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The Honourable GEORGE J. FUREY,  
Speaker

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## THE SENATE

Wednesday, February 28, 2018

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

Prayers.

### SENATORS' STATEMENTS

#### BUSINESS OF THE SENATE

**The Hon. the Speaker:** Honourable senators, I have received notice from the Leader of the Senate Liberals, who requests, pursuant to rule 4-3(1), that the time provided for the consideration of Senators' Statements be extended today for the purpose of paying tribute to the Honourable Senator Charlie Watt who will be resigning as of March 16, 2018.

I remind honourable senators that each senator will be allowed three minutes to speak, and the time allotted for tributes will not exceed 30 minutes.

#### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Donald Watt; Robbie Watt; Billy Watt; Lisa Watt, accompanied by Luc Dutrisac and Jeremy Carriere; and Charlene Watt, as well as Suzy Watt. They are the guests of the Honourable Senator Watt.

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

**Hon. Senators:** Hear, hear!

#### TRIBUTES

##### THE HONOURABLE CHARLIE WATT

**Hon. Joseph A. Day (Leader of the Senate Liberals):** Honourable senators, March 16, a little over two weeks, will be Honourable Senator Charlie Watt's last day as a member of this chamber. It will be strange here without him.

Senator Watt was appointed in 1984, before some of us were born. Along with Senator Cools, he is one of our longest-serving colleagues. Over those 34 years, Senator Watt's commitment to protecting and enhancing the rights of Canada's Indigenous peoples, especially the Inuit communities of Nunavik in northern Quebec, has been on full display in this chamber. This is no surprise. He was doing this long before he arrived in the Senate.

As a younger man, his leadership led him directly to the James Bay and Northern Quebec Agreement. When the Canadian Constitution was patriated in 1982, it was his efforts that secured the inclusion of section 35, entitled "Rights of the Aboriginal Peoples of Canada."

In this place, he was one of the driving forces behind the 2009 pilot project for simultaneous interpretation services in Inuktitut so that he and his colleague Senator Willie Adams could speak directly to those they represented from the floor of the Senate.

We all know that Senator Watt also argued strongly for a Special Senate Committee on the Arctic. Though that committee is just beginning its work, its departing chair has given it an excellent start.

I think it's also fitting to highlight his extensive work documenting the traditional Inuit trails in the Canadian Arctic. The research he commissioned, completed by Dr. Claudio Aporta of Dalhousie University through our independent Liberal caucus research fund, resulted in a unique piece of work, the first to compile and analyze historical maps of the Inuit occupancy of the Arctic. I encourage you to read the report entitled *Inuit Trails and Arctic Occupancy*. It is a testament to the work that can be accomplished in this place with the support of colleagues.

Colleagues, we understand that there is life beyond the Senate. Senator Watt was elected last month to serve as President of Makivik Corporation in Nunavik. It will be a return to his roots, so to speak. He was a founding president of that corporation in 1978. The Makivik Corporation was established to administer the funds flowing from the James Bay and Northern Quebec land claims agreement. It is involved in virtually all aspects of life in Nunavik, from mining partnerships and transportation to education and social development.

Senator Watt, on behalf of your independent Senate colleagues, and I'm sure on behalf of all of your colleagues here in the Senate, I would like to wish you good luck in this new endeavour. It's important work and we know it will be done well under your direction.

Congratulations and thank you for your service.

**Hon. Senators:** Hear, hear!

**Hon. Peter Harder (Government Representative in the Senate):** Honourable colleagues, as hunter, businessman, senator, leader, the Honourable Charlie Watt has made his mark across the North, throughout Canada and, as Senator Day has expressed so well, this chamber.

[Translation]

He came to the Senate at the age of 39, but had already accomplished a great deal in the North before arriving here.

[English]

He brought awareness to Canadians about northern citizens whose rights he defended. He brought to the attention of the Government of Quebec and, by extension, Canada, the imperative of recognizing the rights of the Inuit and Cree who lived in northern James Bay and northern Quebec. He led transformation.

In the time that Senator Watt has been here, the territory of Nunavut came into being, with its coat of arms on the door as we enter this chamber and around the Centennial Flame monument outside.

Inuktitut became a language of this chamber, the first Aboriginal language to be represented in the Senate. If Inuktitut speakers can hear and read their language in Senate reports and proceedings, they have Charlie Watt to thank.

**Some Hon. Senators:** Hear, hear!

**Senator Harder:** As Chair of the Special Senate Committee on the Arctic, which again Senator Day has just referenced, he ensured that the issues that affect Canada's most northern people were brought forward to this chamber and will outlive his departure.

[Translation]

As a devoted family man from the North, he had to make considerable sacrifices to come and work in the southern part of the country, and for that we are grateful to him and his family.

• (1410)

[English]

Now he is returning to the North, but as Senator Day has said, not to retire and hunt and fish, although I suspect he will do some of the latter. He is taking up yet another challenge, a leadership role — an elected roll, I should add — to run the organization he helped found in the late 1970s. It was once called the Northern Quebec Inuit Association, and it's now known as Makivik.

He will use his considerable leadership and seniority to address the urgent issues affecting the North and Inuit people: the effects of climate change, issues of wildlife management, self-government, renewable resources, culture and economic matters, and of course housing.

Senator Watt, we all know that we have not heard the last of you or from you. You are a tireless worker, an inspiration to all, and I wish you well in your new endeavours.

I thank you and your family for your sacrifices and your hard work.

*Nakurmiik and tavvauvusi.*

**Hon. Senators:** Hear, hear!

**Hon. Larry W. Smith (Leader of the Opposition):** Honourable senators, usually when we say goodbye to a colleague upon their retirement from the Senate of Canada, we wish them a peaceful, quiet retirement far away from the hustle and bustle of political life. This is not the case with our colleague Senator Charlie Watt, who takes his leave of the Senate after 30 years of service. As we all know, Senator Watt is stepping down from the Senate to take on the leadership, as my confreres have said, of the Makivik Corporation, which represents the Inuit in Nunavik. This new position actually represents a homecoming for Charlie, as he was one the founders and its first president in the 1970s.

I know I speak for all honourable senators in sending our congratulations to you, Senator Watt, for this recent election, and our best wishes as you shoulder these new responsibilities.

Without repeating everything that everyone else said, Charlie, I just want to say that as a fellow colleague and as a fellow team player, what I like most about you is your word. Whenever you said that you would do something, you did it. As a team player, one of the most important things with your team members is when they said something, you expect them to do it. With you, you always delivered. You have a great sense of humour, and you are a fine person. I wish you the best in your future.

**Hon. Raymonde Saint-Germain:** Honourable senators, I rise to pay tribute to the Honourable Charlie Watt for his decades of service to Canada, including more than 34 years as a senator representing Quebec (Inkerman).

Throughout his career, Senator Watt showed a steadfast commitment to the advancement of Indigenous rights in Canada, especially on behalf of the Inuit. Through a combination of advocacy, charm, persuasion, activism and sheer determination, he improved the lives of the Inuit in northern Quebec by giving them voice, recognition and political clout.

Senator Watt started out as an officer with the then Department of Indian and Northern Affairs in 1969. Who could have imagined that just three years later, he would be a founder of the Northern Quebec Inuit Association, which was set up to protect the political and economic interests of the Inuit.

As president of this association, Senator Watt negotiated the James Bay and Northern Quebec Agreement, which was signed in 1975 and provided \$90 million in compensation to the Inuit and the Cree for damages to their way of life due to the building of the James Bay hydroelectric dam.

If playing a role in the James Bay and Northern Quebec treaty is not impressive enough for you, consider that Senator Watt was also involved in the patriation of the Canadian Constitution, particularly with regard to section 35, which enshrines Indigenous rights.

Most of us would be content to rest on those career achievements, but Senator Watt was only just beginning. He was appointed to the Senate in December 1983 and served on many committees of national interest, notably on Aboriginal issues. He was the driving force behind the Senate's Special Committee on the Arctic, which came to fruition late last year and is poised to make its mark on issues in the Far North, as Canada increasingly embraces its Arctic responsibility and destiny.

Senator Watt has received many honours.

[Translation]

For instance, he was awarded the Ordre national du Québec. I hope you know, Senator Watt, how proud I am of that.

[English]

Colleagues, tributes of the sort I am now delivering are usually given to senators who are retiring. Senator Watt is certainly deserving of retirement, but he is, in fact, leaving the Senate not for contemplation and rest, but to begin yet another chapter in his illustrious career. By turning to the Makivik Corporation as president, he is circling back to an organization he founded.

For Senator Watt, the work is never finished. There are always challenges and opportunities anew, and I have no doubt that he will pour his energy into the unfinished business of improving the lives of northern peoples and protecting the fragile environment of the Arctic.

Senator Watt, all the best.

**Hon. Senators:** Hear, hear!

**Hon. Terry M. Mercer (Deputy Leader of the Senate Liberals):** Honourable senators, I rise today to pay tribute to our good friend Senator Charlie Watt on his long-standing and outstanding career here in the Senate of Canada.

He was appointed to this place by the Right Honourable Pierre Elliott Trudeau in 1984. I should mention that he is the second last appointee of Prime Minister Trudeau left in this place. Senator Cools will be the last.

An avid hunter and fisherman, Senator Watt has been a strong voice for his people here in the Senate. We will miss the stories he tells of his fellow Inuit constituents, from the challenges to the successes. Charlie always understood his role in the Senate, and he has done an outstanding job helping us all to understand what the people of the North face every day.

I recall a phone call I received from Charlie while I was caucus chair a few years ago, and over the conversation I asked Charlie where he was. He was out in the middle of a river, in a boat, talking to me on a satellite phone, working on a project for the people in the North, as usual.

We wish you well for the next chapter of your life, Charlie, helping the Inuit peoples of northern Quebec to succeed in this great place we call Canada. We thank you, Charlie, and shall miss your determined spirit in the Senate Liberal caucus.

**Hon. Senators:** Hear, hear!

**Hon. Lillian Eva Dyck:** Honourable colleagues, I rise today to pay tribute to our colleague and friend Senator Watt, who will be retiring later today from the Senate of Canada.

Before arriving to the Senate, Senator Watt was a key driver in changing the relationship between the Government of Canada, the Province of Quebec and the Indigenous peoples of northern Quebec.

In 1971, Senator Watt was elected as one of the first founding members of the Northern Quebec Inuit Association, now known as Makivik Corporation. With the support of the Quebec Association of Indians, Senator Watt and the NQIA applied to the Quebec Superior Court in 1972 for an injunction to stop the James Bay Hydroelectric Development Project, as the rights of

the Inuit and Cree in northern Quebec were being ignored. This court action eventually resulted in the James Bay and Northern Quebec Agreement in 1975, the first major comprehensive land claim agreement in Canada.

Senator Watt was appointed to the Senate by Prime Minister Pierre Elliott Trudeau in January 1984. Later that spring, Senator Watt introduced a motion to create a special committee on Aboriginal peoples that eventually became a standing Senate committee. As the current Chair of the Standing Senate Committee on Aboriginal Peoples, I would like to acknowledge Senator Watt's founding initiative for the committee.

As we have seen with his dedication in starting another special committee just this session, the Special Committee on the Arctic, Senator Watt leaves this place having changed the way we examine legislation and policy through these two very important committees. We will miss his voice not only here in the chamber but especially on those committees.

• (1420)

In 2006, the Standing Senate Committee on Aboriginal Peoples studied housing in the North, and during our tour of Inuit Nunangat, Senator Watt welcomed the committee into his community of Kuujuaq, Quebec. Specifically, he brought to the attention of the committee the testimony of two extraordinary youth leaders in Kuujuaq, Louisa Yeates and Olivia Ikey, both with the Qarjuit Youth Council.

I bring the story up because both of these young leaders credit Senator Watt and his mentorship in supporting them to become the leaders they are today. He has obviously been an inspiring role model for many youth.

To his family, especially his wife Ida, I thank you for sharing Senator Watt with the Senate of Canada these last 34 years. His service in this chamber as a strong advocate for all Indigenous peoples in Canada has shaped our debates, policy and legislation over that time.

As I mentioned previously, Senator Watt was the founding member of Makivik Corporation. He was recently elected as its president again, and this is the reason for his early retirement from the Senate.

Congratulations, Charlie. I wish you the best in the new position. It is in a sense a homecoming.

Now, Senator Day mentioned your accomplishments as a younger man. Well, I always thought you were younger than me, though you are a year older. I think you like that, but your youthful demeanour shines through and therefore I believe that in your retirement, as President of Makivik, you will be a very youthful and vital new president. Best wishes.

**Hon. Jane Cordy:** Honourable senators, I am pleased to speak today in honour of our colleague Charlie Watt, who will be retiring from the Senate.

Charlie, it has been a pleasure working with you in the Senate over these many years. Through our discussions in this chamber and in our independent Liberal caucus, you have taught me so much about the North, and I thank you. It was many years ago that you spoke about climate change and how it was affecting the lives of those living in Canada's northern region. This was long before many people recognized the realities of climate change and how it affects our environment.

Senator Watt, it is only fitting that you were successful in promoting the establishment of the Special Senate Committee on the Arctic and that you were chosen as the first chair.

Charlie, when you speak of the North, your love of the people and of the land clearly shows. You have been rightfully honoured for your community work over the years. In 1994, you were inducted as an Officer of the National Order of Quebec, and in 1997 you were a recipient of the National Aboriginal Achievement Award. It is no surprise that your retirement will continue to be busy as you have been elected as President of Makivik Corporation.

It is interesting that you were appointed to the Senate by Prime Minister Trudeau on January 16, 1984, and you will be retiring 34 years later during the term of Prime Minister Trudeau.

Charlie, my best wishes to you and to your family on your retirement.

**Hon. Art Eggleton:** Charlie, it is a long time that you've served in this Senate, since 1984, but you never forgot your roots. You never forgot the North; you never forgot where you came from and the kind of work you did even before you arrived. In business and in communities, you were a true leader.

And when you came here, that's what you focused on, more than anything. In the time that I've been here, much less than your time, I recall how passionately you've argued for full participation of the Inuit people in decisions about the North, about their land and about the sea that is so important to them. The mapping project, which we had at open caucus on a couple of occasions, was a good demonstration of the roots that people have from your community in those areas.

The personal stories that I remember you telling about how you saw the ice changing and the climate change impact in the North are very valuable for all of us here in Parliament to understand and to hear from your voice.

Of course, the Arctic Committee has been established and will now continue the work that you have done, while you go back to doing some work that you started when you founded the Makivik Corporation. Now you'll get an opportunity to go back and do that good stuff again.

Charlie, you are doing what you think is right; I think you're doing what you think is right. I wish you, your family and all your friends well as you begin the next stage of your life, a return to the North.

**Hon. Senators:** Hear, hear!

**Hon. Serge Joyal:** Honourable senators, today is a sad day for our chamber as we witness the departure of Senator Charlie Watt, one of the first Inuit to be a member of the Senate of Canada, in 1984, where former Senator Willie Adams, also an Inuit, had been sitting since 1977.

Senator Watt devoted his entire life to the promotion of the status and the rights of the Inuit people. He was among the first Inuit representatives in 1980 to testify at the special joint committee on the patriation of the Constitution, which I had the privilege of co-chairing at the time, and to claim the recognition of Aboriginal ancestral and treaty rights, which were finally entrenched in section 35 of the Constitution Act 1982 through an amendment adopted by that committee.

We cannot underestimate the strategic importance of this constitutional change for the Indigenous people of Canada in the years that followed. It was a historical step forward. Section 35 of the Constitution Act 1982 led to over 80 judgments rendered by the highest court, thereby re-establishing the rights of Indigenous peoples of Canada to their territory and setting aside more than 150 years of discrimination through the Indian Act and also affirming the rights of equality for Indigenous women.

Without the recognition of Aboriginal rights in section 35, Canada would not be engaged on the path of reconciliation it is on today with Indigenous peoples.

Moreover, Senator Watt has always advocated that there is a complete system of Aboriginal law that predates colonial occupation, and that in fact Canada benefits from three legal traditions: the Aboriginal system of governance and family law, the French civil code and, of course, common law.

He has advocated for his right to speak Inuktitut during the deliberations of our chamber. It was under his initiative of June 23, 2009, after reports from the Rules Committee, that the experiment of using a third language, Inuktitut, was successfully conducted in the Senate Chamber during a debate for the first time in 300 years. This was, in fact, the first time since 1701, when the treaty of Montreal was negotiated and signed by 39 Aboriginal chiefs that Aboriginal languages were abundantly spoken.

We should recall several lessons from that historical day in our chamber, a day when we had access to three audio channels — French, English and Inuktitut — to understand the proceedings of the chamber.

Senator Watt, having been your personal friend over the last 50 years, it remains one of the greatest incentives for me to diligently continue serving the peoples of Canada. Thank you.

**Hon. Dennis Glen Patterson:** Honourable senators, I'm happy to pay tribute to Senator Charlie Watt, who stands out amongst Aboriginal leaders in Canada and in the North.

He has always been a fighter for his people. As a young, newly married apprentice in mechanical engineering, working for Indian and Northern Affairs in 1964, he became concerned that the Province of Quebec was trampling over the rights of Inuit, seeking to take over responsibility for them, heedless of Canada's fiduciary responsibilities to Inuit. So Charlie wrote and

expressed his concern to then Leader of the Opposition John Diefenbaker. Charlie found a willing and understanding ear in Mr. Diefenbaker. “Young man, when you take up a fight, you carry it through,” Mr. Diefenbaker told him over the telephone. So he did. Thus began a long relationship with one of my heroes, also a champion of minority and human rights and the first of many prime ministers who knew and respected Charlie Watt.

• (1430)

Years later, Charlie Watt began what was probably the biggest fight of his life. He took on a powerful Quebec premier and big money behind a steamroll effort to exploit the rich water resources of Nunavik to make Quebec into an economic powerhouse. It was backed by the full weight of a powerful premier. Their plan, however, did not take into account the interests of the people of those lands and waters, the residents of Nunavik, Senator Watt’s lifelong home region.

Many felt powerless to stop this juggernaut, but stop it they did. Charlie Watt, Mark Gordon and a stalwart band of Inuit rebels tied up that massive economic project with a court injunction and a demand that their land claims be settled before it was built. In 1972, the Northern Quebec Inuit Association, NQIA, an organization he founded, joined with the Quebec Association of Indians to apply for an injunction to stop the hydro project of the century in the Quebec Superior Court. It was David against Goliath.

By 1975, the Inuit had successfully negotiated the first major comprehensive land claims agreement in Northern Canada, heralding a new era in Aboriginal land claims — yes, the first major comprehensive land claims agreement in Canada, and a precedent for many others which followed. This was all inspired by the leadership of Charlie Watt.

It’s amazing now that the founding president of NQIA, whose land claims implementation corporation is Makivik; following a resounding electoral mandate from the people of Nunavik, now leaves this chamber to once again lead Makivik 43 years later.

He made his mark already in Makivik in so many ways. I want to mention air transportation. He founded Air Inuit with one de Havilland Beaver, now with 25 aircraft and 300 employees. Later, he purchased First Air.

I’ll miss Charlie, and I had been looking forward to working with him on the Special Committee on the Arctic. I’m sorry we can’t work together, but we can still work together to recognize and further the rights of Inuit. My friend, I salute you for your service. I’m honoured to have been sponsored by you when I was sworn into this body. You bring credit and honour to this place. We have had different political affiliations in this chamber, but you’ll always be my friend, and you will always have my respect.

*[Editor’s Note: Senator Patterson spoke in Inuktitut.]*

**Hon. David Tkachuk:** Colleagues, I first met Senator Watt — can you believe — in 1983 at the first ministers’ conference that was chaired by Prime Minister Trudeau and that was held over at the Conference Centre, which is going to be our home soon. It was a historic conference. It was a conference on the Constitution and Aboriginal rights.

[ Senator Patterson ]

Charlie, you were appointed in January 1984. I was appointed in 1993. This place is where we re-established the bond of being at that conference. It has been a great almost 25 years that we have been here together. We’re actually old enough to be the fathers of most of you, I suppose. It’s hard to believe.

I think Senator Watt is one of the very few Trudeau appointments to the Senate that hasn’t decided to join the ISG. That probably has something to do with the fact that he was appointed by Prime Minister Trudeau, the father of the present prime minister. My guess is that Senator Watt got so fed up hearing derogatory comments about appointed senators that he decided to get himself elected. And he did, with 54 per cent of the vote, I understand.

I know that the independent senators will have a hard time believing this, but we’re all independent senators: Charlie and I worked together on fighting the gun registration, along with Senator Sparrow from North Battleford. We weren’t successful, but when we Conservatives got to be in power, we were able to get rid of that terrible mess that was inflicted upon us in the 1990s. But considering the latest utterances by Minister Goodale, I would like to have you here for one more year, Senator Watt.

Charlie is going home. He was elected as one of the founding directors of the Northern Quebec Inuit Association back in 1971. The association was eventually renamed the Makivik Corporation, and it is the organization he recently got elected to as president. It’s sort of back to the future, Charlie. Whenever I hear about the Idle No More movement, I think of Charlie Watt, and I think that movement didn’t have Charlie in mind when they named themselves that, but he was certainly never idle. The association of which he was director way back in 1975 negotiated the first major comprehensive land claims agreement in Northern Canada and began a new era in land claims negotiation.

So good luck, Charlie. Thank you for all your work for Canada. We’ll all miss you, and I’ll miss you especially.

**The Hon. the Speaker:** Honourable senators, there are a number of other senators who would like to take part in the tributes; however, the time for tributes has expired. I now call upon the Honourable Charlie Watt.

#### EXPRESSION OF THANKS

**Hon. Charlie Watt:** Honourable senators, did I do all that? Many years have passed.

First, I would like to give a special thanks to my family who are here today.

**Hon. Senators:** Hear, hear!

**Senator Watt:** Most of you are aware that my wife is not here. She is at home in Montreal. Every now and then, I still go to Montreal and give her a visit when there is time for me to go and at least attempt to talk to her. She doesn’t talk anymore; she doesn’t say one word. At times, I even wonder whether she actually recognizes me when I go over there. It’s a bit hard, especially when you have to go out. Coming into the facilities — I can handle that, but the time when you have to go out, a few



times in my life, especially recently — that time before I start up the car, I have to sit down, think about it, and it becomes emotional at times.

Nevertheless, life goes on. I have to move ahead despite the fact that there are some obstacles I still have to face in my life.

My family has been very supportive of me and of what I've been doing. I'm just going to mention their names, even though they have already been mentioned. Donald is the oldest son, who has been close to me over all those years, as have my other kids. Robbie is now the President of the Makivik School Board that arose out of the James Bay and Northern Quebec Agreement. Lisa, my daughter, is also here, as are Billy, my youngest son, and Charlene, my youngest daughter. My granddaughter, Suzie, is here, as is my grandson, Jeremy.

• (1440)

I appreciate the fact that they are here with me today. This is very special for me. I've been here for 34 years. There has never been a dull moment in my involvement with the various individuals in the Senate. I do appreciate the friendships that I have developed over the years and the help that you have provided to me.

When you are only one Inuk in this chamber, it's a little difficult at times, but with your friendship and the help that you have provided to me, including our Speaker, who has been close to me ever since he stepped into the Senate, because I was here before him —

**Senator Tkachuk:** You were here before everybody.

**Senator Watt:** I'm not sure whether Anne Cools is here. She probably stayed away for good reason. Anne and I have been seatmates I don't know how many times or for how many years. You know Anne as well as I do. Anne has been a good friend to me, and very supportive. She is at the door. I'm talking about you, Anne; maybe you should take your seat.

It has been quite interesting. When I first stepped in here, the only person that I was really engaging with at the time was Anne Cools because we were appointed at the same time. Anne, I love you.

**Senator Cools:** I love you very much.

**Senator Watt:** We had fun together. I remember taking on our government at the time. It was Liberal at the time. We worked out a strategy between her and me, and at times we were able to manage to lock them in. In other words, they were not able to go ahead with a piece of legislation that they were pushing for. We have a bit of a record, between me and Anne, working together, succeeding at times, and other times we didn't succeed. But that's the name of the game here. I enjoy it. I loved it.

I would like to say a few special words about the people that I have worked with and that I've been very close to. One is George Baker. He is not here. He resigned before it was time for me to go. You know how articulate he was, a man that can put forward certain things, and he is a very hard person to match when he gets going.

There are some other people with that type of character I have run across in the Senate. One of them is Serge Joyal. We have known each other since before I was appointed to the Senate and the work that we carried out during the time when there was an opportunity to hitch a ride when the boat was just about to depart from Canada to London and bring the Constitution back to Canada. I got to know him. I remember certain specific issues, how we encountered each other in the past, but I'm not going into the detail of those. But Serge, thank you very much for the help that you have provided to me all these years.

Then there is Joan Fraser. A lot of you are aware of who she is and how strong that person is. She has been instrumental in providing me some advice. I would say that Senator Fraser is the one individual senator that I have learned to respect over the years because of the way that person was. It's not so much what she knows but the way she handles things and the way she handles people. I think we highly appreciated that lady, the knowledge she has. It inspired me. I know she is not here, but I thank her a great deal for the help she provided to me, honourable senators.

Now I will get back to Anne. She and I have been around for a long time. We did some good work in the past. When she knows that I might be starting to get into trouble by trying to point out some arguments and might not succeed, Anne was always there to give me advice. Anne, I thank you a great deal.

Now I would like to switch over to my Ottawa staff over the years. Therese Langevin moved from Kuujuaq to establish my office. She came from all the way from my community to Ottawa to establish the office, and she is no longer around with us. She passed away some years ago. Then there was Edward Atkinson. I do believe he is here. He was also very instrumental in terms of setting up my office, getting things organized, and he was very much helpful. I would like to mention his name.

Ann Charon was also a person that did a lot of work in my office and helped me to set up my office. Then there was Jean Roberge on my team. He was a legal person; he was assigned to me for not a long period, but he was with me for at least three years.

People that were more recently in my office include Tracy Chubaty, Christine Corrigan, Laura Lebel and Heidi Langille, and they have supported my Senate work, helping me with regards to the struggle for Inuit rights.

I would like to thank also Pam Ross, who never worked in my office but always provided strong support. I thank her also for that.

My current executive assistant, Almira Buen, is originally from the Phillipines. She has been very helpful in the area of her expertise, and I thank her a great deal.

Then there is my chief of staff, Lisa Smith. As you know, she has been excellent over the last 10 years that she has been with me in the office. She is one of the people who know what to do on the Hill and how to deal with administrative matters. Not only is she helpful, but when we were audited by the Auditor General, at the time, a lot of us were quite nervous. Every one of us was

nervous. But when you have reliable people with you, they can help you, and that's what Lisa did. I thank you a great deal, Lisa. Thank you very much.

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

The administrative team in the Senate makes sure that we have the resources we need — that has been very useful to our office — and they keep the committees and chamber running smoothly.

I appreciated our security team and their dedication to protecting parliamentarians and their staff. Their response time is always impressive, especially when you make a mistake in pressing that red button. They are right there with you.

And although she is no longer with us, Mary Hurley — she got sick, had cancer and she departed from us — was also a very knowledgeable person in the Aboriginal field. She also did a lot for me.

Honourable senators, what can I say? Am I going to miss this chamber? Of course I am going to miss the chamber. Am I going to miss the people? Yes, I'm going to miss the people. But I'm not going to be too far away.

• (1450)

As you are probably aware and have been told, you heard a number of people making the points about what I'm going to be doing. It's quite a challenge that I'm going to be stepping into. Probably an area that nobody ever has been in. I have examined, over the years, whether the system could be adaptable and useful to my people.

Over the last 43 years, I have come to the conclusion that there is a time to try to provide a message to the general public of Canada that there is a time to make changes. That is to say, as Aboriginal people in this country, we have operated, and have tried to operate, under general laws of application.

Over the last few years, we began to realize that that doesn't work. So we have to begin to look differently at how the structure should be structured. I am in the process now of starting to look at the possibility of taking the opportunities that are made available by our Prime Minister that are nation-to-nation, government-to-government issues.

We know that we are going to have some challenges from the provinces; nevertheless, we are going to have to move ahead. An approach that I'm taking on this issue is to base it on Inuit values, tradition and culture. That would be the foundation of our new governing structure on the Aboriginal side. There is going to be some work to do in that area because this is something that is certainly unknown to the general public of Canada.

So I'm not disappearing, and I will be bringing those subjects that I am talking about probably back to this floor here. You people are going to have to deal with it.

Remember, always, we are two different people, but we have one country. We have to respect that. The country is diverse, and it will always remain diverse. Let's build upon it, not negatively, but positively. Thank you very much.

[ Senator Watt ]

**Hon. Senators:** Hear, hear!

#### VISITOR IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Hao Shi. He is the guest of the Honourable Senator Woo.

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

**Hon. Senators:** Hear, hear!

#### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Michelle Williams, Agang Tema and Craig Smith. They are the guests of the Honourable Senator Bernard.

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

**Hon. Senators:** Hear, hear!

[*Translation*]

### ROUTINE PROCEEDINGS

#### PARLIAMENTARY BUDGET OFFICER

SUPPLEMENTARY ESTIMATES (C), 2017-18—REPORT TABLED

**The Hon. the Speaker:** Honourable senators, I have the honour to table, in both official languages, the report of the Office of the Parliamentary Budget Officer, entitled *Supplementary Estimates (C) 2017-18*, pursuant to the *Parliament of Canada Act*, R.S.C. 1985, c. P-1, sbs. 79.2(2).

#### BUDGET 2018

DOCUMENTS TABLED

**Hon. Peter Harder (Government Representative in the Senate):** Honourable senators, I have the honour to table, in both official languages, Budget 2018 entitled *Equality + Growth: A Strong Middle Class*.

[English]

**STUDY ON RECENT POLITICAL AND ECONOMIC  
DEVELOPMENTS IN ARGENTINA IN THE  
CONTEXT OF THEIR POTENTIAL IMPACT ON  
REGIONAL AND GLOBAL DYNAMICS**

THIRTEENTH REPORT OF FOREIGN AFFAIRS AND INTERNATIONAL  
TRADE COMMITTEE—GOVERNMENT RESPONSE TABLED

**Hon. Peter Harder (Government Representative in the Senate):** Honourable senators, I have the honour to table, in both official languages, the government response to the thirteenth report of the Standing Senate Committee on Foreign Affairs and International Trade, entitled *A turning point in Canada-Argentina Relations?*, tabled in the Senate on June 1, 2017.

**The Hon. the Speaker:** Honourable senators, pursuant to rule 12-24(4), this response and the original report are deemed referred to the Standing Senate Committee on Foreign Affairs and International Trade.

[Translation]

**THE SENATE**

NOTICE OF MOTION TO AFFECT QUESTION PERIOD  
ON MARCH 20, 2018

**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, March 20, 2018, 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.

[English]

**ADJOURNMENT**

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, March 20, 2018, at 2 p.m.

**BUDGET 2018**

NOTICE OF INQUIRY

**Hon. Peter Harder (Government Representative in the Senate):** Honourable senators, I give notice that, two days hence:

I will call the attention of the Senate to the budget entitled *Equality + Growth: A Strong Middle Class*, tabled in the House of Commons on February 27, 2018, by the Minister of Finance, the Honourable Bill Morneau, P.C., M.P., and in the Senate on February 28, 2018.

**AGRICULTURE AND FORESTRY**

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO DEPOSIT  
REPORT ON STUDY OF THE ACQUISITION OF FARMLAND IN  
CANADA AND ITS POTENTIAL IMPACT ON THE FARMING  
SECTOR WITH CLERK DURING ADJOURNMENT  
OF THE SENATE

**Hon. Diane F. Griffin:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Agriculture and Forestry be permitted, notwithstanding usual practices, to deposit with the Clerk of the Senate, between March 2 and March 9, 2018, a report relating to its study on the acquisition of farmland in Canada and its potential impact on the farming sector, if the Senate is not then sitting, and that the report be deemed to have been tabled in the Chamber.

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**QUESTION PERIOD**

**FINANCE**

BUDGET 2018

**Hon. Larry W. Smith (Leader of the Opposition):** My question for the Representative of the Government in the Senate concerns yesterday's federal budget. In a matter of months,

marijuana will be legalized in Canada. Yesterday, the Minister of Finance brought forward a budget that contains no new funding to prepare law enforcement for the legalization of marijuana, no new money to train additional drug recognition experts, which are badly needed across the country, and nothing more for roadside testing devices. There is also no new money to support Health Canada and the regulatory framework it will administer.

• (1500)

My question for the Representative of the Government in the Senate is this: Where is the additional funding to help our law enforcement agencies get ready for the legalization of marijuana? Where is the additional funding for Health Canada and all the work it will take on, such as issuing licences and permits and monitoring production?

**Hon. Peter Harder (Government Representative in the Senate):** I thank the honourable senator for his question, and in particular I welcome his acknowledgement that this legislation will come into force in a few months.

Let me simply refer to the announcements that have already been made by the ministers concerned with respect to increased funding in the areas that he has identified. That funding will be seen in the estimates that are tabled.

**Senator Smith:** The budget proposal to provide \$62.5 million over five years for public education initiatives is a measure that this government should have undertaken two years ago. If we look at the U.S. experience, both Washington and Colorado implemented training or education programs between 12 and 18 months.

The same is true for the funding announced yesterday for research. The government had marijuana legislation as a central plank in their election platform and should have started preparations for legalization at least two years ago.

In fact, the funding announced yesterday will not even start to flow until the next fiscal year. Tomorrow is March 1. We are moving closer and closer to one of the largest policy shifts in our history, and our concern remains that we are not prepared.

My question for the government leader is this: What evidence does this budget provide that Canada will be ready for the legalization of marijuana later this year?

**Senator Harder:** Again, I thank the honourable senator for his questions and for his inquiries with respect to the readiness of the government to implement this legislation should Parliament pass it.

The government has already made a number of announcements in a number of areas in terms of federal-provincial agreements that are required for an effective launch of this program with respect to education and public awareness programs. With regard to research in this important area of public health, the funding that was announced in the budget is supplementary to that.

## FISHERIES AND OCEANS

### FISHING QUOTAS

**Hon. Norman E. Doyle:** My question is for the Representative of the Government in the Senate.

Leader, in response to a question I raised with the Minister of Fisheries in the chamber on February 13 concerning the financial hardship caused by a potential 25 per cent decrease in the surf clam quota available to the Clearwater Fish Plant in Grand Bank, the minister stated:

... I am ... sensitive to the employment circumstance in Grand Bank.

That message from the minister was very encouraging to the people of Grand Bank. They felt a sense of relief for the future of their community.

But strangely enough, on February 24, a few days ago, the hammer fell when Minister LeBlanc made a decision to expropriate the current surf clam allocation processed in Grand Bank by 25 per cent. Now, that decision was clearly an affront and a shock to the economic development of Newfoundland's Burin Peninsula and the 150 people who are currently engaged in full-time work at the Grand Bank plant. They lost about 50 or 60 jobs.

The provincial government is now asking for compensation and rightly so for this unfair move to give the 25 per cent to another province.

Will the government be offering the compensation program to the Clearwater deep-sea fishers and plant workers who have been harvesting that resource now, believe it or not, for 27 years? Now it is being taken.

**Hon. Peter Harder (Government Representative in the Senate):** I thank the honourable senator for his question. This is an issue on which there have been questions in the Senate from Senator Patterson with respect to the Inuit and Indigenous interests in this area.

Minister LeBlanc has been transparent, and, indeed, as the senator himself cited, the minister was here and indicated the history of the consultations that he launched in September 2017 to introduce a fourth licence in this important Arctic surf clam resource, and that licence would be for up to 25 per cent of the total allowable catch of the fishery.

But the Government of Canada was intent on ensuring that that process would potentially yield an opportunity for our Aboriginal communities and First Nations groups, and it is anticipated that that fourth licence for up to 25 per cent of the allowable catch will be effective and produce alternate economic advantage for our First Nations — up to 150 jobs, I believe.

This announcement has been welcomed in some quarters, even on the other side. I do acknowledge, as the minister did, that Clearwater will continue to have 75 per cent of the allowable

catch and that the minister is obviously monitoring the unfolding of this licensing to ensure appropriate balance and response as needed.

**Senator Doyle:** Your Honour, it is being welcomed in some quarters, but that's in another province. You have taken the jobs away from Newfoundland and sent them over to New Brunswick and Nova Scotia.

So I would ask the leader — who didn't answer my question about the financial compensation package — this: If the government is not prepared to announce a financial compensation package, would the leader make representation on behalf of the communities affected to look at a specific and guaranteed allocation of future surf clam TAC increases to be given to the people of Grand Bank?

This is not going to offset, by any means, the current loss of employment and income caused by the 25 per cent expropriation, but it will be a step in the right direction and it would be appreciated, if nothing else, by the people of Grand Bank who are losing all these jobs. It's a very small community. I don't know if the leader is familiar with the small community of Grand Bank, which has 150 jobs. It is very, very important when they lose 50 jobs and they lose 25 per cent of the allocation that they have been processing for 27 years and that you have given to another province. It is a very serious thing for the people in that little community.

So would he at least come back here having made representation for the people of Grand Bank in that regard?

**Senator Harder:** Thank you, senator. I'd be happy to do so and report back.

## FINANCE

### PHOENIX PAY SYSTEM

**Hon. Terry M. Mercer (Deputy Leader of the Senate Liberals):** Honourable senators, sometimes in this chamber we wonder about the value of Question Period. We've heard about that in the past when it's been talked about at the Modernization Committee, but today we have a shining example of the effect of question period in this chamber.

Yesterday, and on previous days, I, Senator Cordy and others have asked questions about the Phoenix pay system, and yesterday the government announced that they are going to get rid of the Phoenix pay system.

**An Hon. Senator:** Well done.

**Senator Mercer:** I'm not taking credit for it. The government can take credit for it, but what I want to talk about today is who will take the blame for it. Because the other day, I specifically mentioned it was the Conservatives who bought the Phoenix pay system and it was their idea.

So today, I was shocked, after yesterday's great announcement, to read this afternoon that former Tory minister Tony Clement defends the Harper government's handling of the Phoenix pay system.

I don't know about you, colleagues, but that shocks me. But you know what: I knew there would be a Tory who would come to the rescue and accept the blame for this, and Mr. Clement has done that.

My question for Senator Harder is this: Will the government now follow up this extremely positive decision to get rid of the Phoenix pay system with a lawsuit against IBM to help recover the millions of Canadian taxpayers' dollars spent on this failed system, which was imposed on the government by Tony Clement and his colleagues in the Harper government?

**Hon. Peter Harder (Government Representative in the Senate):** I thank the honourable senator for his question and his review of the historic detail.

Let me repeat what I indicated earlier: The government is consulting all of its advisers with respect to contract obligations that were undertaken and is determined to see those obligations restored in some fashion in accordance with the contract.

• (1510)

I should also take the occasion to note, I think with some degree of comfort, that the government is not just announcing the launching of a new system but actually a process that will get us to a system that works before you turn the switch. That is why the investments in the existing system will continue to be made so that, as the new system gets developed, we can be assured that we won't have a repeat.

**Senator Mercer:** That's very encouraging, Senator Harder. I know the employees of the Government of Canada would applaud that. My dad is long gone but he was a public servant and if his pay would have been interrupted, I wouldn't have wanted to listen to the speech I would have heard about that if I had been here at the time.

I would repeat the request of the other day whether Senator Harder could provide us with copies of the documents that show what the responsibilities of the contractor were to supply to the Government of Canada under the Phoenix pay system.

**Senator Harder:** Again I'll repeat my answer of the other day: I will make inquiries of what legal obligations of disclosure can allow this to take place. I will be happy to table them, provided they are available under the legal and contractual obligations.

## TRANSPORT

### CHAMPLAIN BRIDGE

**Hon. Leo Housakos:** Thank you, Your Honour and government leader. My colleague Senator Mercer got carried away a bit. The credit for why the government is looking to study to get out Phoenix goes, of course, to the Senate for having decided a number of months ago to pull out of that dismal situation. In a matter of days now, we are going to an independent pay system.

My question, government leader, has to do with another issue, namely, the Champlain Bridge in Montreal. On two occasions last year, I asked about the progress being made on that bridge — specifically whether it was true that the project was a year behind its actual date of completion, which is December 1 of this year. On neither occasion did you provide a clear answer as to whether the project would actually be completed by its due date. However, you did admit that the project schedule was under some pressure and said measures had been taken to make sure that the acceleration of the work will be done.

In your government's budget of yesterday, we see there is a \$65-million earmark to retain the current Champlain Bridge in a safe state until the summer of 2019. Why would that be if we weren't spending money needlessly to keep up an old bridge?

My question to you is this: Are we using \$65 million of taxpayers' money to maintain an old bridge or is this government finally admitting that the new bridge will not be finished by the December 1 deadline?

**Hon. Peter Harder (Government Representative in the Senate):** I thank the honourable senator for his question. With respect to his earlier prequestion comment, I assume that he took advice from Tony Clement in pursuing the remedy that he is suggesting.

**Senator Housakos:** I took advice from this chamber.

**Senator Harder:** With respect to the Champlain Bridge, I will make inquiries to confirm one way or the other. What I do know is the budget is providing these funds to ensure a bridge that is functional in this period of transition.

**Senator Housakos:** Actually, Minister Clement, as he was at the time, did tell me that although they put the Phoenix system in place, they knew it was not ready for launch. They were hoping that the new government that would come would follow that advice because then they would not have launched this.

I will go back to the premise of my question here, which is the Champlain Bridge and I would appreciate a "yes" or a "no" answer.

If this project is not completed as scheduled by December 1, will your government honour the contract put in place by the previous government to recoup the loss of taxpayers' money by imposing the penalties associated with this late delivery, yes or no?

**Senator Harder:** The senator will have to satisfy himself with neither a "yes" nor a "no."

The government will pursue its contractual partner as forcefully as possible. I will be happy to make inquiries following my last inquiry about what is new and what is the timing of the situation as it evolves.

[Translation]

## JUSTICE

### JUDICIAL SELECTION PROCESS

**Hon. Pierre-Hugues Boisvenu:** Honourable senators, I would first like to remind my colleagues that today is the International Day against Bullying. Let's hope that the government's actions in this regard will have the best possible impact.

My question is for the Leader of the Government in the Senate. On Monday, the Minister of Justice announced the appointment of John Norris to the Federal Court. However, the press release that was issued about Mr. Norris failed to mention his career as a defence lawyer for terrorists.

Mr. Norris is best known for being the legal counsel for Omar Khadr, who pleaded guilty to the murder of American military medic Christopher Speer in 2002. Keep in mind that, at the time, the government paid Omar Khadr \$10 million. Mr. Norris also defended one of the two men who received a life sentence for plotting to derail a VIA Rail train in 2013.

In addition to defending a Canadian who pleaded guilty to terrorism charges in the United States for helping the Tamil Tigers, Mr. Norris also represented the leader of the infamous Toronto 18, who was convicted of belonging to a terrorist group. The only people John Norris has defended in court in recent years have all been criminals.

My question for the Leader of the Government is this: what does this new appointment to the Federal Court say about the new criteria established by the Department of Justice for the appointment of new judges?

[English]

**Hon. Peter Harder (Government Representative in the Senate):** I thank the honourable senator for his question. Let me simply state as clearly as I can that the defence bar ought not be precluded from becoming candidates for consideration in the judicial nomination process. That would be a travesty of justice in itself. What all candidates, this candidate included, must go through is the selection process. To meet the criteria of peer review and recommendations is ultimately the decision of the minister and the government and that is the case with this nominee.

[Translation]

**Senator Boisvenu:** The Leader of the Government in the Senate is no doubt aware that Mr. Norris was appointed to the Federal Court at a time when the Liberal government is being accused of being soft on terrorism. At a town hall meeting in Edmonton, the Prime Minister compared returning ISIS fighters to immigrants who were welcomed to Canada.

Under these circumstances, how can the Canadian public have confidence in Canada's justice system when it comes to dealing with terrorists?

[English]

**Senator Harder:** I believe the people of Canada can have confidence in their judicial system as it unfolds in its work in cases by ensuring that the judicial selection process is more broadly representative of the diversity of Canada, that the training of judges is at the highest level of support, and that the Minister of Justice and the government as a whole upholds the justice system with ensuring appropriate modernization of the Criminal Code and of the integrity of the appointees in their conduct through the Judicial Affairs Committee.

**Hon. Paul E. McIntyre:** My question is for the Leader of the Government in the Senate. It concerns an issue I have raised with him previously, namely, the high number of judicial vacancies.

As of February 1, there were 63 judicial vacancies across Canada encompassing nearly every territory and province, including my own province of New Brunswick where there are currently three vacancies. Earlier this month, the Chief Justice of the British Columbia Supreme Court, Christopher Hinkson took the unusual step of speaking out publicly to express his frustration about nine vacancies in the B.C. Supreme Court. Chief Justice Hinkson said he had done so because other attempts to persuade Minister Wilson-Raybould to fill the vacancies had failed.

My question for the government leader is this: The minister filled four of the vacancies following the B.C. chief justice's public complaint. When will the minister fill the remaining five vacancies?

**Senator Harder:** I thank the honourable senator for his question and his ongoing interest in this. He will know, because he follows these appointments closely, that this government has elevated 158 judges across the country and appointed 40 deputy judges in the territories. In 2017, 100 appointments were made, which is the largest single number in a year in two decades.

With respect to the specific question of the five additional appointments, I will make inquiries. What I want to re-emphasize, as I have on other occasions, is that the Minister of Justice and this government take very seriously the assurance that the appointments process be reflective of the diversity of Canada and that the nominees and those appointed to the bench reflect that diversity as well.

• (1520)

**Senator McIntyre:** I would like to follow up with the concerns expressed by the Chief Justice of the B.C. Supreme Court. As a matter of fact, the Chief Justice stated in an interview that the province's Judicial Advisory Committee had brought forward more than nine names to the Minister of Justice to fill the available positions, but the minister rejected them stating that they were "not suitable."

Could the government leader please make inquiries and tell us on what grounds the Minister of Justice felt the candidates recommended by British Columbia's Judicial Advisory Committee were not suitable, and what criteria did the minister use in making that decision? And could the government leader

tell us how many other candidates approved by judicial advisory committees across our country have been rejected by the Minister of Justice on similar grounds that they were not "suitable"?

**Senator Harder:** I'll make such an inquiry and determine whether or not that information is able to be released in the sense of the integrity of the appointment system, which I know the honourable senator will be sensitive to.

With respect to British Columbia, of the 158 judicial appointments made by this government, 25 of them have been in British Columbia. I am not suggesting there are not vacancies elsewhere that need to be dealt with, but I want to point to the priority the government has given to filling vacancies in that province.

## FOREIGN AFFAIRS

### PRIME MINISTER'S TRIP TO INDIA

**Hon. Denise Batters:** The reason so many appointments were made in 2017 is because so few were made in 2016 that court delays resulted in first-degree murder cases being dismissed.

My question is for the Leader of the Government in the Senate. Media reports from Prime Minister Trudeau's India trip indicated that, along with many Liberal MPs, the Prime Minister's entourage also included one senator. Who was that senator? Who paid for that senator's trip? And did that senator travel on the Prime Minister's plane?

**Hon. Peter Harder (Government Representative in the Senate):** I will make inquiries and report back.

**Senator Batters:** For the information of the government leader, the Government of Canada did publicly disclose through the PMO the names of all the Liberal MPs who went on the trip; so we look forward to receiving that information in a timely manner.

**Senator Harder:** Yes.

[Translation]

## FINANCE

### BUDGET 2018

**Hon. Claude Carignan:** My question is for the Leader of the Government in the Senate. I have asked a number of questions about the lack of icebreakers on the St. Lawrence and the adverse effects that has on the economy of Quebec and Ontario. You acknowledged that it was an urgent and significant problem. Your colleague, Minister Morneau, brought down a budget yesterday. I had a good look, but I did not see any commitments on icebreakers. Where are the commitments on icebreakers?

[English]

**Hon. Peter Harder (Government Representative in the Senate):** I thank the honourable senator for his question. I will take note of it and report back.

[Translation]

**Senator Carignan:** Thank you. I would remind you that Prime Minister Trudeau made promises to the Davie workers. I just want to make sure that the Prime Minister is not misleading the Davie employees.

[English]

**Senator Harder:** I will add that to the context of my inquiry.

[Translation]

## FISHERIES AND OCEANS

### ICEBREAKER FLEET

**Hon. Ghislain Maltais:** I would like to follow on Senator Carignan's question. My question is for the Leader of the Government in the Senate. The ice comes back every spring. It is rather predictable. There is ice this year, there will be ice next year, and there will be ice in the years after that. We have the largest shipyard in Canada waiting for orders to build future icebreakers. We know that the ice comes back, but we also know that the government takes a long time to make a decision. In the spring, the government will have to make a swift decision on ordering these icebreakers to ensure the smooth flow of traffic on the St. Lawrence River.

[English]

**Hon. Peter Harder (Government Representative in the Senate):** I note the honourable senator's concern and will report back.

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## ORDERS OF THE DAY

### BUSINESS OF THE SENATE

**Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, pursuant to rule 5-13(3), I would like to inform the Senate that as we proceed with government business, the Senate will address the items in the following order: Motion No. 166, third reading of Bill C-25, second reading of C-50, all items remaining in the Order Paper that they appear on the Order Paper.

### INFORMATION COMMISSIONER

#### MOTION TO APPROVE APPOINTMENT—DEBATE ADJOURNED

**Hon. Peter Harder (Government Representative in the Senate),** pursuant to notice of February 15, 2018, moved:

That in accordance with subsection 54(1) of the *Access to Information Act*, R.S.C., 1985, c. A-1, the Senate approve the appointment of Caroline Maynard as Information Commissioner.

He said: I move the motion standing in my name.

(On motion of Senator Martin, debate adjourned.)

## CANADA BUSINESS CORPORATIONS ACT CANADA COOPERATIVES ACT CANADA NOT-FOR-PROFIT CORPORATIONS ACT COMPETITION ACT

### BILL TO AMEND—THIRD READING—MOTION IN AMENDMENT NEGATIVED—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Wetston, seconded by the Honourable Senator Cormier, for the third reading of Bill C-25, An Act to amend the Canada Business Corporations Act, the Canada Cooperatives Act, the Canada Not-for-profit Corporations Act, and the Competition Act, as amended.

And on the motion in amendment of the Honourable Senator Massicotte, seconded by the Honourable Senator Christmas:

That Bill C-25, as amended, be not now read a third time, but that it be further amended in clause 24,

(a) on page 9, by adding the following after line 31:

“**172.01** A prescribed corporation shall establish numerical goals, such as percentages, for the representation of persons in each *designated group*, as defined by regulation, among its directors and among *members of senior management*, as defined by regulation, and shall establish a timetable for attaining those goals, within one year after the day on which this section comes into force.”; and

(b) on page 10,

(i) by adding the following after line 2:

“(1.1) The directors shall also place before the shareholders, at every annual meeting beginning one year after the day on which the numerical goals referred to in section 172.01 are established and until the corporation has attained those goals, a report on the progress made by the corporation in the previous year in terms of attaining those goals.”;

(ii) by replacing lines 3 to 5 (as replaced by the decision of the Senate on February 7, 2018) with the following:



“(2) The corporation shall provide the information referred to in subsections (1) and (1.1) to each shareholder, except to a share-”, and

- (iii) by replacing lines 7 to 9 (as replaced by the decision of the Senate on February 7, 2018) with the following:

“they do not want to receive that information, by sending the information along with the notice referred to in subsection 135(1) or by making the information available along with a proxy circular referred to in subsection 150(1).

(3) The corporation shall concurrently send the information referred to in subsections (1) and (1.1) to the Director in the form that the Director fixes and the Director shall file it.

(4) The Director shall, within three months after receiving it, provide the Minister with the information filed under subsection (3).

(5) The Minister shall prepare and cause to be laid before each House of Parliament, on any of the first 15 days on which that House is sitting after October 31, an annual report for the previous year containing an aggregate of the data from the information received under subsection (4). The Minister shall also, after it is tabled, make the report available to the public.”.

**Hon. Murray Sinclair:** Honourable senators, I rise today because I wish to speak in support of the amendment introduced by Senator Massicotte. I support this amendment because its intent is to ensure that boards of directors and senior management positions of federal corporations are inclusive and representative of the diversity of citizens that make up Canada. Citizens served by these corporations are often not represented or under-represented within the decision-making process of the many corporations that serve them.

A brief submitted by the Canadian Coalition for Good Governance indicated that:

While the quality of individual directors is paramount, we also expect boards as a whole to be diverse. A high-performance board is comprised of directors with a wide variety of experiences, views and backgrounds which, to the extent practicable, reflects the gender, ethnic, cultural and other personal characteristics of the communities in which the corporation operates and sells its goods or services.

This amendment is about inclusion, representation, respect and reconciliation because it involves the fundamental rights of thousands of Canadian women, Indigenous groups, visible minorities and persons with disabilities who pursue careers in business. These groups are ones that often face challenges and barriers to be able to access those key positions that we are talking about.

A good board will listen, contribute, challenge and, when necessary, push back if the direction of the CEO or senior management is not in the best interests of the corporation. Board diversity is simply smart business for a variety of reasons.

First, it reflects the real world, something every company should be sensitive to; second, healthy debate can lead to better decisions; third, divergent backgrounds mean tackling the same idea in different ways; and, finally, a variety of backgrounds can make the company more adaptable to its ever-changing environment.

There are three points that I want to make today. The first is the importance of gender diversity on corporate boards, the second is the importance of having Indigenous people on corporate boards and the last is to expand on what board diversity means for Indigenous corporations.

• (1530)

Let me begin by commenting about gender diversity on boards and within senior management positions. Witness, research and expert submissions presented before the Standing Senate Committee on Banking, Trade and Commerce have told us that gender diversity is an issue that needs to be addressed. A brief from the Montreal chapter of the Business Professional Women states that women:

... make up 50% of the population and account for more than 50% of Master's degree holders and 41.3% of Bachelor's degree holders.

Female membership boards should therefore be between 40 and 60 per cent. The figure does not, in fact, reflect that now.

Research and statistics show that the greater the number of women on boards, the greater the organizational performance. It gives businesses a better understanding of markets, employees and organizational issues. Companies benefit right from the start.

In Canada, in 2017, there were 834 women on the boards of publicly traded companies. That happens to be 12 fewer than was the case in 2014; the situation has not improved in four years. Progress to date has been slow, which is why this amendment is necessary.

Second, I would like to address the need for more Indigenous peoples to be represented on federal corporate boards and within senior management positions. Last fall, when the government released its 10 Principles Respecting the Government of Canada's Relationship with Indigenous Peoples, the statement reaffirmed that Indigenous peoples have a special constitutional relationship with the Crown through section 35 of the Constitution Act, 1982. The preamble states that:

The implementation of the *United Nations Declaration on the Rights of Indigenous Peoples* requires transformative change in the Government's relationship with Indigenous peoples.

I was encouraged to read this particular statement, because it aligned with the Truth and Reconciliation Commission of Canada's report and calls to action. The TRC identified one call to action in particular aimed at businesses and reconciliation.

Call to action no. 92 calls upon the corporate sector in Canada to adopt the United Nations Declaration on the Rights of Indigenous Peoples as a reconciliation framework and to apply its principles, norms and standards to corporate policy and core operational activities involving Indigenous peoples, their lands and resources.

Indigenous representation on boards and within senior management positions will help corporations understand the complexities of working with Indigenous governments. With the government commitment to implement the declaration, corporations will need to understand what meaningful consultation is, how to build respectful relationships, and obtain free and prior consent before proceeding with economic development projects.

When presenting to the Institute on Governance's Nation-to-Nation sessions, Harold Calla, a prominent Indigenous businessman, stated that there is \$700 billion in resource extraction that takes place in Canada. Corporations, therefore, will need to understand how Aboriginal rights can and will impact the way resource extraction industries do business. When rights are violated, Indigenous communities turn to the courts to settle disputes, which has significant impacts on resource development projects. Indigenous representation on boards will help corporations with the way they do business with Indigenous communities or that impact Indigenous communities.

The last point I want to address is what board diversity means for Indigenous corporations. This amendment does not require that Indigenous corporations have to have non-Indigenous representatives, but they do have to have a plan for its shareholders. The amendment does not require them to appoint anyone but simply requires that they cast their mind to the subject of diversity and justify to their shareholders what they do.

Article 18 of the United Nations Declaration on the Rights of Indigenous Peoples provides that Indigenous peoples have the right to participate in decision-making on matters that could affect their rights through representatives chosen by them in accordance with their own procedures, as well as to maintain and develop their own Indigenous decision-making institutions. Indigenous corporations could have a diversity plan that includes more Indigenous women on boards or within senior management positions. It could mean having more people in those positions that are representative of the rich cultural diversity of the Indigenous nations in Canada, and it could mean creating space for those with disabilities.

To conclude, I believe this amendment will strengthen Bill C-25. It is an amendment about inclusion and empowerment, and board diversity is simply smart business. Provisions in this amendment still allow corporations to put on boards whomever they wish. This is a voluntary provision and if taken up, will strengthen accountability to shareholders.

What it calls for is to ensure that they can't ignore the need for a diversity plan. It requires corporations to address their minds to the law and to the regulations. As long as a corporation is in compliance, it is not a significant limitation. Corporations will still have the right to choose their representatives in a self-determined manner.

Diversity, as we know, is one of Canada's great strengths, as it has been shown to be in this place. Thank you.

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

**Hon. Senators:** Question.

**The Hon. the Speaker:** In amendment, it was moved by the Honourable Senator Massicotte, seconded by the Honourable Senator Christmas:

That Bill C-25, as amended, be not now read a third time, but that it be further amended in clause 24. . .

May I dispense?

**Hon. Senators:** Dispense.

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

**Some Hon. Senators:** Yes.

**Some Hon. Senators:** No.

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

**Some Hon. Senators:** Yea.

**The Hon. the Speaker:** All those opposed to the motion will please say "nay."

**Some Hon. Senators:** Nay.

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

*And two honourable senators having risen:*

**The Hon. the Speaker:** Honourable senators, do we have agreement on a bell? Will it be 15 minutes?

**An Hon. Senator:** Make it 30 minutes.

**Senator Mitchell:** Let's have 30 minutes. There are a lot of people away.

**The Hon. the Speaker:** Vote will take place at 4:07.

Call in the senators.

• (1600)

Motion in amendment of the Honourable Senator Massicotte negated on the following division:

# YEAS THE HONOURABLE SENATORS

Bernard  
Boniface

Joyal  
Lankin

Bovey	Lovelace Nicholas	Christmas	Poirier
Campbell	Massicotte	Cools	Richards
Cordy	McCallum	Dagenais	Seidman
Coyle	McPhedran	Downe	Smith
Dawson	Mégie	Doyle	Stewart Olsen
Day	Mercer	Duffy	Tannas
Dean	Moncion	Eaton	Tkachuk
Eggleton	Omidvar	Frum	Wells
Forest	Pate	Harder	Wetston
Gagné	Petitclerc	Housakos	Woo—37
Greene	Pratte	Maltais	
Griffin	Sinclair		
Hartling	Watt—30		

ABSTENTIONS  
THE HONOURABLE SENATORS

NAYS  
THE HONOURABLE SENATORS

Andreychuk	Marshall
Ataullahjan	Martin
Batters	McCoy
Bellemare	Mitchell
Beyak	Mockler
Black ( <i>Alberta</i> )	Ngo
Boisvenu	Oh
Brazeau	Patterson

Black ( <i>Centre Wellington</i> )	Gold
Carignan	Marwah
Cormier	McIntyre
Dupuis	Saint-Germain—9
Dyck	

*(At 4:15 p.m., pursuant to the order adopted by the Senate on February 4, 2016, the Senate adjourned until 1:30 p.m., tomorrow.)*