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The Honourable GEORGE J. FUREY,
Speaker

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THE SENATE

Tuesday, November 20, 2018

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

Prayers.

SENATORS' STATEMENTS

NATIONAL CHILD DAY

Hon. Jim Munson: Honourable senators, I rise today in celebration of National Child Day. Children bring so much to our lives. They give us joy and laughter; they help us see the world differently and bring creativity and enthusiasm to a simple task. We are lucky to have the contributions of children in our lives and in our country.

I have made it my purpose to participate in this chamber with an emphasis on the rights of the child. What we do today — the bills we pass, the policies we study — will impact our youngest and most vulnerable Canadians — children without a vote and very often without a voice.

Children trust adults to give them what they need to grow and thrive. They rely on adults for everything they need: housing, education, safe water, food and protection. Sadly, we do not give children the start in life they all deserve. They don't all have the same chances for success. It is our responsibility as policy-makers to keep the rights of children at the forefront so that all children have someone with a vote and a voice standing up for their rights.

We can't afford to be smug in this country, honourable senators. According to a UNICEF report card, last year Canada ranked twenty-fifth out of the 41 countries on the Index of Child and Youth Well-being and Sustainability.

Honourable senators, I was extremely disappointed to learn last week that a strong voice for children in Ontario will be silenced. Last Thursday the Ontario government announced that it was closing the province's Child Advocate office. This is an office I know well. I have worked closely with Irwin Elman, Ontario's Child Advocate, on many occasions and I know how effective his office has been in the last 10 years. It follows the example of an advocate in my former province of New Brunswick, where tremendous work is being done.

These offices have an impact on issues such as challenges facing Indigenous children and kids with special needs. The Ontario Child Advocate office has been that voice of independent oversight for all children in Ontario, and now their voice has been taken away. Colleagues, this is a giant step backwards.

At our Senate Open Caucus meeting on child welfare just two weeks ago, we heard about the hardships and inequities facing Indigenous youth and the high rates of suicide and poverty among children in this country. We need more, not fewer, advocates for children. UNICEF Canada has said that our

youngest citizens need an independent voice at the highest level to make sure they're not at the end of the line when it comes to deciding on policy, programs, laws and budgets.

I will continue to stand up for the rights of the child, to advocate for a child advocate in each province, and for a national children's commissioner for this country. These would be giant steps forward in children's rights.

Senators, today, on National Child Day, it is easy to remember and celebrate the young people who will shape this country and change the world of tomorrow; however, we need to include children — their views, ideas and voices — in our decision making every day. Senators, human rights apply to all children, at all times, without exception. Let's be the voice they need and encourage all governments to do the same.

Thank you, honourable senators, and happy Child Day.

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 participants of Navy Day, including award recipients. They are the guests of the Honourable Senator Mercer.

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

Hon. Senators: Hear, hear!

NAVY AND COAST GUARD DAY ON THE HILL

Hon. Terry M. Mercer (Deputy Leader of the Senate Liberals): Honourable senators, today is Navy and Coast Guard Day on the Hill. We honour the efforts of our brave men and women who keep our country safe at sea and beyond.

The Navy League of Canada, and parliamentarians from all sides, organized today's events as an expression of thanks for the significant sacrifices made by our sailors. Since 1985, The Navy League of Canada has supported a strong and ready navy and Coast Guard to watch over our maritime interests.

The Royal Canadian Navy has a long history of deploying around the world in peacetime and during conflicts to help keep regions secure and to defend allies and partners where needed.

Our Coast Guard provides icebreaking assistance, protects our northern borders and provides highly valuable search-and-rescue efforts in our waters.

As a proud Haligonian, it is always a pleasure to support these efforts here today and, indeed, every day of the year. This morning we honoured eight sailors for their bravery and dedication to keeping Canada safe. Congratulations to them once again.

I would like to thank the Speaker and Senator Day for their support this morning. We hope to see all of you this evening in room 100 of the Sir John A. Macdonald Building, where you can show your support for all the brave men and women whom we honour here today. Thank you, honourable senators, and thank you for your service.

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 Dr. Bill Eaton, Ms. Sarah Eaton and Ms. Violet Galbraith. They are the guests of the Honourable Senator Ravalia.

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

Hon. Senators: Hear, hear!

SISTER MARY ANDREW EDWARDS

Hon. Fabian Manning: Honourable senators, today I am pleased to present Chapter 45 of "Telling Our Story."

Colleagues, several days ago, on November 11, we joined with Canadians from coast to coast to commemorate the one hundredth anniversary of the end of World War I and also to remember all our country's men and women who fought and died for the freedom we all enjoy today.

There are many stories of brave Newfoundland and Labrador men and women who were involved in the war efforts. Then there are the stories of those people who just happened to be in the wrong place at the wrong time. One such person was Sister Mary Andrew Edwards.

Mary Andrew Edwards was born in the small fishing community of Lawn in Placentia Bay, Newfoundland, in 1919. She was the daughter of Andrew Edwards and Nora Picco. Mary received her early education in Lawn and, at age 16, went to work nearby on the French islands of Saint-Pierre and Miquelon.

• (1410)

After a few years in Saint-Pierre and Miquelon, she felt the calling to religious life and was encouraged by her parish priest to join the St. Joseph of Cluny Sisters, a teaching order of nuns at Saint-Pierre. Upon being accepted into the congregation at Saint-Pierre, she took the name Sister Thérèse. She left Saint-Pierre and Miquelon in 1938, going to a convent in Paris, France.

After the Nazis' victory over France in 1940, Sister Therese and 400 nuns from different congregations were rounded up and sent to prisoner of war camps. She was in a particularly difficult position because, as a Newfoundlander, she was carrying a British passport.

During one period of her time in the POW camp, the commander allowed the nuns to have Mass celebrated by priests and bishops who were also prisoners of war. Sister Thérèse and two other sisters of the order were allowed to take religious vows, the ritual that officially made them nuns.

On November 16, 1941, Mr. and Mrs. Edwards wrote Cluny Macpherson, Assistant Commissioner of the Red Cross at St. John's, informing the Red Cross that their daughter Mary Andrew Edwards, at the age of 22 years, was interned in a German prisoner of war camp in France.

Near the end of the war, the Swiss Red Cross investigated the camp, finding many of the prisoners were very ill. At the encouragement of the Red Cross, the Germans released the nuns to a healthier camp.

After her liberation, Sister Thérèse was sent to Africa for six years and then recalled to France. After a few months in France, she was sent to New Caledonia.

After 23 years in New Caledonia, she was allowed home to visit parents and family members, after which she returned to the mission. She came back home to Newfoundland a few more times in the ensuing years.

Sister Mary Andrew Edwards, a brave, and selfless Newfoundland woman who dedicated her life to serving others and also survived a German prisoner of war camp during the Second World War, passed away peacefully in 1997.

May she rest in peace.

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Mr. Todd Klink, from Farm Credit Canada. He is the guest of the Honourable Senator Black (*Ontario*).

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

Hon. Senators: Hear, hear!

ROOTED IN STRENGTH CAMPAIGN

Hon. Robert Black: Honourable colleagues, we all know agriculture is a dynamic industry that offers many exciting opportunities. We also know there are times when things don't go as expected. For primary producers, these challenges can be compounded by exhaustion, a sense of isolation and not knowing where to turn for help.

The unpredictability of farming and its impact, not only on producers' operations but also on their emotional and mental well-being, is often overlooked and not discussed.

To help remove the stigma around mental health, Farm Credit Canada — also known as FCC — is working with industry partners on initiatives aimed at promoting general awareness of mental health, encouraging dialogue and enabling people throughout the agriculture industry to seek the support they need.

This week, 176,000 Canadian farm mailboxes will be receiving a bilingual publication on mental health from FCC. It is also available online. Entitled *Rooted in Strength*, it provides tips and tools for managing stress and anxiety while on the farm.

Today, at the Canadian Western Agribition in Regina, FCC is also announcing a new partnership with 4-H Canada to support the mental and physical well-being and health of 4-H youth.

Thanks to the generous support of initiating partner Farm Credit Canada, along with UFA Co-Operative Limited, Corteva Agriscience, Cargill and CN, they have each collectively agreed to put over \$150,000 toward the 4-H healthy living program, which is a 4-H philosophy. It means offering youth not only the tools and resources to face challenges, but also the opportunities to learn how to thrive.

Young people living in rural and remote communities are at greater risk of experiencing struggles related to their mental and physical well-being and also lack the resources and services that might be available to those in more urban areas.

The goal of this initiative is to support 25,000 4-H youth members across Canada to lead lives that are balanced emotionally, mentally and physically, and removing barriers to access help.

4-H Canada will also deliver webinars and workshops, and assist in the creation of resources that will be made available to over 7,700 volunteer leaders who are critical mentors and role models in the adult-youth relationship. These resources will train volunteers and offer resources that help recognize youth in distress and provide the access to the support they need.

We must all help remove the stigma around mental health. I do encourage my honourable colleagues and all Canadians to take the time to learn more about mental health and FCC's *Rooted in Strength* campaign.

On your behalf, I want to say thank you to them for their support of our country's farmers and primary producers. Together we can and must make a difference for our farmers, their families, friends and communities. Thank you.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of participants of the Sister to Sister Mentorship Program of the Nobel Initiative. They are the guests of the Honourable Senator Coyle.

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

Hon. Senators: Hear, hear!

UKRAINIAN FAMINE AND GENOCIDE (“HOLODOMOR”) MEMORIAL DAY

Hon. A. Raynell Andreychuk: Honourable senators, I rise today to mark the eighty-fifth anniversary of the Holodomor Ukrainian famine genocide.

The Holodomor was a man-made famine created by the agricultural collectivization policies of Joseph Stalin in 1932, 1933 and onward. While these policies were mainly directed towards Ukrainians, many Kazakhs, Russians, Jews, Poles and others also lost their lives.

The opening for a short time of the Soviet archives and historians have expanded our understanding of the famine. However, survivor accounts have raised our consciousness of its true horrors. Allow me to share with you today the experiences of Mariia Herasimchuk, a survivor of the village of Ivankiv.

In a letter dated December 19, 1989, she stated:

. . . [It was] in the fall of 1932, the village council arrived and took from us certain things. There were potatoes, grain and beans on the oven ready for baking and two kilograms of beans and poppy seeds and they took this. And they collected the pillows, the bed linens, and the clothes and in the end they dragged the cow out of the barn and left 5 souls to perish a hungry death.

This is how Stalin ruled over us in Ukraine.

Mariia goes on to describe her walk to school, an 18-kilometre road lined with lifeless, decaying bodies. She was 12 years at the time.

As I have told this chamber before, at the height of the famine, peasants in Ukraine died at a rate of 17 persons per minute, 1,000 persons per hour, and 25,000 persons per day.

In an effort to extinguish Ukrainian nationalism, further policies were adopted to silence intellectuals, politicians, religious leaders, artists and writers. Many faced imprisonment or execution.

I am proud to remind senators it was this chamber that took the first action towards recognizing the Ukrainian famine as an act of genocide in June 2003. This action paved the way for the adoption of the Ukrainian Famine and Genocide (“Holodomor”) Memorial Day Act in 2008.

The act designates the fourth Saturday of November as Holodomor Memorial Day, an occasion to pause and honour the victims. This evening, parliamentarians are invited to attend a solemn commemoration at 6:30 in room 325 of the Wellington Building.

I encourage colleagues to visit the Holodomor Mobile Classroom located today outside of the West Block.

As we mark the eighty-fifth anniversary of the Holodomor, let us rededicate ourselves to upholding freedom, dignity and human rights for all. Let us unite in our determination that innocent lives no longer be sacrificed to meet political ends. Thank you.

[*Translation*]

ROUTINE PROCEEDINGS

AUDITOR GENERAL

2018 FALL REPORTS TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the Fall 2018 Reports of the Auditor General of Canada to the Parliament of Canada, pursuant to the *Auditor General Act*, R.S.C. 1985, c. A-17, sbs. 7(3).

[*English*]

FEDERAL PUBLIC SECTOR LABOUR RELATIONS ACT

BILL TO AMEND—THIRTY-FOURTH REPORT OF NATIONAL FINANCE COMMITTEE PRESENTED

Hon. Percy Mockler, Chair of the Standing Senate Committee on National Finance, presented the following report:

Tuesday, November 20, 2018

The Standing Senate Committee on National Finance has the honour to present its

THIRTY-FOURTH REPORT

Your committee, to which was referred Bill C-62, An Act to amend the Federal Public Sector Labour Relations Act and other Acts, has, in obedience to the order of reference of October 16, 2018, examined the said bill and now reports the same without amendment.

Respectfully submitted,

PERCY MOCKLER
Chair

• (1420)

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

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

STUDY ON THE EFFECTS OF TRANSITIONING TO A LOW CARBON ECONOMY

SIXTEENTH REPORT OF ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES COMMITTEE DEPOSITED WITH CLERK DURING ADJOURNMENT OF THE SENATE

Hon. Rosa Galvez: Honourable senators, I have the honour to inform the Senate that pursuant to the orders adopted by the Senate on March 10, 2016, and November 8, 2018, the Standing Senate Committee on Energy, the Environment and Natural Resources deposited with the Clerk of the Senate on November 16, 2018, its sixteenth report (interim) entitled *Reducing Greenhouse Gas Emissions from Canada's Built Environment*.

[*Translation*]

NATIONAL LOCAL FOOD DAY BILL

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-281, An Act to establish a National Local Food Day.

(Bill read first time.)

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

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

[*English*]

THE SENATE

NOTICE OF MOTION PERTAINING TO A NEW ORDER FOR COMMITTEES

Hon. Yuen Pau Woo: Honourable senators, with leave of the Senate and notwithstanding rules 4-12 and 5-5(j), I give notice that, later this day, I will move:

That, except in relation to the joint committees and the Standing Committee on Ethics and Conflict of Interest for Senators, and notwithstanding the provisions of rules 12-2(3), 12-3(1), and 12-3(2); of the order of November 7, 2017; and of any usual practice:

1. as of the end of the day on the Sunday following the adoption of this order, senators who are members of committees, other than the ex officio members, cease to be members of those committees; and
2. at any time after the adoption of this order, the Facilitator of the Independent Senators Group (or designate), the Leader of the Opposition (or designate), and the Leader of the Independent Liberal senators (or

designate) name, from their respective party or group, by notice filed with the Clerk of the Senate, who shall have the notice recorded in the *Journals of the Senate*, the new members of those committees to be effective as of the beginning of the day on the Monday following the adoption of this order or upon receipt of the notice, whichever comes later, according to the following numbers, with the total membership of a committee increasing, as required, as a consequence:

- (a) the Standing Senate Committee on Legal and Constitutional Affairs:
 - (i) six senators from the Independent Senators Group,
 - (ii) four Conservative senators, and
 - (iii) two Independent Liberal senators;
- (b) the Standing Senate Committee on Foreign Affairs and International Trade:
 - (i) seven senators from the Independent Senators Group,
 - (ii) four Conservative senators, and
 - (iii) two the Independent Liberal senators;
- (c) the Standing Senate Committee on Agriculture and Forestry; and the Standing Senate Committee on Fisheries and Oceans:
 - (i) seven senators from the Independent Senators Group,
 - (ii) four Conservative senators, and
 - (iii) one Independent Liberal senator;
- (d) the Standing Senate Committee on Aboriginal Peoples; the Standing Committee on Internal Economy, Budgets and Administration; the Special Senate Committee on Senate Modernization; and the Standing Committee on Rules, Procedures and the Rights of Parliament:
 - (i) seven senators from the Independent Senators Group,
 - (ii) six Conservative senators, and
 - (iii) two Independent Liberal senators;
- (e) the Standing Senate Committee on Energy, the Environment and Natural Resources:
 - (i) seven senators from the Independent Senators Group,
 - (ii) six Conservative senators, and
 - (iii) one Independent Liberal senator;
- (f) the Standing Senate Committee on National Finance; and the Standing Senate Committee on Social Affairs, Science and Technology:
 - (i) seven senators from the Independent Senators Group,
 - (ii) five Conservative senators, and
 - (iii) one Independent Liberal senator;
- (g) the Special Senate Committee on the Arctic; and the Standing Senate Committee on Official Languages:
 - (i) four senators from the Independent Senators Group,
 - (ii) four Conservative senators, and
 - (iii) one Independent Liberal senator;
- (h) the Special Senate Committee on the Charitable Sector:
 - (i) three senators from the Independent Senators Group,
 - (ii) three Conservative senators, and
 - (iii) one Independent Liberal senator;
- (i) the Standing Senate Committee on Banking, Trade and Commerce:
 - (i) seven senators from the Independent Senators Group,
 - (ii) five Conservative senators, and
 - (iii) two Independent Liberal senators;
- (j) the Standing Senate Committee on Human Rights:
 - (i) five senators from the Independent Senators Group,
 - (ii) three Conservative senators, and
 - (iii) one Independent Liberal senator;
- (k) the Standing Senate Committee on National Security and Defence; and the Standing Senate Committee on Transport and Communications:
 - (i) six senators from the Independent Senators Group,
 - (ii) five Conservative senators, and
 - (iii) one Independent Liberal senator; and

- (l) the Committee of Selection:
- (i) four senators from the Independent Senators Group,
 - (ii) four Conservative senators, and
 - (iii) one Independent Liberal senator;

That, for greater certainty, a senator who is, as of the end of the day on the Sunday following the adoption of this order, the chair or deputy chair of a committee remain in that position at the beginning of the day on the Monday following the adoption of this order, if still then a member of the committee;

That, notwithstanding any other provision in this order, a non-affiliated senator who is a member of a committee at the end of the day on the Sunday following the adoption of this order continue as a member of that committee at the beginning of the day on the Monday following the adoption of this order, with the number of seats that the leader or facilitator of the largest recognized party or recognized parliamentary group can appoint under the terms of this order being reduced by an equivalent number;

That a senator who retained a seat on a committee under the provisions of the previous paragraph cease to be a member of that committee if the senator:

1. becomes a member of a recognized party or recognized parliamentary group; or
2. places him- or herself under the authority of a leader or facilitator for the purposes of making membership changes to committees;

That, if a senator ceases to be a member of a committee pursuant to the previous paragraph, the leader or facilitator of the party or group whose number of seats had been reduced be authorized to fill the consequential vacancy;

That, notwithstanding any usual practice, for the remainder of the current session, a non-affiliated senator may, by written notice to the Clerk, place him- or herself under the authority of one leader or facilitator for the purposes of making membership changes to committees, including the joint committees, pursuant to rule 12-5, provided that the senator may, again by written notice to the Clerk, at any time cancel this authority;

That, except as provided in the immediately preceding two paragraphs, nothing in this order affect processes under the Rules permitting membership changes once new members of a committee have been named pursuant to this order; and

That, for greater certainty, nothing in this order affect the provisions of rule 12-3(3) and the provisions of the order of November 7, 2017, respecting ex officio membership.

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

Hon. Senators: Agreed.

• (1430)

ABORIGINAL PEOPLES

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

Hon. Lillian Eva Dyck: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, notwithstanding the order of the Senate adopted on Friday, December 8, 2017, the date for the final report of the Standing Senate Committee on Aboriginal Peoples in relation to its study on the federal government's constitutional, treaty, political and legal responsibilities to First Nations, Inuit and Metis peoples and on other matters generally relating to the Aboriginal peoples of Canada be extended from December 31, 2018 to September 30, 2019.

QUESTION PERIOD

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Peter Harder (Government Representative in the Senate): Honourable senators, I have the honour to table the answers to the following oral questions:

Response to the oral question asked in the Senate on June 6, 2018 by the Honourable Senator Wallin, concerning military equipment.

Response to the oral question asked in the Senate on September 18, 2018 by the Honourable Senator Marshall, concerning the Trans Mountain pipeline.

Response to the oral question asked in the Senate on September 19, 2018 by the Honourable Senator Dagenais, concerning post-traumatic stress disorder.

Response to the oral question asked in the Senate on September 20, 2018 by the Honourable Senator Dagenais, concerning the icebreaker fleet.

Response to the oral question asked in the Senate on September 20, 2018 by the Honourable Senator Stewart Olsen, concerning tariffs – duty relief.

Response to the oral question asked in the Senate on September 25, 2018 by the Honourable Senator Smith, concerning oral fluid drug screening devices.

Response to the oral question asked in the Senate on September 27, 2018 by the Honourable Senator Carignan, P.C., concerning the Netflix broadcasting agreement.

NATIONAL DEFENCE

MILITARY EQUIPMENT

(Response to question raised by the Honourable Pamela Wallin on June 6, 2018)

To provide the proper equipment to the members who need it the most, the Canadian Armed Forces (CAF) is redistributing unused sleeping bags and rucksacks. There are currently 63,000 rucksacks and sleeping bags available within the CAF. Approximately 85 % of the sleeping bag fleet is more than twelve years old, with the remainder purchased between 2006 and 2010. The CAF uses a mixed fleet of rucksacks with some bought in the 1980s, and others in the 1990s. Upon return, all equipment will be thoroughly inspected, and materials that are beyond economical repair will be disposed of.

It is estimated that 15% of this equipment is currently assigned to CAF members who have moved into positions that no longer need it or not scheduled for deployment. Some members also have two or more rucksacks and sleeping bags and are not expected to require them in the near future. It was assessed that the redistribution process was one of the most efficient ways to ensure proper allocation of equipment.

As outlined in *Strong, Secure, Engaged*, the Government is making critical investments to provide the CAF with the equipment they need to succeed in their missions.

The CAF is currently in the process of purchasing new sleeping bags and rucksacks for members with combat roles, which are expected to be delivered by mid-2019.

NATURAL RESOURCES

TRANS MOUNTAIN PIPELINE

(Response to question raised by the Honourable Elizabeth Marshall on September 18, 2018)

On August 31, 2018, the Government of Canada purchased the entities that control the Trans Mountain pipeline and related assets for \$4.5 billion plus/minus closing adjustments. There is a true-up process for the closing adjustments up to 90 days after the close. The final amount will be known once this process is completed.

VETERANS AFFAIRS

POST-TRAUMATIC STRESS DISORDER

(Response to question raised by the Honourable Jean-Guy Dagenais on September 19, 2018)

Veterans Affairs Canada

Veterans Affairs Canada is committed to protecting the privacy of our clients. It is unable to provide any information relating to a specific case, including criteria used in authorizing treatment, as it may divulge personal information related to the client. Veterans Affairs Canada takes very seriously its responsibility to protect the privacy and rights of all Veterans and their families.

Veterans Affairs Canada can confirm that when authorizing services for family members under the Rehabilitation Services and Vocational Assistance Program, consideration is given to how the provision of these services will help the participating Veteran in achieving their rehabilitation outcomes and goals.

Guidelines for approving these services under the Rehabilitation Services and Vocational Services Program can be found in Veterans Affairs Canada's Mental Health Policy, Sections 26 to 33, at the following link:

<http://www.veterans.gc.ca/eng/about-us/policy/document/1104>

PUBLIC SERVICES AND PROCUREMENT

ICEBREAKER FLEET

(Response to question raised by the Honourable Jean-Guy Dagenais on September 20, 2018)

The Canadian Coast Guard is currently in the process of renewing its fleet. Four large science vessels are in various stages of design and construction at Vancouver Shipyards, and the construction of Canada's new polar icebreaker will follow the construction of the Royal Canadian Navy's two Joint Supply Ships.

The Canadian Coast Guard is in the process of updating its fleet renewal plans for future construction projects, including its fleet of icebreakers. The Coast Guard is mindful that the renewal of its fleet of icebreakers will take many years and is committed to providing reliable and predictable icebreaking services through interim measures as necessary until new ships can be built under the National Shipbuilding Strategy (NSS).

The Coast Guard has recently acquired three used commercial icebreakers that will ensure continuity of service until new icebreakers come on-line. The acquisition of the three used commercial icebreakers followed a comprehensive Request for Information (RFI) process where industry was offered an opportunity to provide solutions for potential future service gaps. If additional potential service gaps are identified, the Government may consider looking at additional solutions identified through the RFI.

Under the NSS, competitive opportunities continue to exist for other Canadian shipyards including Davie, for smaller ship construction, conversion work, maintenance repair, and refit contracts.

NATIONAL REVENUE

TARIFFS—DUTY RELIEF

(Response to question raised by the Honourable Carolyn Stewart Olsen on September 20, 2018)

Revenues from surtaxes applied on imports from the United States are accounted in the Consolidated Revenue Fund, which is used for the disbursement of Government of Canada expenditures, investments and transfers.

As of the beginning of October 2018, \$1,764,967 of surtaxes were waived under the Duties Relief Program and \$17,386 were refunded under the Duty Drawback Program. Assessments are ongoing. Relief is granted when all applicable conditions are met.

The *United States Surtax Remission Order* entered into force on October 11, 2018. It remits surtaxes for 166 steel and aluminum products determined to be in short supply. The amount of surtaxes remitted will depend on claims for remission.

The Business Development Bank of Canada (BDC) and Export Development Canada (EDC) committed to make available up to \$1.7 billion of financial products and services for businesses in the steel and aluminum industries. These facilities are demand driven; as of October 1, 2018, BDC authorized loans totalling \$131 million (189 clients) and EDC authorized support totalling \$44 million (24 clients).

The Government also invested \$250 million through the Strategic Innovation Fund to bolster the competitiveness of manufacturers, and \$75 million through Extended Work-Sharing Agreements and Labour Market Development Agreements to help workers.

JUSTICE

ORAL FLUID DRUG SCREEN DEVICES

(Response to question raised by the Honourable Larry W. Smith on September 25, 2018)

Department of Justice

Drug impaired driving is not new. It has been a criminal offence since 1925.

Our Government has strengthened law enforcement's ability to detect drug impaired driving by authorizing the use of oral fluid screening devices.

On August 22, 2018, the Minister of Justice approved the Dräger DrugTest® 5000 and the Dräger DrugTest® 5000 STK-CA. When used together, this equipment is designed to ascertain the presence of a drug in a person's body for the purposes of section 254 of the *Criminal Code*. Consistent with the long-standing approach to alcohol breath-testing equipment, the approval was based on a recommendation from the Drugs and Driving Committee (DDC) of the Canadian Society of Forensic Science (CSFS). This recommendation came following the DDC's evaluation of the screener against its rigorous Standards and Evaluation Procedures, which are available on the CSFS website: <http://www.csfs.ca>.

The DDC will continue to evaluate other drug screening equipment for use as investigative tools by law enforcement. If they meet the evaluation standards of the DDC, they may be recommended for the Minister's consideration in the future. Details of all evaluations will remain confidential to protect the commercial and proprietary interests of manufacturers, and the Government cannot speculate on the timeline of these evaluations.

CANADIAN HERITAGE

NETFLIX BROADCASTING AGREEMENT

(Response to question raised by the Honourable Claude Carignan on September 27, 2018)

On September 28, 2017, our Government announced the approval of the establishment of a new Canadian business in the film and television production sector by Netflix, following a review under the *Investment Canada Act*.

It is important to note that the *Investment Canada Act* contains very strict confidentiality provisions. All information received in relation to an investor or a Canadian business, including information provided through monitoring reports, is privileged under section 36 the Act and may not be disclosed.

ORDERS OF THE DAY

CANADA-MADAGASCAR TAX CONVENTION BILL, 2018

SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Greene, seconded by the Honourable Senator Massicotte, for the second reading of Bill S-6, An Act to implement the Convention between Canada and the Republic of Madagascar for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income.

Hon. Richard Neufeld: Honourable senators, I rise today to speak at second reading of Bill S-6, an Act to Implement the Convention between Canada and the Republic of Madagascar for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income.

In November 2016, the convention was signed by the governments of Canada and Madagascar. This bill now comes before us to be further approved by Parliament. Once enacted, Madagascar will be notified that Canada has completed its procedures required to bring it into force.

Canada and Madagascar have had diplomatic relations since 1965. In terms of economic activity between our two countries, Canada imported \$100 million in goods last year. The bulk of those imports were mineral and vegetable products. Madagascar imported \$16 million of goods last year. Global Affairs Canada reports that Canadian direct investment to Madagascar was \$28 million in 2017.

The country is in the midst of a presidential election with a second round to be held in December. The country has been subject to much political instability and a high crime rate over the course of many years. There is much work to be undertaken to bring some stability to the country. I hope the new president, whomever he may be, will be up to the challenge.

Since 1976, Canada has entered into similar tax agreements with an expanding list of countries. At present, 93 agreements are in place.

The main purpose of this convention is to eliminate double taxation and prevent international fiscal evasion. The international efforts coordinated by the Organization for Economic Co-operation and Development aimed to reduce treaty shopping for tax havens.

More specifically, the convention allocates tax rights between parties of the convention; reduces the risk of burdensome taxation; eliminates double taxation and prohibits discriminatory taxation; provides for exchange of information between countries; provides for mechanisms to resolve disputes and ensures proper interpretation and application of the convention.

As an example, profits from a business carried out by a Canadian in Madagascar will be taxed in Canada if there is no permanent establishment in Madagascar.

Conversely, if a Canadian operates a business with a permanent establishment in Madagascar where the major business activity is carried out in Madagascar, the tax will go to Madagascar.

In general, agreements such as these solidify the economic ties between two countries and contribute to better trade and investment in the long term. In my view, Bill S-6 is a good agreement.

However, this bill does remind us that the government's overall approach to addressing international tax evasion is inadequate. While I appreciate the government has invested \$1 billion to fight tax evasion, perhaps more needs to be done. As a member of the National Finance Committee, we often hear from the Canada Revenue Agency. Quite honestly, I'm not sure they have the necessary funds and personnel to properly audit Canadians who may be conducting fraudulent tax activities abroad.

Nevertheless, I want to support Bill S-6. I would recommend referring it to the Standing Senate Committee on Foreign Affairs and International Trade and its able chair for a thorough review. Thank you.

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

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

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

REFERRED TO COMMITTEE

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

(On motion of Senator Greene, bill referred to the Standing Senate Committee on Foreign Affairs and International Trade.)

NATIONAL SECURITY BILL, 2017

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Gold, seconded by the Honourable Senator Moncion, for the second reading of Bill C-59, An Act respecting national security matters.

Hon. Leo Housakos (Acting Deputy Leader of the Opposition): Honourable senators, I rise today to speak on Bill C-59, An Act respecting national security matters.

Senators, this is a broad piece of legislation that touches on many aspects of our national security. In my view, the legislation falls into three components: those components of the legislation that are supportable; those components that may be repairable if amended; and those components that are fundamentally flawed and cannot be supported.

Some components of the legislation fall into the first category. For instance, I agree there have been gaps in Canada's cybersecurity legislation that this bill looks to address. I also believe most Canadians would support measures to address the wrongful placement of Canadians on the no-fly list.

Unfortunately, however, other components of the legislation fall either into the second or third categories. In this regard I'm quite concerned with the philosophy that underlies this legislation.

The bill is clearly premised on the belief that some components of Canada's current national security legislation go too far in empowering our security agencies when it comes to the protection of our national security and the prevention of terrorism.

It is this premise with which I fundamentally disagree.

For one, it erroneously implies that Canadian civil liberties have been compromised under existing legislation; and two, it implies the current threat environment permits us to relax our guard.

This approach constitutes a grave error, in my view. To illustrate this, I will refer to a few key components of the bill.

The bill proposes to eliminate the offence of advocating and promoting terrorism. It has been argued by the government this provision is too broad and, as a result, the offence of advocating or promoting terrorism should be eliminated and replaced with a more specific offence of counselling to commit a terrorist offence.

The flaws in this proposal were identified very eloquently by my colleague Senator Frum when she spoke to this bill.

Witnesses appearing before the House committee made it quite clear that removing these provisions from the bill will make it more difficult for the Crown to bring charges against those who openly advocate for terrorism.

• (1440)

The advocacy of terrorism commonly occurs in social media, where its core purpose is to radicalize vulnerable youth and to create an environment where acts of terrorism are committed.

Even so, the government argues that the current law is overly broad and that the provisions are therefore unconstitutional. There is, of course, no court case to support this assertion, but the government nevertheless anticipates that this could be the outcome should the law ever be challenged. In essence, the government is not arguing that individual rights are being compromised; they are anticipating that they will be compromised.

We should also be clear that they are anticipating a potential threat to the civil liberties of an individual who's advocating for terrorism and that, in effect, these liberties should trump the rights of young Canadians who are being endangered by such advocacy.

It is clear that some senators opposite hold the same position. However, in my view, this position is not only wrong in terms of the problem it is focusing on, it is also not a position that is universally supported even when one looks at the constitutional argument alone.

David Matas, who acted as counsel before the Supreme Court in the case of *Keegstra* and as an intervener in the case of *Sharpe*, told the House of Commons committee studying the bill that there are abundant legal guidelines about the concepts of advocacy and promotion and that the current provision in the law when it comes to terrorism is, in fact, constitutional.

I am not an expert on constitutional law, but I do believe when someone as eminent as Mr. Matas is saying that there is at least a debate about whether a provision in the law is constitutional, then there is an obligation to consider how the law might be made to work more effectively.

I would argue this is precisely what we should do when the Senate committee considers this bill. We need to hear from witnesses who argue that this provision is constitutional and, if necessary, consider language that might address the alleged constitutional risks that the government is raising. In general, I believe that too many provisions in this legislation place the emphasis in the wrong place. I believe that the emphasis is in the wrong place quite simply because many in the current government do not believe that the current terrorist threat is a real threat.

The current legislation is, after all, a response to the previous government's legislation which was labelled as "overreach" by those now in power. It is therefore not surprising that the principal focus of the bill we have before us now is about weakening rather than strengthening Canada's national security legislation. This is evident in several respects.

First, the bill simply does not address certain key and emerging terrorist threats. If one looks at the threat many European countries are facing from precisely this phenomenon, this may be one of the most serious security challenges our nation faces today. Parliamentarians have been informed by witnesses from our intelligence services that at least 60 — and likely many more — foreign fighters have now returned to Canada after fighting with ISIS abroad. These security experts have also told us that the task of simply monitoring one of these terrorist suspects can tie down dozens of CSIS officers. If we consider there are hundreds of potential terrorist suspects, both former foreign fighters and home grown threats, then the resources required to address this problem become truly massive.

What does Bill C-59 have to say about this? What provisions are there in the legislation to strengthen our ability to prosecute these individuals? Where are the provisions that make it a criminal offence to fight with a listed terrorist organization

against the Canadian Armed Forces? Not only are there no such provisions in this legislation, this bill will actually make it more difficult for our security agencies to address these threats.

For one, the legislation would make it more difficult to obtain a recognizance with conditions against individuals assessed as likely to commit a terrorist act. The bill proposes to raise the threshold for using this provision by requiring that such a recognizance order be “necessary to prevent” the terrorist activity instead of simply being “likely to prevent” it.

Senators opposite argue that since these provisions have never been used, they can therefore be discarded. In my view, this is completely the wrong approach. The provisions exist to prevent a terrorist act from taking place in the first place. Surely it is not better to repeal such provisions and instead hope a major terrorist attack does not occur. Yet that is precisely what the current government is proposing. Even from just a civil liberties perspective, such an approach is deeply flawed.

In France, new legislation and measures were introduced after the attacks in Paris in the fall of 2015 that killed more than 100 people. Under French law now, severe restrictions can be placed on an individual’s freedom of movement when that individual is believed to be associating with potential terrorist elements. Individuals are subject to having their homes searched regularly by the police. They can be detained for up to four hours while such searches are carried out. Places of worship can be ordered closed if preachers are found not even to have advocated terrorism but simply to glorify it. Public servants can be dismissed from their positions for holding radical opinions.

Have senators opposite stopped to consider that by getting rid of some of the current preventive provisions in the law today, we may be inadvertently inviting more stringent and punitive legal provisions in future law should we be unable to prevent a major terrorist attack today?

I have similar concerns in relation to the measures in Bill C-59 to raise the bar for CSIS to engage in threat reduction measures. Prior to the passage of Bill C-51 under the previous government, CSIS officers were not even permitted to speak to individuals for the purpose of diminishing a potential threat. They could not, for example, approach the parents of a radicalized youth and encourage them to intervene with their own child to prevent them from potentially joining a terrorist group.

That authority did not exist for CSIS officers, colleagues, but Bill C-51 closed a serious gap in Canada’s legislative framework and permitted CSIS to engage in threat disruption activities. These might encompass simply speaking with individuals to disrupt potential terrorist threats. I think that’s only logical. Or they might involve more active measures that may be pursued, perhaps in the course of an investigation. Active measures that contravene the Charter of Rights and Freedoms or may otherwise be contrary to Canadian law require a judicial warrant.

Bill C-59 now before us proposes to put in place new impediments in the exercise of these authorities. The legislation proposed to add provisions requiring any measures to not be simply Charter compliant but to also be found by a judge to be “reasonable and proportionate.” Even when warrants are not required, a national security justification regime will assess

potential impacts and evaluate whether other federal departments have been consulted about their ability to reduce the threat instead of CSIS.

The list of prohibited threat reduction measures will be expanded to prohibit the detention of any individual, any serious damage to property and any act defined as “degrading.” It is not clear how these terms will be defined or how their interpretation might differ depending on the judge hearing a submission. Accompanying new restrictions will be new reporting requirements, which are certain to increase the workloads of already overtasked CSIS officers.

One can perhaps argue about the merits of some of these specific provisions, but what is clear from an overall perspective is that the bureaucratic burdens and processes will increase exponentially.

Chief Paul Martin of the Durham Regional Police Service, speaking for the Canadian Association of Chiefs of Police, stated:

... my colleagues, some more learned than I, who have been involved in this field for some time, [have noted] that this discussion has been ongoing for more than 15 years in terms of how we can improve the speed, flow, and direction of this information so that we can share it in a quicker fashion.

He referenced the Aaron Driver terrorist incident, which he said “made it very obvious to the policing field how fast information moves, and how fast it has to move in order to detect, deter, and ultimately deal with a threat nationally.”

Colleagues we must ask, are the new legislated bureaucratic processes that we are putting in place enabling our security services to respond in a more nimble fashion? The government argues that raising the bar on threat diminishment powers in this way mirrors similar restrictions that exist for police under section 25.1 of the Criminal Code. However, there seems to be little recognition of the special requirements that exist when it comes to protecting national security.

I would argue that terrorist threats of the type that occurred in London in the summer of 2005 or that occurred in Paris in the fall of 2015 or that occurred on 9/11 fall into an entirely different category. Those attacks killed hundreds and, in the case of 9/11, thousands of people. It is for that reason that exceptional authorities and mechanisms are required to combat these threats. They may be rarely used, but they must nevertheless be available to security forces. This is well understood in our liberal democracies. It is very worrying to me that our current government does not seem to understand this principle.

• (1450)

Colleagues, I fear there are many areas where this bill falls short of protecting Canadians. Some of these shortcomings can perhaps be addressed at committee or here in the chamber, but I fear many flaws are fundamental to the bill itself. For that reason, I simply cannot support this legislation. Thank you, colleagues.

Hon. Marc Gold: Will the senator take a question?

Senator Housakos: Absolutely.

Senator Gold: Thank you, Senator Housakos. If I understood the thrust of your remarks, in your judgment, Bill C-59 weakens our ability to protect ourselves from threats. But can you explain how you've come to that conclusion when testimony from CSIS professionals says quite the opposite? A former CSIS director, when asked — and I'm speaking now of the threat-reduction powers, but the same points were made about oversight generally — whether they support this bill and whether it gives them the tools to do the job, they said it gives them the room they need to manoeuvre. The current Assistant Director of CSIS said the clarifications in the law are very important for them so that they know how to best do their job.

So can you explain why you think your analysis of what would keep us safe is better than the professionals who were charged with doing that on our behalf?

Senator Housakos: Clearly, senator, you weren't listening to my speech because I cited some professionals who actually are leading police forces in this country and said quite the contrary.

They've made it crystal clear that this particular bill creates a bureaucracy that does not help in their policing efforts. Certainly there might be some former directors of CSIS that you're citing. I'm also citing individuals who have come before parliamentary committees on the House of Commons side. It is also crystal clear when you take away the power of the police force to reach out and do preventive work, when it comes to brainwashing Canadians and brainwashing young Canadians and having terrorist organizations around the world that are seeping into the homes of Canadians through the Internet and through the various communication platforms that have been used in order to recruit Canadians to go and fight overseas for ISIS, and we have dozens of examples.

The government is now stuck with the situation where they're repatriating dozens of Canadians who have been recruited. This bill takes away from what we had in place in a previous bill from a previous government that gave them a proactive approach to reach out to parents and families in order to put an end to some of the sinister behaviour of these terrorist organizations. It is not right that the government is basically coming forward with a bill

The Hon. the Speaker: Sorry to interrupt you, Senator Housakos. Your time is up. Are you asking for five more minutes?

Senator Housakos: Can I have five more minutes, colleagues?

Hon. Senators: Agreed.

The Hon. the Speaker: There are no further questions.

Hon. Ratna Omidvar: Thank you, Your Honour. I also rise today to speak on Bill C-59, and I thank Senator Gold for sponsoring this bill in the Senate.

I will focus my comments on a narrow element, changes to the no-fly list. I'm delighted that Senator Housakos and I can agree on this point because this is an urgent matter.

Honourable senators may have read in the news yesterday or today that the No-Fly parents group was on the Hill yesterday and were meeting with people in both houses to underline the urgency of their request, and I would like to add my voice to theirs.

The no-fly list has been around since 2007, when it was first enacted as part of the Passenger Protection Program in 2015 under Bill C-51. It was expanded to enable the establishment of the no-fly list of persons.

The list included those whom the minister had reasonable grounds to suspect for two reasons. First, those who engage or attempt to engage in an act that would threaten transportation security; and second, those who travel by air to commit certain terrorism offences.

The minister, upon identification of such individuals, could direct air carriers to take specific, reasonable and necessary action to prevent a listed person from engaging in the suspected activity, including denying transportation to the person or screening a person before they enter the boarding area.

Colleagues, so far I think this is all reasonable and necessary. As Senator Housakos has said, we need to protect national security for Canadians. We need to protect ourselves from people who are looking to harm us and others, and we need to be vigorous and alert on this matter.

But, as always, another law, and I will call this the law of unintended consequences, kicks in. Ordinary people get caught up in an unintended manner and they find themselves in a spider's web that is almost impossible to escape from. In this case, they become caught up in the list because they happen to share a common name with someone else who has been identified as a threat to safety and is therefore on the list. Common names like Adam Ahmed, Bill Graham, David Mathews, David Smith and Mohamed Ali are all thought to be on the list, and some of these names will resonate with you because they're former parliamentarians. These names generate false positives, and all of a sudden you will find yourself on the list.

The list is also opaque and shrouded in secrecy. The list only contains the most basic information about the individual. No other identifiers, such as a social insurance number or a passport number, are recognized. You only find out you're on the list once you try to board a plane or a cruise ship. Imagine the consternation when you find out that you, your child or in fact even your newborn baby is on the list.

My meeting with the No Fly List Kids was a true eye-opener. I met with two parents of the same child, one is an active member of the Canadian Air Force and the other is a retired Canadian Forces member. I can't share their names with you, but I can tell you that they have ordinary Canadian names. They told me that their son shares the name with someone on the list. Their son is not an adult but a toddler, and the first time they were stopped at

the airport their son was in a stroller. Certainly everybody could see, the airlines, the CBSA officers, this toddler is not a terrorist, but the law is the law and they must follow the process.

So what does that mean? They can't check in online, so they have to be at the airport well in advance of any flight. If they don't, they may miss it because they will be stopped and questioned rigorously. Since they can't check in online, they often don't get to sit together in the plane. They are stopped, they are questioned, and they have to line up for secondary security to be cleared for travel. They are flagged. It is no wonder they feel unduly stigmatized and leery of travel. Even if they manage to get clearance to fly that one time, the same ugly situation rears its head the next.

So they fear travelling to other countries because they don't know if they can get there and, even worse, they don't know if they can get back. This has generated, obviously, a great deal of anxiety for the parents.

The delegation from the No Fly List Kids also told me about the very real impact of being on the list has on the children outside of family trips and family vacations. Their ability to participate in team sport events, like soccer or hockey, is limited when the teams have to cross the border to compete. And, of course, this extends to academic exchanges, music, culture, youth leadership opportunities, et cetera, and all because of a name.

The No Fly List Kids was formed by Sulemaan Ahmed. Sulemaan's son Adam has been flagged since he was a newborn, since his name "Adam Ahmed" is a pretty common name. On a trip to Mexico, they almost didn't make it back to Canada. They had their passports confiscated with no explanation and almost missed their flight home.

In 2015, they travelled to the NHL Winter Classic in Massachusetts. That was going to be a great trip for the family. At the airport, their son was flagged again. This time Sulemaan tweeted out the picture and the story went viral, and he was contacted by hundreds of families in the same situation, and so the No Fly List Kids was born.

• (1500)

The group has grown to over 200 families, but there may be as many as 100,000 people who are affected. As children age, simple delays may well turn into outright detention. What if the person is falsely identified in a country that doesn't share our values and processes?

It's not only kids but adults as well. I will give you a story from an adult. Stephen Evans is a digital technology leader and he works with companies such as Microsoft, the *Toronto Star* and Kijiji. He travels all the time and was shocked to find out that he was a listed traveller. As someone who travels tens of thousands of miles a year for business, ease of travel is essential for success in business.

Curiously, if a Canadian is on the American no-fly list they have the ability to apply to the Department of Homeland Security and there is a program called the Traveller Redress Inquiry Program. He did that and was taken off the U.S. list, but not off the list in Canada because we don't have such a process.

Bill C-59 provides a simple and pretty straightforward solution to deal with this problem. It maintains the no-fly list, but creates a new system to deal with false positives and provides a better remedy for people to get their names off the list. It authorizes the minister to include more identifiers, such as a middle name, and other identifiers that will be determined in regulation. This makes common sense.

The minister will be able to issue a unique identifying number to travellers when checking in for a flight. This will allow airlines to screen them in a unique way once they arrive at the airport. Both objectives are met: Catch and contain those who pose a risk to security, but not those who are accidentally impacted.

The minister will also be able to inform a parent or a guardian that their child is not a listed person. Currently, the minister has no authority to disclose that information.

Bill C-59 adjusts the procedure for a listed person to request to be removed from the list. If the minister does not make a decision within the allowable time frame — which is 120 days, up from 90 days — then it is deemed that the minister has decided to remove the name from the list. Currently, it's the reverse.

Honourable senators, Budget 2018 allocated \$80 million over the next five years to revamp the no-fly list, but before the money can go out of the door the changes contained in Bill C-59 need to come into force. I welcome this change, but I want to be assured that it is enough to establish a true redress system. I would like to hear more on this matter at committee.

My meeting with the parents ended with them urging the Senate to move the bill forward. I want to commend these parents who have come together on their own. They are not an organization or an institution, they are just a group of parents who are self-confessedly not experts in legislation. But they do have a very big voice and they have made their voices heard here and outside of Canada. They want to get their names and those of their children off the list, or at least have alternative ways to address the misidentification. They want this sooner rather than later because children age with time. Children become teenagers and teenagers travel alone, so this creates greater anxiety for them. I believe, therefore, that we should be moving this legislation forward. Let's examine it closely at committee, see if there are any improvements we can make and work together to help these families. That would indeed be a wonderful Christmas gift for them from this chamber. Thank you

Some Hon. Senators: Hear, hear.

Senator Housakos: Will the senator take a question?

Senator Omidvar: Yes.

Senator Housakos: Thank you, honourable senator, for your speech on this particular issue. As I pointed out in my speech, there were a number of flaws that I think are beyond redress. There are some elements that are good in the bill and supportable, and you went in depth into a particular one that I think is repairable. It will require some commitment on the part of both this chamber and the government to accept the amendment, so I was curious if you feel the amendments that need to be brought forward will be brought forward at committee stage or on the floor of the Senate, and would you be able to tell us whether there are examples in the world currently where countries are using something that is different than a no-fly list which Canada could incorporate or use as a reference to make adjustments in the bill?

Senator Omidvar: I will try to answer as best I can. There were two parts to your question. First, do I think amendments will be brought at committee or to the floor. I'm not able to say yes or no. I hope there will be expert witnesses at committee to talk about the redress issues. I have a suspicion that there may be other items to address in the redress, and I look forward to hearing them at committee, but I can't second guess that.

On the question of whether other countries have no-fly lists, as I believe was your question, I believe they do. I believe that before 2015, the names on the list were shared between jurisdictions which is where we got into some problems. That has not been the case since 2015, but I believe the no-fly list exists in the U.S., the U.K. and other similar jurisdictions.

(On motion of Senator Bovey, debate adjourned.)

[*Translation*]

BILL TO AMEND CERTAIN ACTS AND REGULATIONS IN RELATION TO FIREARMS

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Pratte, seconded by the Honourable Senator Coyle, for the second reading of Bill C-71, An Act to amend certain Acts and Regulations in relation to firearms.

Hon. Marc Gold: Honourable senators, I rise today to speak to Bill C-71, An Act to amend certain Acts and Regulations in relation to firearms.

I support this bill. I think it is a reasonable and pragmatic step toward reducing the number of violent acts committed with firearms in Canada. However, I know that many senators are strongly opposed to this bill, as are many Canadians, or so I gather from the deluge of emails we have received. We need to take their concerns seriously. That is what I am doing, so let us look then at the main arguments put forward by those who oppose the bill.

Canadians are hearing that Bill C-71 infringes on the rights of law-abiding gun owners, that it is based on government lies and manipulated statistics, that it reinstates the long-gun registry and that it will do nothing to resolve the real problem of gun violence in Canada.

From my perspective, with all due respect to Canadians, those claims are false. The bill is not an attack on the rights of law-abiding gun owners. It does not impose an unreasonable burden on them. As Senator Dalphond pointed out, the Supreme Court ruled that owning and using a gun is a privilege, not a right. Furthermore, it is a strictly regulated privilege and has been for a very long time.

As lawmakers, we know that all regulations impose a burden on those who must abide by them. The real question we have to ask ourselves is whether that burden is justified considering the positive impact the bill seeks to produce. In my opinion, the burden is minimal and amply justified.

[*English*]

Opponents have argued that the bill unfairly burdens law-abiding gun owners by changing the rules governing authorizations to transport firearms, or ATTs. The facts suggest otherwise. No authorization is required to transport non-restricted firearms. That is the current law and Bill C-71 does not change that.

• (1510)

Furthermore, the renewal of a Possession and Acquisition Licence, or PAL, for a restricted firearm will include an automatic authorization to transport it between the owner's residence and any authorized shooting range in the province. As others have pointed out in this chamber, this covers the vast majority of owners' transportation needs.

It is the case that Bill C-71 would require owners to obtain a special ATT for the transportation of restricted or prohibited firearms to places other than their firing range, such as a gun show, a border station or a gunsmith. In such cases they can easily contact the Canadian Firearms Program by telephone or email, and the process will be quick and easy. Indeed, Senator Dean's own experience, which he shared with us in this chamber, was very illuminating in this regard.

The government defends these changes as providing an important tool for law enforcement. As was stated by a representative of the Canadian Firearms Program within the RCMP, if law enforcement stopped a vehicle, this change would give the driver fewer reasons or excuses for having a restricted or prohibited firearm in their vehicle. This makes sense, especially with respect to persons seeking to bring a firearm across borders or to attend gun shows where firearms are bought and sold. However, one might fairly ask why Bill C-71 does not automatically issue an ATT to take firearms for maintenance or repair. A case can be made on public safety grounds that the law should facilitate firearms maintenance and repairs. I would encourage the committee to consider this when it studies the bill.

Opponents also argue that Bill C-71 reintroduces the long-gun registry. The short answer is the bill does no such thing, as Senator Pratte has pointed out both in this chamber and in his patient responses to the massive email campaign directed against the bill.

Opponents of the bill also object to the expanded scope of the background checks for acquiring a Possession and Acquisition Licence. Rather than addressing a person's criminal history, history of mental illness associated with violence, and history of violence within the previous five years, Bill C-71 would require a chief firearms officer to consider the presence of those factors for the person's entire lifetime. In addition, they will also have to consider whether the person has a history of threatening conduct, including cyberbullying; or was under a restraining order and is presently a safety risk; was previously subject to a weapon or firearms prohibition order in respect of intimate-partner violence; or for any other reason poses a risk of harm to any person.

Opponents claim this unfairly burdens someone who might have done something stupid in their youth or might have suffered from mild depression 20 years earlier. But the presence of these factors does not necessarily mean the person will be ineligible for a PAL. The significance of these factors will be contextual, determined in light of the person's whole history. Surely it is a sensible step in the right direction for background checks to examine whether applicants had a violent past or problems of mental illness that could be linked to violent propensities.

The central claim of the bill's opponents is it will not solve the problem of gun violence in Canada because it fails to address the real problem: the use of handguns by criminals and street gangs. Background checks don't stop criminals from getting guns. Either they smuggle them in from the United States or buy or steal them from licensed owners in Canada.

[*Translation*]

Honourable senators, no one is denying the existence of a problem involving violent criminals and their use of firearms. Indeed, the number of gang-related homicides practically doubled between 2013 and 2016.

However, as we have discussed in this place, the same is true of homicides not related to street gangs. According to Statistics Canada, 94 homicides committed with firearms but not related to street gangs were committed in 2016, which is the highest number recorded in 10 years.

Similarly, no one would deny that the illegal importation of firearms is a problem, and the government recently announced additional funding for the Canada Border Services Agency to deal with that. However, as Senators Pratte and Omidvar both reminded us, many firearms used to commit crimes are domestically sourced.

In addition, all levels of government in Canada are dedicating hundreds of millions of dollars to the fight against gun violence committed by street gangs and organized crime. We also know that the federal government is currently consulting with Canadians on a possible ban of handguns and assault weapons. I see that as a reasonable and responsible way forward.

[Senator Gold]

[*English*]

Honourable senators, let's acknowledge that Bill C-71 will not keep a determined criminal from finding a way to obtain a firearm. But by requiring gun sellers to keep records of their sales, the bill will help law enforcement track firearms that may have been used in crime. As I stated earlier, requiring gun owners to request an ATT if they travel to a gun show or cross a border will also assist law enforcement to distinguish between legitimate owners and others. These are practical, reasonable and effective measures to combat the illegal use of firearms.

It is not only street gangs and criminals who are responsible for firearm-related violence. This leads me to the fundamental weakness in the arguments advanced against Bill C-71.

The opponents of Bill C-71 divide the world into two neat groups. On the one side are ordinary, law-abiding Canadians who happen to own firearms. On the other side are violent criminals and gang members. Bill C-71 supposedly targets the former and ignores the latter.

If life were so simple. The world is not so cut and dried as they would have us believe. All of us are subject to the daily stresses of our lives but some cope better than others. Some know when they are at risk to themselves and to others but some may not. Ordinary good people can get overwhelmed by their circumstances, feeling trapped and helpless. Others may get triggered and temporarily lose control of themselves.

The expanded background checks proposed in Bill C-71 may keep a gun out of the hands of someone who in the heat of the moment or because of a breakdown of their normal defence mechanisms turns to a gun believing it will solve their problem, a problem with their partner or friend or with their own life. Because firearms can be, and too often are, turned on oneself. As Senator Cormier movingly attested, hundreds of Canadians kill themselves with a firearm every year.

Because, as the speeches of Senators Gagné, Miville-Dechéne and Omidvar so powerfully reminded us, guns can be, and too often are, turned on spouses and domestic partners.

Statistics Canada reports in 2017, police across Canada reported 582 incidents of firearm-related intimate partner violence, the highest number since Statistics Canada started evaluating this. This did not even include data from Quebec. Add to this over 400 cases involving parents, children, siblings and members of the extended family, and there you have 1,000 cases of firearm-related family violence. These are only the ones reported to the police.

It is important to note the problem is not only, or even predominantly, illegal handguns. We know there are regional differences and that handguns are more of a problem in urban than rural areas. But as Senator Miville-Dechéne pointed out, taking Canada as a whole, the most common firearms involved in intimate-partner violence are rifles and shotguns. In the last three years, rifles and shotguns accounted for 37 per cent of such incidents; whereas handguns accounted for 30 per cent. Now, 7 per cent may not sound like a huge difference but the difference is this: over three years rifles or shotguns have victimized 100 more intimate partners than have handguns.

Senator Patterson noted that in Northern Canada, firearms are important for hunting healthy, natural food and for protection against wild animals. But shotguns and rifles are also an overwhelmingly popular firearm for intimate-partner violence. In the past three years in the Northwest Territories, 88 per cent of firearm-related violent incidents against intimate partners were committed with a rifle or shotgun. In Nunavut it was 82 per cent. In the Yukon it was 57 per cent. But the problem is not exclusive to the North. In Newfoundland and Labrador, New Brunswick, and Nova Scotia, the percentages of firearm-related intimate-partner violence where the firearm was a rifle or a shotgun range between 49 and 52 per cent.

• (1520)

Bill C-71 will help keep firearms out of the hands of those whose violent past and mental instability put them at risk of using a firearm to harm others, and it will assist law enforcement in the detection and prosecution of those who use firearms illegally.

In other words, Bill C-71 will help save lives.

Let me conclude with a word about the impact of Bill C-71 on Indigenous communities. There are two issues. The first one is around process: Was there appropriate consultation in the period leading up to the tabling of the bill? In a word, no, there was not. I know that many in this chamber are actively seized with this issue, and I fully expect and hope it will be pursued seriously as we proceed in our study of this bill.

The second issue is one of substance: Does the bill infringe upon the constitutionally protected rights of Indigenous peoples to use firearms for harvesting purposes, as guaranteed in section 35 of the Constitution Act, 1982? The Firearms Act purports to protect such rights by including a non-derogation clause. However, the clause in the Firearms Act is narrow in scope and less protective of rights than the non-derogation clauses used in more recent federal legislation. Here again, I assume this will be examined in committee.

But including a reference to the Constitution in the act is not the only nor necessarily the most effective way to respect Aboriginal rights. Senator Patterson spoke of the importance of the Aboriginal Peoples of Canada Adaptations Regulations, APCAR, that were enacted pursuant to the Firearms Act. It's important the committee review what changes, if any, would be appropriate to these regulations in light of Bill C-71 and in light of our evolving understanding of the scope of Aboriginal rights. In that regard, I support Senator Patterson's call for witnesses to speak to this at committee.

As Senator Omidvar said, this bill will not fix all the problems of gun violence in this country. Honourable senators, no law can keep all guns out of the hands of criminals determined to use them for nefarious ends, but that does not mean that this bill is unworthy of our support. As a wise person once said, "Let not the best be the enemy of the good." And Bill C-71 is a good bill. It will help save Canadian lives. Please support sending it to committee to receive the attention and scrutiny it deserves. Thank you for your kind attention.

The Hon. the Speaker: Senator Saint-Germain, would you like to ask a question?

[*Translation*]

Hon. Raymonde Saint-Germain: Would the honourable senator take a question?

The Hon. the Speaker: I'm sorry, senator, but your time has expired. Would you like five more minutes?

Senator Gold: Yes, please.

Senator Saint-Germain: My question will be brief. It concerns risk management in situations of domestic abuse involving firearms.

You referred to background checks. From a prevention perspective, in your opinion, does the law give the government enough flexibility? Do the regulations include strict enough criteria to ensure that, in cases where there is a history of violence, prevention and licencing will be strictly managed?

Senator Gold: Thank you for your question. I believe that the answer is yes. I admit that departmental officials will be better equipped than I am to answer that question in committee. To my understanding, the current system provides us with adequate protection. The Firearms Act prohibits the issuance of a firearms permit to anyone prohibited under court order from possessing any firearm, cross-bow, prohibited weapon, prohibited ammunition, and so forth. What is more, the Criminal Code governs the duration and the effects of the prohibition order. However, a person who is not subject to a prohibition order and who wishes to file a new licence application some time after being denied a licence is free to do so. However, during the interview process, they will have to provide evidence in support of the change or improvement in their situation.

Chief firearms officers have the discretionary power to consider the gravity of the past offence and how much time has passed since. They have the flexibility to ensure that society is well protected. There's also an appeals process, first before a provincial court judge, and then before the Superior Court.

The rules surrounding mental health are not as clear. Will proof be required from a psychologist? I can't give you a proper answer, but I think that the committee will be asking these questions. I trust the experts who will testify in committee. I hope that answers your question.

Hon. Ghislain Maltais: Senator Gold, I have a question for you if you'll allow it. I heard Senator Saint-Germain talk about regulations, and I didn't realize that the regulations were drafted before the act was passed. How is federal law different from provincial law in Quebec?

Senator Gold: Thank you for your question. I'm not very familiar with Quebec laws. As you know, this province took a different stance on the gun registry, but I imagine that the committee will consider the issue. Senator, I'm sorry that I don't have a better answer to your question.

[*English*]

Senator Housakos: I would like to take the adjournment in my name.

The Hon. the Speaker: Sorry, but Senator Richards would like to ask a question.

Again, your time has expired, Senator Gold. Are you asking for another five minutes?

Is leave granted, honourable senators?

An Hon. Senator: No.

The Hon. the Speaker: I heard a no.

(On motion of Senator Housakos, debate adjourned.)

THE SENATE

MOTION PERTAINING TO A NEW ORDER FOR COMMITTEES ADOPTED

Hon. Yuen Pau Woo, pursuant to notice of earlier this day, moved:

That, except in relation to the joint committees and the Standing Committee on Ethics and Conflict of Interest for Senators, and notwithstanding the provisions of rules 12-2(3), 12-3(1), and 12-3(2); of the order of November 7, 2017; and of any usual practice:

1. as of the end of the day on the Sunday following the adoption of this order, senators who are members of committees, other than the ex officio members, cease to be members of those committees; and
2. at any time after the adoption of this order, the Facilitator of the Independent Senators Group (or designate), the Leader of the Opposition (or designate), and the Leader of the Independent Liberal senators (or designate) name, from their respective party or group, by notice filed with the Clerk

of the Senate, who shall have the notice recorded in the *Journals of the Senate*, the new members of those committees to be effective as of the beginning of the day on the Monday following the adoption of this order or upon receipt of the notice, whichever comes later, according to the following numbers, with the total membership of a committee increasing, as required, as a consequence:

- (a) the Standing Senate Committee on Legal and Constitutional Affairs:
 - (i) six senators from the Independent Senators Group,
 - (ii) four Conservative senators, and
 - (iii) two Independent Liberal senators;
- (b) the Standing Senate Committee on Foreign Affairs and International Trade:
 - (i) seven senators from the Independent Senators Group,
 - (ii) four Conservative senators, and
 - (iii) two the Independent Liberal senators;
- (c) the Standing Senate Committee on Agriculture and Forestry; and the Standing Senate Committee on Fisheries and Oceans:
 - (i) seven senators from the Independent Senators Group,
 - (ii) four Conservative senators, and
 - (iii) one Independent Liberal senator;
- (d) the Standing Senate Committee on Aboriginal Peoples; the Standing Committee on Internal Economy, Budgets and Administration; the Special Senate Committee on Senate Modernization; and the Standing Committee on Rules, Procedures and the Rights of Parliament:
 - (i) seven senators from the Independent Senators Group,
 - (ii) six Conservative senators, and
 - (iii) two Independent Liberal senators;
- (e) the Standing Senate Committee on Energy, the Environment and Natural Resources:
 - (i) seven senators from the Independent Senators Group,
 - (ii) six Conservative senators, and
 - (iii) one Independent Liberal senator;

- (f) the Standing Senate Committee on National Finance; and the Standing Senate Committee on Social Affairs, Science and Technology:
- (i) seven senators from the Independent Senators Group,
 - (ii) five Conservative senators, and
 - (iii) one Independent Liberal senator;
- (g) the Special Senate Committee on the Arctic; and the Standing Senate Committee on Official Languages:
- (i) four senators from the Independent Senators Group,
 - (ii) four Conservative senators, and
 - (iii) one Independent Liberal senator;
- (h) the Special Senate Committee on the Charitable Sector:
- (i) three senators from the Independent Senators Group,
 - (ii) three Conservative senators, and
 - (iii) one Independent Liberal senator;
- (i) the Standing Senate Committee on Banking, Trade and Commerce:
- (i) seven senators from the Independent Senators Group,
 - (ii) five Conservative senators, and
 - (iii) two Independent Liberal senators;
- (j) the Standing Senate Committee on Human Rights:
- (i) five senators from the Independent Senators Group,
 - (ii) three Conservative senators, and
 - (iii) one Independent Liberal senator;
- (k) the Standing Senate Committee on National Security and Defence; and the Standing Senate Committee on Transport and Communications:
- (i) six senators from the Independent Senators Group,
 - (ii) five Conservative senators, and
 - (iii) one Independent Liberal senator; and
- (l) the Committee of Selection:

- (i) four senators from the Independent Senators Group,
- (ii) four Conservative senators, and
- (iii) one Independent Liberal senator;

That, for greater certainty, a senator who is, as of the end of the day on the Sunday following the adoption of this order, the chair or deputy chair of a committee remain in that position at the beginning of the day on the Monday following the adoption of this order, if still then a member of the committee;

That, notwithstanding any other provision in this order, a non-affiliated senator who is a member of a committee at the end of the day on the Sunday following the adoption of this order continue as a member of that committee at the beginning of the day on the Monday following the adoption of this order, with the number of seats that the leader or facilitator of the largest recognized party or recognized parliamentary group can appoint under the terms of this order being reduced by an equivalent number;

That a senator who retained a seat on a committee under the provisions of the previous paragraph cease to be a member of that committee if the senator:

1. becomes a member of a recognized party or recognized parliamentary group; or
2. places him- or herself under the authority of a leader or facilitator for the purposes of making membership changes to committees;

That, if a senator ceases to be a member of a committee pursuant to the previous paragraph, the leader or facilitator of the party or group whose number of seats had been reduced be authorized to fill the consequential vacancy;

That, notwithstanding any usual practice, for the remainder of the current session, a non-affiliated senator may, by written notice to the Clerk, place him- or herself under the authority of one leader or facilitator for the purposes of making membership changes to committees, including the joint committees, pursuant to rule 12-5, provided that the senator may, again by written notice to the Clerk, at any time cancel this authority;

That, except as provided in the immediately preceding two paragraphs, nothing in this order affect processes under the Rules permitting membership changes once new members of a committee have been named pursuant to this order; and

That, for greater certainty, nothing in this order affect the provisions of rule 12-3(3) and the provisions of the order of November 7, 2017, respecting ex officio membership.

He said: Honourable senators, let me say a few words about the background of this motion.

It spells out the size and composition of standing Senate committees, with the exception of the Standing Committee on Ethics and Conflict of Interest for Senators. It is the product of negotiations among the organized groups in the Senate.

The need for this motion — more specifically the need for the discussion leading up to this motion — was determined over a year ago, when the leaders of the various organized groups agreed to revisit the composition of committees in September 2018. It has taken longer to reach an agreement than I had hoped, but we now have a deal, which, if approved today by this chamber, will take effect on Sunday, November 25.

The reason for the changes to committee size and composition is the sharp increase in our Senate numbers. Since the sessional order of November 7, 2017, 15 new senators have been appointed. All of them have joined the ISG, and each of them has the right to sit as a permanent member of one or more Senate committees. The ISG's share of committee seats, however, has been frozen at the level set by this chamber over a year ago. That has meant that a number of our new colleagues have not been able to be members of committees.

The motion before us will make space for the new senators to sit on committees by increasing the number of seats designated for ISG members. Let me stress that, in doing so, we are not depriving other senators of their right to also sit in committees because the distribution of committee seats is based on the principle of proportionality. In other words, the number of committee seats assigned to each of the recognized groups is roughly proportional to that group's share of total Senate seats. The principle of proportionality in allocating committee seats I believe is sensible and fair, and I hope it will be applied with consistency in future discussions about committee seats.

• (1530)

Let me also point out that this motion does not change the chairs or deputy chairs of the committees, as long as the current chairs and deputy chairs remain on those committees. Their positions are protected, if you will, until the end of the current Parliament.

Let me also say a couple of words about why this deal, while satisfactory, is not perfect. We have had to make a few compromises, one of which is to increase the size of a number of committees, which may not be ideal for the purposes of committees having the time to question witnesses and to have a robust discussion such that all members can participate. This is a decision that I agreed to as well, but I hope that in future discussions about committee size and composition we will be able to revisit this question.

I would also note that some colleagues were not given the ability to be on committees, notably our colleagues in the G3. That, too, I think is an oversight — a deficiency, if you will, in this motion — but one that the government has graciously agreed to overlook.

Let me conclude, colleagues, by thanking my counterparts Senators Plett, Day, Smith, Mercer and Harder for the professional and cordial way in which negotiations were carried out. I thank them for their cooperation and understanding. I hope

all of you will support this motion so that we can get the new composition of committees up and running this weekend and back at work next week. Thank you.

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

Hon. Senators: Question.

The Hon. the Speaker: It was moved by the Honourable Senator Woo, seconded by the Honourable Senator Saint-Germain, that except in relation to — may I dispense?

Hon. Senators: Dispense.

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

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

(Motion agreed to, on division.)

NATIONAL PHYSICIANS' DAY BILL

THIRD READING—DEBATE ADJOURNED

Hon. Jane Cordy moved third reading of Bill S-248, An Act respecting National Physicians' Day.

She said: Honourable senators, it is my pleasure to speak at third reading as sponsor of Bill S-248, An Act respecting National Physicians' Day, which would declare May 1 of each year as national physicians' day in Canada.

I must thank Senator Eggleton, the original sponsor of the bill, for his work on introducing Bill S-248 in the Senate. I am pleased to continue as the bill's sponsor.

Why was May 1 selected as the day to recognize national physicians' day? Honourable senators, May 1 is the birthday of one of the most influential doctors in Canada's medical history. May 1 is the birthday of Dr. Emily Stowe, the first woman to practise medicine in Canada. Dr. Stowe was born in Norwich Township, Ontario, in 1831. She was inspired to pursue a career in medicine following a loved one's illness from tuberculosis.

At the time, Canadian colleges and universities would not accept women to study medicine. This did not stop Emily Stowe from acquiring a medical degree as she went to study at the New York Medical College for Women in the United States. Following her studies, she came back to Canada to open a medical practice in Toronto.

Dr. Stowe perfectly embodies the dedication and caring our physicians show in delivering health care to Canadians. Her legacy also lives on in the Canadian women who have followed in her footsteps to study medicine. Today, nearly two thirds of family physicians under the age of 35 are women, and that same trend is found among medical students and residents.

Honourable senators, Canadian physicians work tirelessly to deliver our health care. However, physicians sometimes face challenges doing their job that the public doesn't see. As Senator Seidman indicated in her remarks on the bill:

A CMA study showed that 54 per cent of physicians were at or near the burnout level and failed to have the kind of work/life balance that would allow them not only to provide the highest level of care to their patients but also for them to have good mental health in order for them to function well for all of us.

This tends to be of particular concern, honourable senators, to those physicians working in rural and remote communities.

In his testimony before committee, Dr. Sandy Buchman, President-Elect of the Canadian Medical Association, spoke of Canadian doctors who are doing great work. He spoke of Dr. David Kim, who is a young emergency doctor working in Vancouver. Dr. Kim recognized that the long hours and demands of his profession were having a negative effect on him and his colleagues. He established supports for his colleagues so they can stay physically and mentally healthy.

Honourable senators, I have had the privilege over the past several years to work closely with the sickle cell community. My involvement with the sickle cell community has given me the opportunity to see firsthand the great work being done by our health care professionals. Last year I had the opportunity to visit the Toronto General Hospital's Sickle Cell/Thalassemia clinic. I believe the Toronto clinic is the largest of its kind in Canada and it treats over 700 sickle cell patients. It was a privilege to meet Dr. Jacob Pendergrast and his medical team while I was there and to see firsthand the great work they are doing.

Honourable senators, establishing a national physicians' day will provide an excellent opportunity for Canadians to show their appreciation to those physicians who provide us with our world-class health care. We are all very proud of the reputation of Canada's universal health care, but it takes many people to deliver that system and to make it work. A national physicians' day will remind Canadians of the work of our physicians and it will provide an opportunity to show our appreciation for their dedication to our well-being.

A national physicians' day will also highlight a time for physicians to communicate with Canadians to help us understand what they face while providing our health care. We ask a lot of our physicians, and a better understanding on our part could help alleviate some of their challenges.

Honourable senators, with the passage of Bill C-248, Canada will officially recognize on a national scale what is currently celebrated in Ontario and in my home province of Nova Scotia — a physicians' day. It is a positive step. With your support, I look forward to the passage of Bill C-248 in the Senate and, in the future, celebrating with you the first national physicians' day.

I thank you.

(On motion of Senator Plett, debate adjourned.)

INTERNATIONAL MOTHER LANGUAGE DAY BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Jaffer, seconded by the Honourable Senator Cordy, for the second reading of Bill S-247, An Act to establish International Mother Language Day.

Hon. Leo Housakos (Acting Deputy Leader of the Opposition): I wish to take the adjournment of this item.

(On motion of Senator Housakos, debate adjourned.)

• (1540)

[*Translation*]

REGIONAL UNIVERSITIES

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Tardif, calling the attention of the Senate to regional universities and the important role they play in Canada.

Hon. René Cormier: Honourable senators, I rise today to continue the discussion initiated by the Honourable Claudette Tardif on small- and medium-sized universities in the regions in Canada.

As our honourable colleagues Senators Tardif, Gagné, Bovey, Cordy and Christmas have so aptly stated in their speeches, regional universities are key drivers of research and innovation, and the economic, social and cultural development of our communities. They eloquently reminded us of the challenges facing regional universities, including for example the tendency for research and infrastructure funding to be concentrated among larger universities to the detriment of regional universities, the need for public policy to provide a framework for possible initiatives for regional universities, and fairness with respect to research funding.

[*English*]

That being said, we have all observed how educational and research institutions are evolving and transforming these days, becoming essential tools that are helping Canadian society adapt to the rapid changes of our time. It is therefore surprising — indeed, disconcerting — to note that not all provincial and territorial governments in this country have recognized the essential role of these places of knowledge and research in the same way.

The recent announcement of the withdrawal of funding for the Université de l'Ontario français, which was supposed to welcome its first students in 2020, is unfortunately a prime example of this.

The decision by the Government of Ontario to cancel the establishment of this first autonomous francophone university, which would have completed the continuum of French-language education in Ontario from kindergarten to university, represents a significant setback for the Franco-Ontarian community, the Canadian francophonie and the country as a whole.

This project represented a significant investment for the province's economic development, particularly through job creation and the training of highly qualified bilingual workers. It also addressed a crying need of francophones in the Toronto area, where only 27 per cent of high school students pursue their post-secondary studies in French, due to the limited number of university programs offered in *la langue de Molière*.

[Translation]

Here is a quote from the Université de l'Ontario français' website:

This university is a 21st-century institution that prepares its students for their role in society and for the jobs of the future. Governed by and for Ontario francophones, it operates in French and has a global outlook. Guided by values of pluralism, innovation, collaboration and excellence, the university's focus is on broadening, applying and sharing knowledge through interdisciplinary, inductive and experiential approaches to learning and research.

No wonder francophones across Canada celebrated the adoption of the provincial act to create this university in December 2017. They knew this post-secondary institution would benefit Canada's research and innovation sector and promote Canada's francophone community at the national and international levels. This is a tremendous loss for the francophonie and for our country.

[English]

This distressing situation leads me to offer my humble contribution to the discussion on the importance of regional universities. To illustrate my point, I will focus on the reality of two universities in the Atlantic region that are dear to me: the Université de Moncton in New Brunswick, and the Université Sainte-Anne in Nova Scotia.

Beginning in the early 1800s, Atlantic Canada was home to a smattering of small faith-based institutions. Little by little, many of them took on the mantle of secularism. This was the case, among others, for the Université de Moncton, which resulted from the merger of three Catholic classical colleagues in 1963, and the Université Sainte-Anne, which made the definitive transition in 1971 to a secular public institution following the gradual withdrawal of the Eudist Order, which founded the institution in 1890.

These changes happened following the major transformation of Canada's university system, which occurred with the arrival of thousands of Canadian Second World War veterans in the post-secondary education system.

[Senator Cormier]

To help veterans returning from the war between 1944 and 1951, the Canadian government offered scholarships to anyone wishing to pursue post-secondary education. At the end of this project, enrolment in Canadian universities did not fall as the government had anticipated, but rather continued to rise sharply.

[Translation]

In the early 1950s, the Canada Royal Commission on National Development in the Arts, Letters and Sciences, often referred to as the Massey commission, considered the best ways to get Canadians to pursue post-secondary education and proposed maintaining scholarship programs to encourage students to enroll in university programs.

Making education accessible to as many people as possible was a very wise societal decision. At the turn of the 20th century, less than five per cent of the adult population had a university degree. Today, thanks to the support offered to universities and the importance we place on post-secondary education, nearly 30 per cent of the adult population has a university degree and over 64.1 per cent of the population has a post-secondary degree.

In 1867, there were 17 universities in Canada, 13 of which had fewer than 100 students. Today, Canada is home to over 100 universities with over 1.7 million students, and more than 1.1 million of them are studying full time.

In New Brunswick, this examination of the place of universities in our society resulted in the creation, in 1960, of the Royal Commission on Higher Education in New Brunswick, which recommended in its final report that a francophone university be created to help New Brunswick's Acadian community catch up with the anglophone community. This community had had access to a university education in English for many generations.

• (1550)

However, this type of reflection is not unique to New Brunswick, naturally. Across the country, universities were opening their doors in the 1960s and 1970s to give people in outlying regions access to a university education. This made a university education more accessible than ever before in Canadian history.

[English]

It was in this context that the Université de Moncton and Université Sainte-Anne were born and played a decisive role in the development of Acadia and the Canadian francophonie. These two institutions are seen as great models for regional universities in the sense that they are much more than teaching and research institutions. Both are highly involved in the development of their communities, serving as incubators of innovation and strategic spaces for debating ideas and developing responsible citizens. This desire to contribute to the development of their communities on a daily basis and in the long term is in some way the primary characteristic of regional universities across the country.

[Translation]

The Université de Moncton plays an important role in developing and supporting the Acadian community it serves and helping it catch up. The university now has three campuses, in Moncton, Edmundston and Shippagan, allowing it to fully participate in regional development.

The same is true for the Université Sainte-Anne, which has, since its inception, aimed to give Acadians in Nova Scotia an opportunity to thrive through education. The university's first building was in Baie-Sainte-Marie, in southwestern Nova Scotia, where the university's headquarters can still be found today. The Université Sainte-Anne is truly a regional university, now offering courses all across the province at its five campuses.

From the early days of the Université de Moncton and the Université Sainte-Anne, these institutions sought to provide training for their communities in as many fields as possible. Today, several hundred students graduate every year in all fields, including health sciences, engineering, law, the arts, philosophy and administrative sciences. These young adults are leaders who are re-energizing our communities and contributing to the development of Acadia, the Maritime provinces and the country.

More importantly, we have to acknowledge the transformational role that these university programs have on demographics and Canadian society. Let's not forget that the vast majority of first-generation students who attended these universities were the first in their families to attend a post-secondary institution.

The founding of the Université de Moncton had a profound impact on the education level of Acadians. Providing the population access to post-secondary education in their language and in their region transformed the entire New Brunswick community. Family incomes increased at the same rate as the level of education and gradually, over the past 55 years, Acadians have integrated new sectors that were previously inaccessible.

[English]

I would also like to highlight the important contribution of these universities to francophone immigration in our region as well as to Canada's international influence. More than 20 per cent of the Université de Moncton's student population is composed of foreign students. Many of these students remain in Canada on a permanent basis and are contributing to the development of Acadian and Canadian society.

Meanwhile, thanks to the incredible work of the north/south observatory and its French immersion program, the Université Sainte-Anne enables many Cajuns from Louisiana to pursue their studies in French in our country.

The international impact of these two universities is also evident when we consider the many international events that have been hosted on their campuses such as the Sommet de la Francophonie 1999, the Congrès mondial acadien 2004, the 2010 World Junior Track and Field Championships or the upcoming Jeux de la Francophonie, which will take place partly on the Université de Moncton campus in 2021.

[Translation]

Honourable colleagues, the Université de Moncton and Université Sainte-Anne are not unique. Canada's francophone communities are served by an important network of small- and medium-sized regional French-language or bilingual universities that choose to be key players in their community's development.

[English]

My plea is therefore on behalf of all these small- and medium-sized universities that contribute to the vitality of our communities, whether they are located in rural or urban areas in the very centre or the furthest reaches of our country.

[Translation]

Like those universities, the Université de l'Ontario français should have the opportunity to make its own invaluable contribution. Young Franco-Ontarians were the driving force behind the UOF. The Regroupement étudiant franco-ontarien and the Fédération de la jeunesse franco-ontarienne have been fighting for it for years. Beginning with the États généraux sur le postsecondaire en Ontario français, a broad community consultation process, they got the entire community to rally around this major undertaking. Future students had a stake, of course, but today's youth and the entire community got on board, too. On the day of action for the Université de l'Ontario français, February 18, 2016, over 8,000 young people demonstrated in francophone high schools across Ontario and over 200 young and not-so-young people braved the cold to make their wishes known at Queen's Park in Toronto.

The adoption of a bill to create the university in December 2017 marked the end of a forty-plus-year struggle for institutional completeness in Ontario's education system, where Regulation 17 is gone but certainly not forgotten. According to Statistics Canada, there is still a gap between Ontario francophones and anglophones when it comes to university graduation rates. That is why shutting down this university is a major loss for our country.

I would like to close with a quote from a *La Presse* article by Valérie Lapointe-Gagnon, who explained why this is a loss on many levels:

Shutting down a university in the west is an awful thing. It is a denial of fundamental rights and an assault on the ideal of higher learning in our societies. Justifying unjust cuts to services for francophones on economic grounds is a denial of this country's history

Thank you.

(On motion of Senator Mercer, debate adjourned.)

[English]

THE SENATE

NOTICE OF MOTION OF NOVEMBER 8, 2018, PERTAINING TO A NEW ORDER FOR COMMITTEES WITHDRAWN

On Motion No. 406 by the Honourable Yuen Pau Woo:

That, except in relation to the joint committees and the Standing Committee on Ethics and Conflict of Interest for Senators, and notwithstanding the provisions of rules 12-2(3), 12-3(1), and 12-3(2); of the order of November 7, 2017; and of any usual practice:

1. as of the end of the day on November 15, 2018, senators who are members of committees, other than the ex officio members, cease to be members of those committees; and
2. at any time after the adoption of this order, the Facilitator of the Independent Senators Group (or designate), the Leader of the Opposition (or designate), and the Leader of the Independent Liberal senators (or designate) name, from their respective party or group, by notice filed with the Clerk of the Senate, who shall have the notice recorded in the *Journals of the Senate*, the new members of those committees to be effective as of the beginning of the day on November 16, 2018, or upon receipt of the notice, whichever comes later, according to the following numbers, with the total membership of a committee increasing, as required, as a consequence:
 - (a) the Standing Senate Committee on Legal and Constitutional Affairs:
 - (i) six senators from the Independent Senators Group,
 - (ii) four Conservative senators, and
 - (iii) two Independent Liberal senators;
 - (b) the Standing Senate Committee on Foreign Affairs and International Trade:
 - (i) seven senators from the Independent Senators Group,
 - (ii) four Conservative senators, and
 - (iii) two the Independent Liberal senators;
 - (c) the Standing Senate Committee on Agriculture and Forestry; and the Standing Senate Committee on Fisheries and Oceans:
 - (i) seven senators from the Independent Senators Group,
 - (ii) four Conservative senators, and

- (iii) one Independent Liberal senator;
- (d) the Standing Senate Committee on Aboriginal Peoples; the Standing Committee on Internal Economy, Budgets and Administration; the Special Senate Committee on Senate Modernization; and the Standing Committee on Rules, Procedures and the Rights of Parliament:
 - (i) seven senators from the Independent Senators Group,
 - (ii) six Conservative senators, and
 - (iii) two Independent Liberal senators;
- (e) the Standing Senate Committee on Energy, the Environment and Natural Resources:
 - (i) seven senators from the Independent Senators Group,
 - (ii) six Conservative senators, and
 - (iii) one Independent Liberal senator;
- (f) the Standing Senate Committee on National Finance; and the Standing Senate Committee on Social Affairs, Science and Technology:
 - (i) seven senators from the Independent Senators Group,
 - (ii) five Conservative senators, and
 - (iii) one Independent Liberal senator;
- (g) the Special Senate Committee on the Arctic; and the Standing Senate Committee on Official Languages:
 - (i) four senators from the Independent Senators Group,
 - (ii) four Conservative senators, and
 - (iii) one Independent Liberal senator;
- (h) the Special Senate Committee on the Charitable Sector:
 - (i) three senators from the Independent Senators Group,
 - (ii) three Conservative senators, and
 - (iii) one Independent Liberal senator;
- (i) the Standing Senate Committee on Banking, Trade and Commerce:
 - (i) seven senators from the Independent Senators Group,

- (ii) five Conservative senators, and
- (iii) two Independent Liberal senators;
- (j) the Standing Senate Committee on Human Rights:
 - (i) five senators from the Independent Senators Group,
 - (ii) three Conservative senators, and
 - (iii) one Independent Liberal senator;
- (k) the Standing Senate Committee on National Security and Defence; and the Standing Senate Committee on Transport and Communications:
 - (i) six senators from the Independent Senators Group,
 - (ii) five Conservative senators, and
 - (iii) one Independent Liberal senator; and
- (l) the Committee of Selection:
 - (i) four senators from the Independent Senators Group,
 - (ii) four Conservative senators, and
 - (iii) one Independent Liberal senator;

That, for greater certainty, a senator who is, as of the end of the day on November 15, 2018, the chair or deputy chair of a committee remain in that position at the beginning of the day on November 16, 2018, if still then a member of the committee;

That, notwithstanding any other provision in this order, a non-affiliated senator who is a member of a committee at the end of the day on November 15, 2018, continue as a member of that committee at the beginning of the day on November 16, 2018, with the number of seats that the leader or facilitator of the largest recognized party or recognized parliamentary group can appoint under the terms of this order being reduced by an equivalent number;

That a senator who retained a seat on a committee under the provisions of the previous paragraph cease to be a member of that committee if the senator:

1. becomes a member of a recognized party or recognized parliamentary group; or
2. places him- or herself under the authority of a leader or facilitator for the purposes of making membership changes to committees;

That, if a senator ceases to be a member of a committee pursuant to the previous paragraph, the leader or facilitator of the party or group whose number of seats had been reduced be authorized to fill the consequential vacancy;

That, notwithstanding any usual practice, for the remainder of the current session, a non-affiliated senator may, by written notice to the Clerk, place him- or herself under the authority of one leader or facilitator for the purposes of making membership changes to committees, including the joint committees, pursuant to rule 12-5, provided that the senator may, again by written notice to the Clerk, at any time cancel this authority;

That, except as provided in the immediately preceding two paragraphs, nothing in this order affect processes under the Rules permitting membership changes once new members of a committee have been named pursuant to this order; and

That, for greater certainty, nothing in this order affect the provisions of rule 12-3(3) and the provisions of the order of November 7, 2017, respecting ex officio membership.

Hon. Yuen Pau Woo: Honourable senators, I ask that notice of motion No. 406 be withdrawn.

(Notice of motion withdrawn.)

• (1600)

The Hon. the Speaker: Honourable senators, it being 4 p.m., pursuant to the order adopted on November 1, 2018, I declare the Senate adjourned until Wednesday, November 21, 2018, at 2 p.m., the Senate so decreeing.

(At 4 p.m., the Senate was continued until tomorrow at 2 p.m.)

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