE THE GOVERNMENT TO TAKE THE STEPS NECESSARY TO DE-ESCALATE TENSIONS AND RESTORE PEACE AND STABILITY IN THE SOUTH CHINA SEA—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Ngo, seconded by the Honourable Senator Cowan:

That the Senate note with concern the escalating and hostile behaviour exhibited by the People’s Republic of China in the South China Sea and consequently urge the Government of Canada to encourage all parties involved, and in particular the People’s Republic of China, to:

- (a) recognize and uphold the rights of freedom of navigation and overflight as enshrined in customary international law and in the United Nations Convention on the Law of the Sea;
- (b) cease all activities that would complicate or escalate the disputes, such as the construction of artificial islands, land reclamation, and further militarization of the region;
- (c) abide by all previous multilateral efforts to resolve the disputes and commit to the successful implementation of a binding Code of Conduct in the South China Sea;

[Senator Munson]

(d) commit to finding a peaceful and diplomatic solution to the disputes in line with the provisions of the UN Convention on the Law of the Sea and respect the settlements reached through international arbitration; and

(e) strengthen efforts to significantly reduce the environmental impacts of the disputes upon the fragile ecosystem of the South China Sea;

That the Senate also urge the Government of Canada to support its regional partners and allies and to take additional steps necessary to de-escalate tensions and restore the peace and stability of the region; and

That a message be sent to the House of Commons to acquaint it with the foregoing.

Hon. Pierrette Ringuette: Honourable senators, this motion stands adjourned in the name of Senator Meredith. Yesterday, I exchanged a few emails with him because he is away on committee business, which is a good thing. I wish to adjourn the debate in my name.

(On motion of Senator Ringuette, debate adjourned.)

INCREASING OVERREPRESENTATION OF INDIGENOUS WOMEN IN CANADIAN PRISONS

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Pate, calling the attention of the Senate to the circumstances of some of the most marginalized, victimized, criminalized and institutionalized in Canada, particularly the increasing overrepresentation of Indigenous women in Canadian prisons.

Hon. Ratna Omidvar: Honourable senators, as I rise to speak to you about this inquiry launched by Senator Pate, I am mindful of the fact that I come at the end of an afternoon and I stand between you and important committee work. So as Senator Baker always promises, I promise to be brief.

I also want to make the comment that if I can say something in 10 minutes instead of 15 minutes, I will strive to do so. That’s what I plan to do.

I want to thank Senator Pate for bringing to our attention the increasing overrepresentation of indigenous women in Canadian prisons. Senator Pate does not mince words. She points out that more than one in three women in prisons are Aboriginal and concludes that this overrepresentation is due to historical systemic discrimination and is a direct result of our racist and sexist legacy of colonization.

• (1550)

I am no authority on the social roots of indigenous incarceration. I do not pretend to know the horror that our colleague has witnessed, and, as deeply as her stories touch me, I am aware that I cannot know what separation from my children feels like. I cannot know the sounds and smells of a single segregation cell. I cannot know what happens to you when your culture and your language are taken away from you bit by bit. Yet, this is the legacy we are dealing with.

Instead, what I can do in the short term is listen, learn and reflect on what Senator Pate has put before us. It is also very timely that the Human Rights Committee, of which I am a member, has just launched a landmark study on Canada's prisons, under the leadership of Senator Munson and Senator Ataullahjan. In addition, there is much wisdom in the chamber that I can tap into: Senator Sinclair, Senator Dyck, Senator Pate, Senator Christmas. Recently, Senator Greene Raine came and talked to me about some issues. So thank you to all of these for all of this wisdom that we can rely on.

Today, at Human Rights we heard from the Correctional Investigator of Canada, and he reminded me of the perspective of one of the world's most famous prisoners, Nelson Mandela, who said:

. . . no one really knows a nation until one has been inside its jails. A nation is judged not by how it treats its highest citizens, but how it treats its lowest.

So while I have not yet been in a jail — but I suspect the Human Rights study will take us to a few — I turn instead to the final report of the House of Commons Special Committee on Violence Against Indigenous Women, and I read that the incidence of victimization and marginalization among indigenous women is influenced by a broad range of factors and interrelated issues of extreme complexity. These issues include, on the one hand, the ongoing effects of colonization, racism and poverty and, on the other, the high rates of mental health issues and addictions. I note that Aboriginal culture and languages have been suppressed, Aboriginal governments disrupted, Aboriginal economies destroyed and Aboriginal people confined to marginal and often unproductive land.

I also note that the impacts of colonial policies affect men and women differently. One of the cruelest legacies, in fact, is that they disrupted traditional governance and family structures that had previously balanced the roles and responsibilities of the family unit and especially those of women. I come to my first conclusion, and it is this: Colonization and its legacy matters.

I turn my attention next to the treatment of indigenous women, both men and women, in prison, and I find that they are more likely to receive higher security classification levels following a risk assessment. This results in harsher treatment and segregation. They are also less likely than other prisoners to access culturally appropriate education and training opportunities, which results in fewer opportunities to successfully re-enter and integrate into the community.

So I also observe another rather depressing fact. Whether it's our health care systems, our workplaces or our prisons, your path in it depends on the colour of your skin. When an injustice is done, it is often done doubly and triply to those who are visible and racial minorities. Wrongs and social inequities have a disproportionate impact on minorities.

I have always hesitated to use the word "minority" to describe Canada's indigenous people because I don't think they are minorities. They are the First Peoples of Canada, but, in this context, there is a shared experience with other people of colour. So this is my second conclusion. Race matters.

My next reflection is about the power of language. From Senator Pate, I have learned something about this power and how the words that we use paint pictures that become indelible. She urges us to dispense with the word "offender," and use the word "prisoner" instead because, she explains, "offender" is a label that goes with you everywhere, whereas "prisoner" is limited to the place of incarceration. Everywhere else, you're just another person.

A final reflection is that evidence must balance emotion. We cannot perform our service to Canadians without both our hearts and our minds. We cannot close our eyes and ears to evidence and take the easy emotional route. Here, colleagues, I am talking about the so-called tough-on-crime approaches to criminal justice. We may abhor the acts that individuals commit. We may objectively call the actions that land some indigenous men and women in prison heinous and worthy of punishment, but the statistics alone of overrepresentation in the prison system by indigenous women should tell us that this is not the whole story. It is our job to find that story.

I want to turn now to an observation about the spaces Senator Pate and I occupy. She champions the rights of prisoners and especially indigenous women in prison, and my own work to deepen and understand the integration and inclusion of newcomers. While immigrants and Canada's indigenous people, I believe, have much in common with each other — one of the simple facts is that these are the only two segments of our population that are growing — there are very few places that connect us together. There is an emotional distance between us, and I wonder about what keeps us apart.

I have always thought that Canada has different histories. It is a complex nation, made up of many constituent and sometimes moving parts, and it seems to me that this history is told back to us differently. The First Peoples history, the history of colonization, the history of bilingualism, the history of the coming together in Canada, the history of immigrant peoples of Canada. Nowhere do all of these narratives converge, and they especially do not come together in the classrooms in our country.

About the first time that I came face to face with the history of the First Peoples of Canada was when I took my citizenship exam, a full three years, by the way, after my arrival in Canada. It was, at best, a superficial engagement, and I believe this remains the case. There was no mention of the presence, the history, the place of the Aboriginal peoples in the oath, and I am completely delighted that the Government of Canada has promised to make changes to the oath of Canadian citizenship to reflect the

recommendations of the Truth and Reconciliation Commission. I think it is important to formally reinforce to new Canadians, as our former Governor General Adrienne Clarkson has done so eloquently, that, when you become a member of the Canadian family, you become a member of all of it, not just select parts of it.

Honourable senators, when I step back from the issue under inquiry, I do see a history of shared exclusion, shared differences, and I ask myself, "How can we build on these experiences to move

forward so that we can close this emotional distance?" I hope to find these answers as I work closely with Senator Pate and others and as I learn from her. I hope I have both been short and added some value to this important subject.

(On motion of Senator Boniface, debate adjourned.)

(The Senate adjourned until Thursday, February 9, 2017, at 1:30 p.m.)

CONTENTS

Wednesday, February 8, 2017

PAGE	PAGE
<hr/>	
Distinguished Visitor in the Gallery	Foreign Affairs
The Hon. the Speaker 2269	Burma—Persecution of Rohingya Muslims.
	Hon. Salma Ataullahjan 2274
	Hon. Peter Harder 2274
<hr/>	
SENATORS' STATEMENTS	Immigration, Refugees and Citizenship
	Illegal Immigration.
The Honourable Wilfred P. Moore	Hon. Pierre-Hugues Boisvenu 2274
Hon. Charlie Watt 2269	Hon. Peter Harder 2274
Hon. Elizabeth Hubley 2269	
Institute of Asian Research	Foreign Affairs
University of British Columbia—Congratulations	Mission in Ukraine.
on Twentieth Anniversary.	Hon. Jean-Guy Dagenais 2275
Honourable Yuen Pau Woo 2269	Hon. Peter Harder 2275
Yukon	Industry
Joseph Whiteside Boyle.	Bombardier Inc.—Government Support.
Hon. Daniel Lang 2270	Hon. Léo Housakos 2275
	Hon. Peter Harder 2275
Bilingualism	Visitor in the Gallery
Hon. André Pratte 2271	The Hon. the Speaker 2276
<hr/>	
ROUTINE PROCEEDINGS	Public Safety
	Asylum Seekers—Border Security.
The Senate	Hon. Victor Oh 2276
Notice of Motion to Affect Question Period	Hon. Peter Harder 2276
on February 14, 2017.	
Hon. Diane Bellemare 2271	<hr/>
Adjournment	ORDERS OF THE DAY
Notice of Motion.	Canadian Human Rights Act
Hon. Diane Bellemare 2272	Criminal Code (Bill C-16)
Inter-Parliamentary Union	Bill to Amend—Second Reading—Debate Continued.
One Hundred and Thirty-Fifth IPU Assembly and Related	Hon. Renée Dupuis 2276
Meetings, October 23-27, 2016—Report Tabled.	
Hon. Salma Ataullahjan 2272	Speech from the Throne
	Motion for Address in Reply—Debate Continued.
<hr/>	Hon. Howard Wetston 2278
QUESTION PERIOD	Hon. Donald Neil Plett 2280
	Hon. Lynn Beyak 2280
Industry	Senate Modernization
Bombardier Inc.—Government Support.	Fifth Report of Special Committee—Debate Continued.
Hon. Claude Carignan 2272	Hon. Scott Tannas 2281
Hon. Peter Harder 2272	Motion in Amendment.
International Trade	Hon. Scott Tannas 2281
North American Free Trade Agreement.	Hon. Pierrette Ringuette 2281
Hon. Colin Kenny 2272	
Hon. Peter Harder 2272	Study on the Steps Being Taken to Facilitate the Integration
Immigration, Refugees and Citizenship	of Newly-Arrived Syrian Refugees and to Address the Challenges
Syrian Refugees.	They are Facing
Hon. David Tkachuk 2273	Fifth Report of Human Rights Committee and Request
Hon. Peter Harder 2273	for Government Response—Debate Adjourned.
Indigenous and Northern Affairs	Hon. Jim Munson 2282
Forced Adoptions.	
Hon. Art Eggleton 2273	The Senate
Hon. Peter Harder 2273	Motion to Urge the Government to Take the Steps Necessary
Hon. Terry M. Mercer 2274	to De-escalate Tensions and Restore Peace and Stability
Hon. Terry M. Mercer 2274	in the South China Sea—Debate Continued.
	Hon. Pierrette Ringuette 2284
	Increasing Overrepresentation of Indigenous Women
	in Canadian Prisons
	Inquiry—Debate Continued.
	Hon. Ratna Omidvar 2284

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