



# DEBATES OF THE SENATE

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1st SESSION



42nd PARLIAMENT



VOLUME 150



NUMBER 249

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OFFICIAL REPORT  
(HANSARD)

Thursday, November 22, 2018

The Honourable GEORGE J. FUREY,  
Speaker

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## THE SENATE

Thursday, November 22, 2018

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

Prayers.

### SENATORS' STATEMENTS

#### THE LATE SHIMUN MICHEL, SR.

**Hon. Fabian Manning:** Honourable senators, today I am pleased to present Chapter 46 of "Telling Our Story."

Senators, the Labrador portion of our province is often referred to as "The Big Land," and rightly so. While Labrador covers 71 per cent of our province's land area, it consists of only 8 per cent of our province's citizens. It is a land of incredible natural beauty, immense natural resources, and a proud and considerate population, including those of several Aboriginal communities.

Today, I want to tell you about Shimun (Simon) Michel, Sr., born December 24 — Christmas Eve — 1914, in Nitassinan, Labrador. On October 30 this year, at the wonderful age of 103, Shimun passed away at the home of his daughter, surrounded by his family and friends.

Shimun Michel Sr., the oldest Innu of the Sheshatshiu Innu First Nation, was a well-respected elder and one of the remaining traditional Innu drummers in the community, a man well-known for his knowledge and preservation of Innu culture. He leaves behind 170 direct descendants.

Nitassinan, which means "Our Land" in the Innu language, is the ancestral homeland of the Innu, an indigenous people of Eastern Quebec and the Labrador portion of Newfoundland and Labrador. The territory covers the eastern portion of the Labrador peninsula and was known as *Markland* in Greenlandic Norse. Its inhabitants were referred to as *skrælingjar*.

At the time of his birth, the Innu lived a traditional nomadic lifestyle in their ancestral territory covering the eastern portion of the Labrador Peninsula. In 1950, Shimun moved to Sheshatshiu and resided there for most of his life. He helped guide the community and preserve its history.

Despite his age, he remained active and involved in his community. On November 18, 2010, while in his 90s, he travelled to St. John's to sign the partnership agreement between Nalcor Energy and Emera Inc. for the development of the Lower Churchill Project.

A statement released by the Innu Nation following Shimun's passing gave a review of the changes experienced over his lifetime. It mentions his strong connection to the land and animals; and his involvement in Innu land and resources issues, including the campaigning against low-level flying and the developments of megaprojects at Voisey's Bay and Muskrat Falls. It states that he was "a kind, deeply thoughtful and spiritual man with a strong connection to the land and animals" and "He

was guided by the spirit of the caribou, his abiding belief in Innu self-determination, and his resolve to build a better future for all Innu." He believed the Innu have a caribou spirit master.

A funeral service was held for Shimun on November 3 in Sheshatshiu.

In the words of Premier Dwight Ball:

[Shimun] was someone who not only witnessed decades of Innu history, but who also shaped it. His activism not only benefited his people, but also inspired others to pursue Innu self-determination and make a commitment to build a better future for all Innu.

The premier went on to say:

In order to know who we are, we need to have a strong sense of where we have been, and we need to know where we want to go. That is why our elders are so important, and why Elder Shimun (Simon) Michel Senior had such a tremendous impact on so many.

Our province has lost a great leader, and our Labrador Innu community have lost a great champion. Shimun Michel, Sr. has shown us all that one person can truly make a difference. He sure did in so many ways.

I ask my colleagues to join with me in expressing our sympathies to his family and friends, and indeed the entire Innu community of Labrador. May he rest in peace.

**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 Charlene and Mack Klyne, the spouse and son of the Honourable Senator Klyne.

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

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

### WORLD SOILS DAY

**Hon. Robert Black:** Honourable senators, imagine a barren land, a place that no longer sustains those who live or work there, a place where nothing grows.

While this is a stark picture, it is one I do not wish to see. It is one we can avoid, because we fortunately have the tools to do so. Today, I speak in support of one of Canada's most vital resources in the hopes our future actions will position Canada as a global

solutions provider in sustaining and enhancing our environment. This resource is something often taken for granted, yet it's found right under our very feet. It is our soil.

Right now, soil erosion costs Canadians \$3.1 billion annually and represents an estimated \$60 to \$90 billion in cumulative costs to the Canadian economy. About 10 per cent, or 4 million hectares, of cropland in Canada is moderately to severely affected by soil degradation. If we remain complacent, these numbers will only grow, leaving us less able to fix our problems.

It's time for action. It's time we have a new vision for the future. The healthier our soil, the more resilient our environment becomes. This resilience helps safeguard us from the threats of climate change and the coming demands of our ever-growing global population.

Agriculture contributes \$229 billion to Canada's GDP and accounts for over 12 per cent of Canadian employment. Without healthy and productive soils, those numbers would be near zero. Healthy, biologically active soils are essential and bring benefits to Canadians every day.

While we have well-educated and progressive farmers who want to steward their land, we need to support their efforts. We need to facilitate the further transfer of knowledge to farmers on the front lines and support them in sustaining soil health on their farms.

At the same time, we need Canadians to accept that soil health is as equally important as air, water and biodiversity. They are all connected and interdependent.

For these reasons, I participated in the Soil Conservation Council of Canada's "Soil Your Undies" initiative earlier this year to continue the conversation around Canada's soil and how we must all learn to appreciate and protect it.

• (1340)

Launched in 2017, Soil Your Undies is an annual national campaign that encourages Canadians to explore soil health through hands-on learning.

The simple act of burying a pair of underwear to gauge soil health captivates the masses and receives the attention of families, schools and media in both rural and urban communities. This overwhelming response and interest clearly showed that soil conservation and health can inspire Canadians to act. The Soil Conservation Council of Canada will continue with this and other awareness activities to educate the public on caring for Canada's essential soil resources.

I ask you, honourable senators, to help ensure all Canadians learn about soil conservation and why it is important to them. Please help us recognize World Soil Day on December 5, 2018 and get involved next spring during National Soil Conservation Week. Why not consider burying a pair of undies yourself, and see what happens?

## VISITOR IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Mr. Alan Kruszel, Chairman, Soil Conservation Council of 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!

[*Translation*]

## MARTIN GRAY

**Hon. Pierre-Hugues Boisvenu:** Honourable senators, 2018 is the thirty-fifth anniversary of *For Those I Loved*, a film about a period in the life of Martin Gray that recounts the tragedy of losing his entire family not once but twice, first in Nazi extermination camps, then when his house burned down in the south of France. The film was based on his book, which was translated into 25 languages and sold over 36 million copies worldwide.

Martin Gray was a Polish Jew. He was born on April 27, 1922, and, tragically, is one of the few survivors of the Warsaw ghetto Treblinka. I had the great pleasure and privilege of meeting Martin Gray, a great friend of Canada and Quebec, in 2007.

His autobiography made a huge impression on me. As I said just now, in 1939, every member of his family perished, murdered or exterminated in Nazi camps. In 1970, when his wife and four children died in a forest fire in Provence, he lost his entire family for the second time.

His courage through these hardships was a source of inspiration for me, which is why meeting him had a profound effect on me. I discovered that he had great inner strength. I was deeply moved and honoured when this great man agreed to write the preface to my book, *Survivre à l'innommable*, following the deaths of both my daughters, Julie in 2002 and Isabelle in 2005.

*For Those I Loved* is still imprinted in my mind and guides my actions. As I told the Sherbrooke newspaper *La Tribune* at the time, I think about *For Those I Loved* every day. It was for his loved ones and in their memory that Martin Gray was able to keep going. Personally, it is for my daughters and on their behalf that I fight every day for the rights of victims of crime and their families.

Martin Gray passed away just over two years ago. He was 94 and solid as an oak. His work will live on, serving as a beacon for anyone looking for a reason to go on living during the darkest moments of human existence.

Honourable senators, I wanted to take a moment this afternoon to pay tribute to this great man, to hear his name and share his story in this Senate Chamber. I also wanted to express my thanks to him and ensure that he is never forgotten. Thank you.

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

[English]

### 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 McGill Women in House program. They are the guests of the Honourable Senators Omidvar, McPhedran, Moncion and Saint-Germain.

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

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

[Translation]

### THE LATE GAÉTAN GERVAIS

**Hon. Lucie Moncion:** Honourable senators, on October 20, Ontario's francophonie lost one of its champions in Gaétan Gervais, known as the father of the Franco-Ontarian flag.

What can be said about this great man who was taken too soon by Parkinson's disease? Gaétan Gervais received a classical education from the Jesuits at Collège Sacré-Coeur de Sudbury, where he was introduced to patriotism and a sense of pride in being Franco-Ontarian. He did his bachelor's and master's in history at Laurentian University and the University of Ottawa and defended his doctoral thesis in 1979. He taught at Collège Sacré-Coeur and Laurentian University and was the assistant deputy minister of universities for the Government of Ontario. He worked in support of a Franco-Ontarian university, a project that was deemed a success in the past few years.

He received the Order of Canada, the Mérite Horace-Viau Award, and the Ordre du mérite Franco-Ontarien awarded by the Association canadienne-française de l'Ontario. He was a great historian who left his mark. A secondary school in Oakville, Ontario, proudly bears the name of Gaétan Gervais.

In 1978, he founded the Institut Franco-Ontarien to fill the "gap in serious historical studies on French Ontario," which, and I quote:

. . . contributed greatly to revitalizing and laying new scientific foundations for research in the Franco-Ontarian community.

He wrote many works, scientific articles, book chapters, critical reviews, dissertations, and newspaper articles and gave numerous radio and television interviews.

He is the co-editor of the *Dictionnaire des écrits de l'Ontario français*, which was 28 years in the making and was published in 2010. This dictionary contains 2,537 entries by more than 900 authors and spans a period of four centuries.

In 2005, when he was named the father of the Franco-Ontarian flag, he said:

I have worked and collaborated with many people on all my projects.

Gaétan Gervais' humility prevented him from taking credit for the work he accomplished with others. For Gaétan Gervais, seeing the Franco-Ontarian flag fly was a sign of, and I quote, "Our presence, HERE." It is a glorious visual message that celebrates the status of a francophone group that is proud of its French and Ontario roots. In addition to being a symbol of identity, the flag represents who we are and the values we share. It is a source of inspiration and exceptional value added for Ontario's economic and political sectors.

What more can we say about this great man? He was an inspiration to all Franco-Ontarians, a remarkable historian, a man of conviction, ambition, dreams and great achievements.

Congratulations, Gaétan Gervais, for this remarkably well-lived life.

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

[English]

### ART AND HEALTH

**Hon. Patricia Bovey:** Honourable colleagues, much has been written recently about the positive impacts of art on health. Doctors have prescribed museum visits in Montreal. A special music program recently written up in *La Liberté* had the header "La musique pour réparer l'âme."

After the horrors of Pittsburgh, the *Winnipeg Free Press'* Holly Harris wrote of the "healing properties of music." At Winnipeg's vigil, "music quickly became a thread of healing in the tapestry of horror that has blanketed the world." Or as Itzhak Perlman said, "Music is just something that helps heal."

Studies with Alzheimer patients show that by exposing the brain to familiar music, they improve cognitively and their brain changes.

A new 2018 visual arts program at Winnipeg's Siloam Mission is developing spiritual and mental well-being. The pioneering Buhler Gallery at St. Boniface Hospital has positively affected patients, their families and staff for almost 12 years. The Winnipeg Art Gallery and the Art Gallery of Greater Victoria have truly successful programs for people with dementia. I could list more.

The best of all these programs are led by or involve professional artists. The results are stunning. I can't tell you how these outcomes thrill me.

In the early 1980s, when I was director of the Art Gallery of Greater Victoria, we started a special program for the blind, aimed to give equal access to visual arts for all. We partnered with the CNIB and major artists. We were told, I was told, we were merely jumping on a socialist bandwagon. Several years ago, those same colleagues asked me how we developed and delivered the program. They wanted to emulate it. Pure flattery, I thought.

Since then, much more importantly, international research results on art and health have been decisive and impressive. Time and time again, it has been proven those who attend live arts events in any discipline live, on average, two years longer than those who don't. They cost the health system less, they tend to be discharged from hospital after elective surgery a day or two earlier and they miss less work.

These empirical and anecdotal findings and the results of long-term and new initiative arts and health programs are shedding light on how society can improve the well-being of many.

I applaud the doctors prescribing museum visits. As Nathalie Bondil, director of Musée des beaux-arts de Montréal said:

. . . museum can boost mood, improve well-being, and give patients a chance to explore experiences and senses outside of their illness. It's exactly why we established the Buhler Gallery in 2007.

• (1350)

You won't be surprised that I zealously hope these circumstances spread. May the arts, that all-important creative outlet, increasingly be employed as prevention against mental and physical health issues and be the healer, the rejuvenator for one's spirit and restorer of one's soul.

Colleagues, I believe the wider social benefit of the arts impacts should be corralled for the well-being of all, individuals and society as a whole. Thank you.

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## ROUTINE PROCEEDINGS

### INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

#### THIRTY-SECOND REPORT OF COMMITTEE TABLED

**Hon. Sabi Marwah:** Honourable senators, I have the honour to table, in both official languages, the thirty-second report of the Standing Committee on Internal Economy, Budgets and Administration entitled *Financial Statements of the Senate of Canada for the year ended March 31, 2018*.

[*Translation*]

## ADJOURNMENT

### NOTICE OF MOTION

**Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, with leave of the Senate and notwithstanding rule 5-5(j), I give notice that, later this day, I will move:

That, notwithstanding rule 3-1(2):

1. when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Saturday, November 24, 2018, at 11 a.m.; and
2. when the Senate adjourns on Saturday, November 24, 2018, it do stand adjourned until Sunday, November 25, 2018, at 11 a.m.

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

**Hon. Senators:** Agreed.

[*English*]

## FOREIGN AFFAIRS AND INTERNATIONAL TRADE

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

**Hon. A. Raynell Andreychuk:** Honourable senators, with leave of the Senate and notwithstanding rule 5-5(j), I move:

That, for the purposes of its study of Bill C-47, An Act to amend the Export and Import Permits Act and the Criminal Code (amendments permitting the accession to the Arms Trade Treaty and other amendments), the Standing Senate Committee on Foreign Affairs and International Trade have the power to meet on Tuesday, November 27, 2018, even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

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

**Hon. Senators:** Agreed.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

## NATIONAL SECURITY AND DEFENCE

### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET DURING SITTING OF THE SENATE

**Hon. Gwen Boniface:** Honourable senators, with leave of the Senate and notwithstanding rule 5-5(a), I give notice that, later this day, I will move:

That the Standing Senate Committee on National Security and Defence have the power to meet on Monday, November 26, 2018, even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

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

**Hon. Senators:** Agreed.

## QUESTION PERIOD

### FINANCE

#### FALL ECONOMIC STATEMENT 2018

**Hon. Larry W. Smith (Leader of the Opposition):** My question is for the government leader concerning yesterday's Fall Economic Statement from Minister Morneau. I'm not going to talk about the promise that was broken in the 2015 election plan about balancing budgets by 2019. I'd just like to ask you a question on the accelerated tax depreciation program that's highlighted in this budget update.

It has been used in the past to boost investment. Justin Trudeau's father implemented the same program in 1972. It ran from 1972 to 1988 and then from 2006 until present day, yet its objective of increasing manufacturing jobs has never materialized. Actually, it has declined. The Minister of Finance was asked about setting up a tax reform study or panel to evaluate our tax system to truly address the problems of competitiveness.

Leader, could you help me? Why wouldn't the government take the initiative that many of the scholars and businesspeople in the community have asked for, to set up a tax reform review so we can be truly competitive with the United States?

**Hon. Peter Harder (Government Representative in the Senate):** Thank you to my colleague for his question.

Let me address his preamble as well, even though he said it was not the subject of his question. It is not the subject of my answer, but I do want to report, as the minister did yesterday, that the government is continuing to deliver on its overall declining debt-to-GDP ratio, which is the fiscal anchor of this government. I can understand why the honourable senator doesn't want to refer to it.

With respect to the accelerated tax treatment that was announced, this is an important program. It will stimulate investments to make Canada more competitive. It has been welcomed by business and industry. It is an important corollary to measures being taken in the closest jurisdiction to us, to our south, and it is one that the government is very proud of. It will allow companies to deduct up to three times the amount they would otherwise have been able to in the first year, and the government is of the view that this is an important and immediate response to our competitiveness.

**Senator Smith:** Thank you. You answered the question I didn't ask, and I will follow up with this question.

Fiscal updates and the programs that have been instituted do the minimum to possibly attract investment to Canada. That has been shown. Our investment income from outside is declining, not increasing. It does not address the issues that Canadians want addressed, such as burdensome regulations, i.e., Bill C-69; our inability to get product to tidewater, Bill C-48; and new levies on carbon, prosperity, property taxes, payroll taxes and high taxes to skilled workers. As you know, the highest tax bracket is still at 53 per cent in many provinces.

Is this program that you've enunciated really acceptable to your government, knowing that it's not going to deliver what Canadians want?

**Senator Harder:** This government continues to deliver what Canadians want and what Canadians need. We have seen a 3 per cent growth, the largest in the G7, in the last fiscal year. We continue to see strong economic growth, but we do need to enhance and make more resilient our competitiveness as the environment changes. That is why the government has made the investments it has in the tax measures I've referenced.

With respect to the regulatory framework, the government made commitments yesterday regarding deregulation and strong review of regulatory frameworks.

The honourable senator references getting to tidewater. I would have thought that he would be supporting the government's initiatives with respect to Trans Mountain.

The honourable senator raises Bill C-69. I would hope that he will endorse getting Bill C-69 to committee and through this chamber after appropriate review so that we can provide assurances to the private sector, particularly those interested in reaching tidewater, that we can have a regulatory framework that achieves a final solution that gets to tidewater and gets pipelines built.



[Translation]

## FOREIGN AFFAIRS AND INTERNATIONAL TRADE

### TARIFFS—DUTY RELIEF

**Hon. Jean-Guy Dagenais:** This morning, Minister Morneau told journalists that he hopes the new free trade agreement will be signed next week, even if steel and aluminum tariffs remain in effect. I also want to point out that the softwood lumber issue is still not resolved and is a very important issue for my province. Yesterday, the minister presented an economic statement that he says will help Canada manage the impact of significant tax changes in the United States. This is worrisome, because he says that he has not received the final version of this agreement. This means that steel, softwood lumber and taxes will continue to jeopardize the future of our businesses and jobs

• (1400)

Senator Harder, why is your government making all Canadians pay for this situation, and is your government prepared to sign an agreement without requiring that these tariffs be removed?

[English]

**Hon. Peter Harder (Government Representative in the Senate):** Honourable senators will know, from previous statements by the Prime Minister and by the ministers concerned, that the Government of Canada strongly opposes the measures taken by the Trump administration with respect to the aluminum and steel tariffs. These measures are ridiculous in that they are based on the legislative requirement that Canada is a strategic threat, which is embarrassing to our strong and historic bilateral relationship.

Having said that, those tariffs are and were not part of the discussions of the USMCA or NAFTA. They were dealt with and are being dealt with on a separate track. It remains the government's objective to reach a conclusion of text and move forward with respect to the USMCA. It is also the government's view — and the Prime Minister has repeatedly said this — that these tariffs ought to be eliminated and ended forthwith. That is the view of the government.

We have had historic problems in our bilateral relationship but none quite as inexplicable as tariffs based on a security threat from Canada.

### DUBAI EXPO 2020

**Hon. Patricia Bovey:** My question is for the Leader of the Government in the Senate. It's about the Dubai Expo 2020. The Canadian Arts Coalition said in their testimony to the Standing Senate Committee on Foreign Affairs and International Trade this spring:

Historically, international expos have been very important in terms of their contribution to cultural diplomacy and the advancement of arts, science and culture in general.

We know they have also been showcases and breeding grounds for innovations in all fields.

Will Canada be taking part in Dubai Expo 2020? When is the deadline to let people know we are participating? Will we make that deadline? If the answer is yes, will our organizations, businesses and artists learn of their commitment and focus in time to take part?

**Hon. Peter Harder (Government Representative in the Senate):** Again, I thank the honourable senator for her question. Having participated in a number of those expos, I share her enthusiasm for them. However, Canada has not always participated. There have been times when Canada hasn't.

Frankly, I do not know if Canada is participating in the Dubai Expo. I will endeavour to find out and report back.

[Translation]

## ENVIRONMENT AND CLIMATE CHANGE

### GREENHOUSE GAS EMISSIONS

**Hon. Lucie Moncion:** My question is for the leader of the Conservative Party in the Senate. Your leader, Mr. Scheer, clearly and openly expressed his support for the Conservative Government of Ontario's approach to putting a price on greenhouse gas pollution.

However, Mr. Scheer has said nothing about the Franco-Ontarian university or the —

[English]

**The Hon. the Speaker:** I'm sorry, Honourable Senator Moncion, but questions during Question Period are for either the Representative of the Government in the Senate or the chairs of committees only.

**Senator Moncion:** I thought I could ask my question to the leader; sorry.

[Translation]

## PUBLIC SAFETY

### RECIDIVISM RATES

**Hon. Pierre-Hugues Boisvenu:** Honourable senators, on Tuesday the Auditor General of Canada revealed that Correctional Service Canada has been easing its conscience by underestimating federal inmates' recidivism rates. The Auditor General confirmed that recidivism rates reported by Correctional Service Canada are underestimated. To calculate the low rates it has been reporting for years, CSC excluded criminals who reoffended after five years, criminals serving sentences of less than two years, and offenders convicted in a municipal court. That means many criminals are simply not accounted for in measuring recidivism.

Can you confirm whether you acknowledge the truth of the Auditor General's finding in the report presented on Tuesday and his criticism of how recidivism is measured in the Canadian correctional system?

[English]

**Hon. Peter Harder (Government Representative in the Senate):** The honourable senator will know the minister responsible has responded publicly to the Auditor General's report by welcoming the report and the findings and indicating support for the observations and recommendations. The organization is already implementing a number of the measures in the report. The minister looks forward to ensuring a forthcoming implementation of all recommendations.

[Translation]

**Senator Boisvenu:** I have been disputing the data of Corrections Canada for 10 years now, and the Auditor General just proved me right. Given that you recognize that the report is accurate, that this situation is very troubling from a public safety perspective and that the data does not reflect reality because of bureaucratic manipulation, could you provide this chamber with the real re-incarceration rate of criminals in federal penitentiaries, including those who reoffended after five years, those serving sentences of less than two years, and those who were convicted in municipal courts?

[English]

**Senator Harder:** I thank the honourable senator for his question. One of the interpretations I take from that report is the need to increase the capacity in our communities for those who have been incarcerated to prepare to end their incarceration and be reintegrated. I hope the honourable senator opposite endorses that.

[Translation]

## CANADIAN HERITAGE

### OFFICIAL LANGUAGES—LEGISLATIVE MODERNIZATION REVIEW

**Hon. Leo Housakos (Acting Deputy Leader of the Opposition):** Honourable senators, my question is for the Leader of the Government in the Senate. Minister Mélanie Joly has made a number of statements about the importance of bilingualism in recent days. She has been responsible for the official languages portfolio under the Trudeau government since 2015. The Prime Minister did not give her the mandate to begin an examination toward modernizing the Official Languages Act until 2018. As Robert Melanson, President of the Société de l'Acadie du Nouveau-Brunswick, said, and I quote:

Saying that she can "begin an examination" basically implies that she does not have the mandate to reform the Official Languages Act. That is an important distinction.

[ Senator Boisvenu ]

Senator Harder, if bilingualism is so important to the Trudeau government, why did the Liberals wait three years before beginning the work to modernize the Official Languages Act? Why was the minister only given the mandate to begin the examination? Why was she not given the mandate to complete it?

[English]

**Hon. Peter Harder (Government Representative in the Senate):** Again, I thank the honourable senator for his question. He will know, from the opportunities Minister Joly has had here in the chamber speaking to the issue of official languages, that in her ongoing role and responsibility for official languages, she has been welcoming of this chamber's reports and recommendations with respect to how this review ought to be undertaken and has made commitments in this chamber and publicly on how she intends to move forward. Clearly, as in all reviews, a degree of consultation is a prerequisite of moving forward.

**Senator Housakos:** Government leader, it's been three years. Minister Joly was mandated by the Prime Minister three years ago to deal with the official languages piece of legislation in Parliament. She came before our Standing Senate Committee on Transport and Communications in the first week of her mandate and we asked what her plan was. She had no answers three years ago and, unfortunately, it took news stories and obviously some issues in regards to provincial politics in order for this government to react.

Is this government solely preoccupied and reacting only when something is in the media? Or will they lead on important issues in this country like official bilingualism?

**Senator Harder:** Honourable senators, again, this government has led on official bilingualism from the day it came in to office. However, it only took the Government of Ontario several weeks to take backward steps with respect to support of official languages. Let's acknowledge this government is second to none in its record on official languages protection and advancement.

**The Hon. the Speaker:** Order!

[Translation]

## FINANCE

### MEDIA AVAILABILITY OF MINISTER

**Hon. Claude Carignan:** Honourable senators, my question is for the Leader of the Government in the Senate. On November 12, 2018, in a speech delivered in Paris, Prime Minister Trudeau claimed to be a champion of the free press. As usual with this government, from time to time, or even often, they fail to walk the talk. Sure enough, the very next day, journalists were excluded from a speech that Finance Minister Bill Morneau was giving in China. Representatives of the Canadian government and the embassy in China knew about and tacitly condoned the exclusion and rejection of the media from the event, which was a public event organized by the Minister of Finance.

• (1410)

Senator Harder, do Minister Morneau and the government believe that journalists have the right to attend public events at which ministers appear?

[English]

**Hon. Peter Harder (Government Representative in the Senate):** I thank the honourable senator for his question. I'll make inquiries with respect to the specific event he referenced, but I would also point out in support of the media in the economic statement of yesterday the government took important steps to support an independent and thriving media, and I hope that it has the support of the honourable senator opposite.

[Translation]

## FOREIGN AFFAIRS AND INTERNATIONAL TRADE

### SAUDI ARABIA

**Hon. Claude Carignan:** Journalists are being assassinated around the world. It has been proven that journalist Jamal Khashoggi was assassinated by the Saudi secret service and that the order came from the highest levels of Saudi leadership. The Liberals have been talking out of both sides of their mouths about Saudi Arabia for years now.

When they were in opposition, they wanted Prime Minister Stephen Harper to demand the release of Raif Badawi. All he had to do was pick up the phone and call the king, they claimed. They have done nothing since then. The sale of armoured vehicles was portrayed first as a complete disaster and later as simply a sale of Jeeps. One of Stéphane Dion's first actions as the new Minister of Foreign Affairs was to approve export permits for these vehicles.

Now, the Prime Minister says that it would cost billions of dollars to stop these exports. Now that the killing of this journalist has been proven to be state-sanctioned murder, will the Trudeau government get off the fence and take all necessary action right now, including action against members of the Saudi royal family?

[English]

**Hon. Peter Harder (Government Representative in the Senate):** Let me respond to the important question that has been asked opposite.

First of all, let's get the facts straight. This government came into office with an agreement, a signed contract, that obliged the government to proceed in the fashion in which it has. That is a reality which he should acknowledge in his question.

The second point I would make is I hope we don't play cheap politics with the assassination of a journalist in the circumstances that we all know. Let's all have in solidarity the importance we all need to play in advancing, no matter where it is and how uncomfortable it might be, the case of Jamal Khashoggi. The Prime Minister has made public statements. The Minister of

Foreign Affairs has made public statements. The Prime Minister and the minister have spoken to their counterparts and, indeed, to express their views to the Government of Saudi Arabia.

We will also know that the state of the relationship between Canada and Saudi Arabia is not as good as it once was because of the concerns the Government of Canada has expressed with respect to the human rights treatment of certain Saudis and people of nationalities that have an interest in Canada.

That, too, has led to a fracturing of the relationship, which is part of the existing global commentary with regard to the so-called reforms going on in Saudi Arabia. This is the time for all of us to express to the leadership, no matter where it is, even if it is in the United States, the views of the Government of Canada, the views of the people of Canada, the views of this chamber that the wilful assassination of a journalist is totally unacceptable.

### DETENTION OF SAEED MALEKPOUR IN IRAN

**Hon. Linda Frum:** My question is for the Leader of the Government in the Senate. For over 10 years now Saeed Malekpour, a Canadian resident, has been imprisoned in Iran on bogus charges. After a decade of mistreatment, his health has seriously deteriorated and his family fears for his life. What is the Government of Canada doing to secure the release of Mr. Malekpour and provide for his safe return to Canada?

**Hon. Peter Harder (Government Representative in the Senate):** As the honourable senator will know from previous discussions about this, the Government of Canada has brought this case to the attention of leadership in Iran. I will make inquiries to determine what the latest round of those conversations have been. But, again, we are in a situation where issues of human rights and of the need to advocate for those who are inappropriately incarcerated is very high on the list of Canadian priorities.

[Translation]

## ANSWERS TO ORDER PAPER QUESTIONS TABLED

### HEALTH—APPLICATIONS FOR THE PRODUCTION OF RECREATIONAL MARIJUANA

**Hon. Peter Harder (Government Representative in the Senate)** tabled the reply to Question No. 95, dated May 31, 2018, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Boisvenu, respecting applications for the production of recreational marijuana.

### HEALTH—APPLICATIONS FOR THE PRODUCTION OF MEDICAL MARIJUANA

**Hon. Peter Harder (Government Representative in the Senate)** tabled the reply to Question No. 96, dated May 31, 2018, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Boisvenu, respecting applications for the production of medical marijuana.

PUBLIC SAFETY AND EMERGENCY PREPAREDNESS—  
COMPLAINTS UNDER THE CANADIAN  
VICTIMS BILL OF RIGHTS

**Hon. Peter Harder (Government Representative in the Senate)** tabled the reply to Question No. 104, dated September 18, 2018, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Boisvenu, respecting complaints under the Canadian Victims Bill of Rights.

PUBLIC SAFETY AND EMERGENCY PREPAREDNESS—  
DRUG TESTING DEVICES

**Hon. Peter Harder (Government Representative in the Senate)** tabled the reply to Question No. 106, dated September 18, 2018, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Boisvenu, respecting drug testing devices.

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## ORDERS OF THE DAY

### BUSINESS OF THE SENATE

**Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, pursuant to rule 4-13(3), I would like to inform the Senate that as we proceed with Government Business, the Senate will address the items in the following order: Motion No. 228, for which notice was given earlier today, followed by all remaining items in the order that they appear on the Order Paper.

[*English*]

### ADJOURNMENT

#### MOTION ADOPTED

**Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate)**, pursuant to notice of earlier this day, moved:

That, notwithstanding rule 3-1(2):

1. when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Saturday, November 24, 2018, at 11 a.m.; and
2. when the Senate adjourns on Saturday, November 24, 2018, it do stand adjourned until Sunday, November 25, 2018, at 11 a.m.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

## FEDERAL PUBLIC SECTOR LABOUR RELATIONS ACT

### BILL TO AMEND—THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Bellemare, seconded by the Honourable Senator Harder, P.C., for the third reading of Bill C-62, An Act to amend the Federal Public Sector Labour Relations Act and other Acts.

**Hon. Scott Tannas:** Colleagues, I'm going to speak briefly on Bill C-62. I'm the critic. This is the bill that repeals legislation that was put in place by the previous government regarding what was an attempt to modernize the disability and sickness benefits for our civil service.

I attended and listened carefully to witnesses at committee, including Minister Brison, and I think it's fair to say that we all agree on the goal of bringing fairness and modern practices and benefits to the civil service. I think where we have disagreed and where this government disagreed with the previous government was on how to achieve that. The previous government passed legislation to unilaterally move forward with a different benefit scheme for civil servants. And this government has declared through this legislation that they would prefer to negotiate those changes to the benefits, notwithstanding the fact that they may or may not be successful and that it will certainly take a number of years.

That's fine, and I think governments disagree from time to time on how to achieve objectives. But we agree on the goal.

I think there is another thing we can all agree on, colleagues, and that is that Canada's civil service provides citizens with outstanding, professional and vital services in a way that makes us all proud, and they deserve pay and benefits that are fair and equitable.

• (1420)

I hope all senators will join me in watching with interest to see what progress the government makes over the coming years on this file.

**Hon. Frances Lankin:** I am rising to get in some final comments on this. I didn't intervene earlier.

I appreciate the leadership work that both Senator Bellemare and Senator Tannas have done in bringing forward some of the issues for consideration.

I want to say that it has been a meaningful debate and I think it has been well studied in terms of some of the issues that have been raised.

Most of all, it has been supported by the main stakeholders, those being Canada's public sector unions in this case. Public servants do some of the best work in Ottawa and across this country, and they say that this bill will go a long way to repairing their relationship with the government, one that has been deeply strained over the past period of time for a number of reasons.

It shouldn't come as a surprise, because this bill is making some policy reversals. It includes bringing back arbitration as an option in dispute resolution; broadening the factors to be considered when such resolutions are being determined; and returning negotiating rights to workers for changes to sick leave and disability. Senator Tannas and I talked about this issue quite a bit. We have different perspectives, but I think we understand the sensibilities on both sides of the argument. The ability for those changes to be negotiated will ensure appropriate reforms to those regimes and that they are done properly in the future with both parties at the table and both parties' interests being reflected in the end result.

Restoring those same negotiating rights for determining which workers perform essential services will result in ending a potential Charter violation that existed with the previous legislation. There we are referring to the struck-down Saskatchewan Public Service Essential Services Act that injured employees in that situation and the regime with respect to the impact of the right to strike.

It's important to say that while the government addressed that in that Charter issue, they didn't address all of the issues that came forward in this decision. I want to speak to that very briefly because I think it's a concern that needs to be put on the record, and I will, at the end, ask the government to continue to examine this for potential future reforms.

Here I'm talking about a phrase that we find three times in Bill C-62, and this is about essential services and replacement employees:

. . . without regard to the availability of other persons to provide the essential service during a strike . . . .

As the trial judge stated at the provincial level and as was later referenced in the Supreme Court decision as well, the clause enabled:

. . . managers and non-union administrators to avoid the inconvenience and pressure that would ordinarily be brought to bear by a work stoppage.

While unions have made it clear that this isn't a big enough issue to hold up this piece of legislation because, by and large, it does put forward a number of necessary and, in their view, important and positive changes, I want to raise this as a concern. I think it's really important to say that the government's spokespeople have not provided what I would say is sufficient reasoning for why they kept this clause in the bill, aside from that it was checked through with the lawyers and that it, in their opinion, is Charter proof. That will be determined in the future, I suspect. I don't think that it will end with their proclamation on that.

While I rise today to support the passage of the bill, I leave on the record this concern, and I ask that the government continue to consider this shortcoming in the near future before it ends up back in the courts.

Thank you very much.

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

**Hon. Senators:** Question.

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

**Some Hon. Senators:** Agreed.

**Some Hon. Senators:** On division.

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

## 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. Mary Jane McCallum:** Honourable senators, I rise today to speak to second reading of Bill C-71, An Act to amend certain Acts and Regulations in relation to firearms.

Many of the speeches so far have done the important job of highlighting many of the outcomes that could result from the passing of this bill, both the good and the bad. However, I stand here today to speak to one of the issues that everyone here is familiar with — an overwhelming reality of gun violence — but that will remain wholly unaddressed with this legislation. Colleagues, today I will speak about suicide. The reason I decided to speak on this was because it kept coming up in the speeches of many senators who spoke about it.

I would like to open with a quote from renowned Professor of Epidemiology and Community Health, S. Leonard Syme. In the book *Social Epidemiology*, Syme frames the issue of suicide as one that revolves around the social environment as opposed to solely the individual. He wrote:

I have always considered the work of Émile Durkheim on suicide as providing a remarkable and valuable illustration of the importance of a social epidemiological approach. Durkheim demonstrated the importance of the social environment by studying one of the most individual and intimate behaviours imaginable — suicide. In his work, Durkheim noted that suicide rates in countries and groups exhibit a patterned regularity over time, even though individuals in these groups come and go. If suicide is a product of anguishing, intimate and deeply personal problems, it is puzzling to see that rates of suicide in these groups remain higher or lower even though individuals move in and out of the groups. The answer, Durkheim suggested, was to be found in the social environment of these groups. These social factors in the environment would not, of course, determine which individuals in the group would commit suicide but they would help to explain group differences in the rate over time.

The perspective that Durkheim offered was to see that the health and well-being of a *community* were affected by the social milieu within which people lived. . . . most research in epidemiology today nevertheless continues to focus on the individual. We tend to study risk factors in individuals and we tend to focus *interventions* on individual behaviour. The problem with this approach is that even if these interventions were completely successful, new people would continue to enter the at-risk population at an unaffected rate since we have done nothing to influence those forces in the community that caused the problem in the first place. . . .

. . . As is well known, interventions directed toward reducing . . . risk in individuals have not been successful; it is also becoming increasingly clear that community-based interventions that focus on individual risk factors are failing as well.

In his remarks on *Social Integration, Alienation and Anomie*, Durkheim stated that:

Suicide varies inversely with degree of integration of the social groups of which the individual forms a part.

In his book *Suicide*, Durkheim shows how social facts can be used to explain changing patterns of aggregate tendency toward suicide. He argues that individuals are bonded to society by two forms of integration — attachment and regulation. Attachment is the extent to which an individual maintains ties with members of society. Regulation involves the extent to which an individual is held in the fabric of society by its values, beliefs and norms.

• (1430)

This was from *Turner, et al, 1989*. Durkheim informs that countries and other geographic units and social groups have very stable rates of suicide year after year. Thus:

Individuals making up a society change from year to year, yet the number of suicides itself does not change. . . the population of Paris renews itself very rapidly, yet the share of Paris in the total number of suicides remains practically the same. . . the rate of military suicides varies only very slowly in a given nation. . . . Likewise, regardless of the diversity of individual temperaments, the relations between aptitude for suicide for married persons and that of widowers and widows is identically the same in widely differing social groups. The causes which thus fix the contingent of voluntary deaths for a given society or one part of it must then be independent of individuals, since they retain the same intensity no matter what particular persons they operate on.

With the evidence of social patterning of suicide, Durkheim theorizes that the underlying explanation for suicide relates, for the most part, to the level of social integration of the group.

Anomic suicide, a special type of suicide defined by Durkheim, is related to a large-scale societal crisis of an economic or political nature often occurring during times of rapid social change and turbulence.

In these situations, social control and norms are weakened. Such rapid change serves to deregulate values, beliefs and general norms and fails to rein in or guide individual aspirations. This came from *Turner, et al*.

Durkheim saw suicide not as an “isolated tragedy” in the life of an individual but as a reflection of conditions of society as a whole, *LaCapra, 1972*.

Durkheim goes on to say:

The group thinks, feels and acts entirely differently from the way its members would if they were isolated. If therefore we begin by studying these members separately, we will understand nothing about what is taking place in the group.

Comparing suicide statistics in European countries across time and space, Durkheim concluded that the lowest rates of suicide occurred in societies with the highest degree of social integration. Conversely, an excess of suicides occurred in societies undergoing various forms of dislocation and loosening of social bonds. Most importantly, whereas individuals at risk of committing suicide came and went, the social suicide rate in each society remained relatively constant — evidence of the power of social forces in shaping this social phenomenon.

In a famous passage, Durkheim concluded that:

The social suicide-rate can be explained only sociologically. At any given moment the moral constitution of society establishes the contingent of voluntary deaths. There is, therefore, for each people a collective force of a definite amount of energy, impelling men to self-destruction. The victim’s act which at first seems to express only his personal temperament are really the supplement and prolongation of a social condition which they express externally. . . .

To explain his detachment from life, the individual accuses his most immediately surrounding circumstances; life is sad to him because he is sad. Of course, his sadness comes to him from without in one sense, however not from one or another incident of his life but rather from the group to which he belongs.

Why do some communities seem to prosper, possess effective political institutions, have law-abiding and healthy citizens while other communities do not?

Honourable senators, it is well-known that many Indigenous communities experience a disproportionately high number of suicides. These communities have also endured centuries of structural violence which has taken multiple forms — residential schools, Sixties Scoop, welfare and Pass system.

Our community security has long been threatened. In Canada, the last two centuries have been the most brutal for Indigenous communities measured by the number of people affected by violence.

As Carolyn Yoder states in the *Little Book of Trauma Healing*:

... trauma and violence are integrally linked: violence often leads to trauma, and unhealed trauma, in turn, can lead to violence and further loss of security.

Honourable senators, in the aftermath of the events on September 11, 2001, the relief and development agencies of 38 religious groups worked together to better equip religious and civil society leaders for dealing with traumatic situations. One of the outcomes was a program called STAR — Strategies for Trauma Awareness & Resilience — that brings together middle and grassroots leaders from areas of conflict. STAR integrates concepts from traditionally separate fields of study and practice: traumatology, including neurobiology; human security; restorative justice; conflict transformation; peace building and spirituality. Tying this together is a three-part model called the *Trauma Healing Journey: Breaking Cycles of Violence*. The primary emphasis is on communities and societies caught up in cycles of victimhood and/or violence. To my disappointment, no such interventions have ever been deployed in Canada for the deep and intergenerational trauma caused to Indigenous peoples. This type of meaningful implementation would result in real change for communities struggling with gun violence. This type of fundamental shift, while necessary, is not accomplished through the simple regulations of Bill C-71.

STAR was developed as a response to an act of terrorism. The term “terrorism” is often used loosely, but according to Amy Cunningham of the Global Community Engagement and Resilience Fund, terrorism has four key elements.

It involves an act in which violence or force is used or threatened; it is primarily a political act; it is intended to cause fear or terror; the goal is to achieve psychological effects and reactions.

The World Health Organization, in the first world report on violence and health, on October 3, 2002, defined violence as:

The intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community, that either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment, or deprivation.

Honourable senators, structural violence is not an accident. It is an outcome of human action which generates these violent and oppressive systems in the first place. Structural violence is alive and well in our society today, through exploitation, poverty, denial of basic needs and marginalization — all types of inequality. In other words, inequality can be seen as structural violence.

Honourable senators, when you see the violence in Indigenous communities committed by its own residents, they are the result of the terrorism that has been practised in our communities for the last two centuries with the result of structural violence. This violence committed by residents, is often self-inflicted and, sadly, often in the form of suicide.

• (1440)

As Professor Symes’ theory supports, these high rates of violence and suicide in Indigenous communities are not coincidental. There is not a disproportionately high number of bad apples that live in Indigenous communities. Rather, Indigenous communities and the social environment has laid the foundation of trauma-filled lives, where they are forcibly treated as second-class citizens through government policies on health, education and legal systems.

If the social environment shapes the individual, it is no wonder these structurally damaged environments are filled with people desperate for help.

**The Hon. the Speaker:** Sorry, senator, but your time has expired. Are you asking for five more minutes?

**Senator McCallum:** Yes, please.

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

**Hon. Senators:** Agreed.

**Senator McCallum:** People in crisis will resort to any means to relieve their pain and hopelessness. In the statistics provided, intentional self-harm by other means was six times higher than self-harm by firearms for the years 2014 to 2016 and were relatively constant. The average from 2014 to 2016 was 597, compared to 3,597. Intentional self-harm by hanging, strangulation and suffocation was the most prevalent, followed by self-poisoning and jumping from a high place.

This shows that guns may be the weapon of choice when it comes to gangs, but they are not the weapon of choice when it comes to suicide.

Neuroscientists believe trauma disrupts the orbitofrontal cortex function, leaving one susceptible to what interpersonal neurobiology expert Daniel Siegel calls low mode or lower brain states. Rational thought is hijacked. Without this integration, people experience intense emotions, impulsive reactions and rigid and repetitive responses.

In my own narrative, long-term stress reactions included changes in the way I thought about myself, the way I perceived those who hurt me, my relationship with others and my ability to regulate my emotions and my system of meaning.

It is only by the grace of God that I am not incarcerated, not one of the missing and murdered and that I have not been a statistic of suicide or homicide.

As a First Nations woman, I have stood at many crossroads in my life’s journey. I went into destructive cycles of victimhood and violence. When I turned the trauma on myself, I abused alcohol and experienced severe anxiety.

On two occasions, my anxiety was so intense that I understood why people feel compelled to turn to suicide as the only resort. It was a terrifying time in my life.

In my opinion, gun control alone will not and cannot prevent suicides.

Honourable senators, while my speech has focused on the suicide aspect of Bill C-71, when trauma-based energy is turned to others, this is when we see cases of domestic abuse, child abuse, gang activity, criminal activity and high-risk behaviours. These are also real considerations resulting from a damaged social environment.

Indigenous communities are facing an epidemic when it comes to suicide and violence. While I appreciate the goal of this bill, the social environments under siege will continue to suffer from this violence until the underlying causes are adequately addressed. Simply regulating access to firearms will not deter this prevalent form of gun violence. Thank you.

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

(On motion of Senator Housakos, debate adjourned.)

### FOOD AND DRUGS ACT

BILL TO AMEND—MESSAGE FROM COMMONS—MOTION FOR  
CONCURRENCE IN COMMONS AMENDMENTS—  
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Seidman, seconded by the Honourable Senator Boisvenu:

That the Senate agree to the amendments made by the House of Commons to Bill S-228, An Act to amend the Food and Drugs Act (prohibiting food and beverage marketing directed at children); and

That a message be sent to the House of Commons to acquaint that house accordingly.

**Hon. Terry M. Mercer (Deputy Leader of the Senate Liberals):** Honourable senators, it is my pleasure to rise today to speak to a message from the House of Commons on Bill S-228, An Act to amend the Food and Drugs Act (prohibiting food and beverage marketing directed at children).

The bill sponsored by our now-retired colleague, Senator Nancy Greene Raine, started back in September 2016, and we received the message from the other place in September 2018. It has taken two years to go through both houses, and it was amended in the Senate and the House of Commons.

I have ushered two private bills through Parliament, National Blood Donor Week and National Philanthropy Day, so I know how hard it is to get a private member's bill through both houses. The purpose of those bills was to recognize a certain week and a certain day. It sounds simple, but the process is far from it. This bill is different. Such a seemingly small bill will have lasting consequences over the very food we eat, and the food we and our children and grandchildren will be exposed to.

I think it is worthwhile to have a look at it again, especially for the benefit of some of the new faces around this chamber. I think we can all agree with the evidence that obesity rates are too high and that obesity is affecting our children's futures.

The Standing Senate Committee on Social Affairs, Science and Technology, ably chaired by our former colleague Senator Art Eggleton, did tremendous work on these topics which resulted in the bill that former Senator Nancy Greene Raine proposed.

Canada ranks sixth among industrialized countries in respect of its percentage of children who are obese. I think we all agree that number is far too high and far too dangerous.

This bill amends the Food and Drugs Act to prohibit food and beverage marketing directed at persons under 13 years of age, as originally proposed. You should note that the Social Affairs Committee amended the bill, including an amendment changing the age to under 17 years of age.

As former Senator Nancy Greene Raine told us in her speech at committee report stage, Bill S-228, as originally tabled, prohibited the marketing of food to children under 13 years of age because that is the age limit in Quebec legislation, since passing the Consumer Protection Act in 1980.

That law was caught up in a legal battle and couldn't officially be declared constitutional by the Supreme Court until 1989. Welcome to Canada. She said:

. . . I now believe that we need to include teenagers in the protection offered by Bill S-228. I will therefore propose an amendment at clause-by-clause consideration of the bill to change the definition of "children" up to age 16.

Based on the new research that confirmed that the way adolescents process advertising is also very problematic. She also stated that she:

. . . learned that amending the Food and Drugs Act, as proposed by Bill S-228, is a long and arduous process. I now realize that the legislation should include the general intent and framework, but that the details should be better left to be dealt with by regulations which can be more easily changed to react to new ways of marketing.

For this reason, I will propose to amend the legislation at clause-by-clause consideration of the bill to limit the prohibition on advertising to children to "unhealthy" food.

The Senate passed the bill as amended and sent it to the other place. Concerns were raised about the effect the bill would have on the sponsorship of community sporting events. Mr. Larry Miller, Conservative MP for Bruce—Grey—Owen Sound, on debate in second reading, said:



While the intent of the bill is something we should all support, and I certainly do, more than one member has talked about its unintended consequences. I met today with members of Canada Soccer and Sports Matters, who are very concerned about programs. Everyone is very aware of the Timbits hockey and soccer programs and a number of others. These could be in severe jeopardy of not complying with this bill if the regulations are not done right. That is a concern.

• (1450)

I, too, share these concerns. These community activities support active living for Canadian children. Isn't that contradictory to what the bill is trying to achieve, which is lowering obesity rates?

Physical activity is very important for a healthy lifestyle, but it can also be very expensive, which makes these community initiatives very important. Having been on the executive of a number of sports organizations when my son was young, I can attest to that.

Other concerns were raised in the other place about the vague definition of "unhealthy foods." Honourable senators, what is an unhealthy food? You may say potato chips and French fries, ice cream and the like. However, what about a baked potato or a glass of milk? Are they unhealthy? Is cheese unhealthy because it could be high in sodium and saturated fat, or is it actually healthy because it is a good source of protein and calcium? Is there really such a thing as healthy or unhealthy foods, or should we consider it in terms of healthy and unhealthy diet as opposed to food alone? What does unhealthy even mean?

In an article from *National Newswatch* just yesterday, I found it interesting that the Canadian Chamber of Commerce added its voice to the food industry's opposition to the proposed new Health Canada food labels, so-called front-of-package labelling, calling it a costly job-killing move. Chamber President Perrin Beatty and Denise Allen, President and CEO of Food Processors of Canada, sent a joint letter to Prime Minister Justin Trudeau, outlining their objections to the front-of-package labelling — FOPL — initiative of Health Canada:

We are concerned that Health Canada is pressing ahead on FOPL policy in a manner that falls short of your commitment to ensure that government policy is evidence-based.

It went on to say:

The result may be a less effective strategy that also causes inadvertent damage to the very economic growth your government is otherwise working so hard to support.

Again, the government is trying to help us, the consumers, decide what is healthy and unhealthy, but is it actually accurate and will it help? Front-of-package labelling may also not accomplish what it is intended to achieve. Will that initiative, like this bill perhaps, harm the economic engines we need to grow?

Other concerns were raised about the age of limitation to under 17 as opposed to under 13, as was originally proposed, which was then amended to under 17 by the Senate.

Doug Eyolfson, Liberal MP for Charleswood—St. James—Assiniboia—Headingley, in the other place said in committee, while he was moving an amendment to revert it back to 13 as originally proposed by the bill when it started in the Senate:

I'll simply respond that although I agree that in principle it would be most suitable to have the age of 17, again, there are concerns that this would be subject to a charter challenge, and therefore, the entire bill could be rendered invalid and struck down.

As mentioned, Quebec set a strong precedent for defining children as being under 13 years of age, so the other place changed it back to save the bill.

Concerns were raised over these issues and more, and I happen to agree with them.

Witnesses at committee had a lot to say as well. Mr. Ronald Lund, President and Chief Executive Officer of the Association of Canadian Advertisers, said:

As has already been committed to, amend the age to define children as under 13. Replace all references to "unhealthy food" with the term "foods high in" as a determination by which foods can or cannot be marketed to children under 13. Right now under Bill S-228, positively regarded food products such as apple juice, cheese, and yogurt would be branded as unhealthy. In fact, defining foods as unhealthy is contrary to the current policy and practice. The Food and Drugs Act does not define "healthy".

Others have suggested that these measures will be outlined in the regulations. This government seems to love things through regulations, like the air passenger bill of rights.

The legislative regime Bill S-228 intends is not fully explained in the bill. Instead, broad discretionary powers are given to the bureaucrats instead of the legislators. The government appears to want to use this Senate bill to meet one of its objectives outlined in the Minister of Health's mandate letter. However, the actual commitment was to match the Quebec law. As drafted, this bill allows the potential regulatory framework to go much further.

Another witness, Ms. Erica Wiebe, an Olympic gold medallist in wrestling, with the Sport Matters Group, says:

Bill S-228 as currently drafted would mean a substantial drop in private sector contributions to sport at every level, from grassroots to high performance. This in turn would mean cutting off support programs to thousands of children and youth right across the country, and it would substantially marginalize the financial sustainability of an already underfunded Canadian sports system.

That should concern us all greatly.

So the House of Commons amended the bill essentially to change the age back to 13 and added a review clause for five years after Royal Assent to allow the Senate and the house, or both committees, to study the effects of the changes. I am generally supportive of review clauses.

Do we support these amendments that were passed in the other place? We sent the bill to the other place, and they changed it. Do we agree with the changes? Ask yourselves if you know enough about the changes to make a decision on how to vote on this. Consider that there could be unintended consequences of the bill, like the sponsorship of sports. Consider that there could be unintended consequences of letting the bureaucrats run away with the regulations rather than us debating them out.

We are talking about thousands of jobs and hundreds of millions of dollars in investment.

Groups like the Dairy Farmers of Canada, the Western Canadian Wheat Growers Association, the Canadian Meat Council, the Grain Growers of Canada, et cetera, have tremendous concerns about what the unintended consequences of the bill will do to the economy. We all realize that the health of children and, indeed, all Canadians is of the utmost importance. But after two years, since this bill was started, things have changed, and these concerns from industry are very alarming.

I do not believe that this bill will actually accomplish what it is intended to do, even after two rounds of amendments in both houses.

• (1500)

While senators may or may not have taken an interest in the bill before, if we are now concerned about the changes the other place has made and even now in the bill itself, ask yourselves if we should at least take the time to study the changes once more to make sure.

I will leave you with that question and my comments. Thank you, honourable senators, for your attention.

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

(On motion of Senator Housakos, debate adjourned.)

[ Senator Mercer ]

## NATIONAL STRATEGY FOR THE PREVENTION OF DOMESTIC VIOLENCE BILL

### SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Manning, seconded by the Honourable Senator Smith, for the second reading of Bill S-249, An Act respecting the development of a national strategy for the prevention of domestic violence.

**Hon. Nancy J. Hartling:** Honourable colleagues, I rise today to speak to Senate public bill Bill S-249, An Act respecting the development of a national strategy for the prevention of domestic violence.

November is a month to remember — not only on November 11, Remembrance Day. It is also National Domestic Violence Awareness Month. It is an appropriate time to explore issues, legislation and policies around this very serious matter.

I was deeply touched by Senator Manning's passionate speech in June 2018 and the initiation of Bill S-249. He outlined the need for a national strategy and crafted a bill that proposes taking a closer look at implementing mandatory reporting to protect women. On several occasions, Senator Manning and I have discussed the need to explore solutions to improve the situation and help eliminate domestic violence. This is a crisis. It is a war that takes place in homes. It disrupts families and communities.

I speak today with two purposes. Number one, to support the need for a comprehensive national strategy involving many key stakeholders. This should be done with a goal of compiling comprehensive recommendations and actions. Number two, to provide some critical thinking I have collected from experts in the field and share some of their analysis on the bill.

My own experience includes 35 years working on issues around family violence, domestic violence and intimate partner violence, known as IPV. It doesn't matter what you call it; it is serious and unfortunately very much a part of our Canadian society.

For many of us who have worked in front-line services, it has been difficult. Over these many years, we have built shelters, put up monuments, held vigils, changed laws, marched in the streets and demanded change. We have wept. We continue to weep and mourn. There is more to do. Violence in our homes and community affects all of us. Children who grow up witnessing violence are impacted and changed forever. As women, it scars us. In the workplace, it impacts us. Educational systems are affected and communities lose members. We are all impacted.

It is of utmost importance to have men engaged in this dialogue. It is continuously seen as a women's issue and it is not; it is a social justice issue for all of us. Men are a part of the society and absolutely need to be a part of a solution.

The need for such a bill is obvious. However, I believe Bill S-249 will need to be thoroughly studied at committee, including which minister should be involved, who should be consulted and most importantly, what should be assessed. I sincerely believe the need for a national strategy is undeniable. I would strongly suggest involving ministers responsible for Public Health and Status of Women Canada in the consultation on this strategy, along with provincial and territorial counterparts and women's groups across the country.

It is important to acknowledge the federal government, through Status of Women Canada, announced a national strategy in June 2017. It is entitled *It's Time: Canada's Strategy to Prevent and Address Gender-Based Violence*. Their website describes it as "a whole-of-government approach to prevent and address GBV — a term used to describe violence directed at individuals because of their gender, gender identity or perceived gender — that builds on federal initiatives already underway and coordinating existing programs."

It is imperative to connect with the work that has already been done.

To provide some constructive feedback or food for thought, I have asked experts from New Brunswick to examine Bill S-249 more closely to assess whether its implementation would indeed protect those affected by violence. Allow me share their comments and concerns.

One of the principal issues identified with the bill, which was also highlighted by Senator Pate during her second reading speech, is the issue of mandatory reporting of family violence by health professionals. Key researchers from the Muriel McQueen Fergusson Centre for Family Violence Research reviewed the bill. This centre is named after a former Senate Speaker and is located at the University of New Brunswick in Fredericton. I have a comprehensive report prepared by the associate director, Rina Arseneault, compiled of information gleaned from her colleagues and her research. I will share highlights.

Dr. Linda Neilson, nationally renowned researcher with expertise in law and IPV, expressed her concerns.

She said:

First, it would require considerable training to enable health providers across the country to understand the complexities of "family violence" in order to identify it properly and to distinguish accurately offensive from defensive injuries.

• (1510)

Second, mandatory reporting provisions seldom work as they are intended. For example, we have long had mandatory reporting of suspected child abuse in New Brunswick. Most people do not know they have a legal duty to report - or that they commit an offence when they do not. On the flip side, if mandatory reporting did work, we could anticipate a huge legal and community service overload and thus major delays in accessing help.

Third, mandatory reporting removes victim choice, to report or not to report.

Fourth, the potential to discourage access to medical treatment. "Once perpetrators become aware of such legislation, there is no way in heck they are going to let her or the child out of the house to get medical attention after a beating. That means that, in the end, this type of legislation could increase the level of injury and thus the level of risk and danger."

There are a number of research studies that have examined the results of mandatory reporting provisions in other countries, and this may also be something that could be looked at in greater detail at the committee level.

One specific example is in Australia, where a National Plan to Reduce Violence against Women and their Children was implemented by the Council of Australian Governments.

Echoing the sentiment of Dr. Neilson and other experts, I would advise caution in mandatory reporting for health professionals in order to enable a very careful examination of the potential implications. We want to ensure that safety planning, staff training, proper resources and legal expertise are in place.

Ms. Rina Arseneault stressed the importance that the consultation and the strategy to be derived from this proposed consultation be supported by the belief that we must involve all governments: national, provincial and territorial. Academia and wider community involvement is necessary in order to reduce gender-based violence in the short and long term. No government or group can tackle this problem alone.

She suggested we draw our attention to the report *Breaking the Silence*, produced by Status of Women Canada, which details the department's consultation prior to developing its strategy to address gender-based violence.

It highlights the importance of ensuring the right people, departments, levels of government and ministers are involved. Status of Women Canada has completed a pan-Canadian consultation on gender-based violence (GBV). They reached out to front-line workers, researchers, justice workers and advocates. Participants included Indigenous women, LGBTQ2 and gender non-conforming people, young women, women with disabilities and men and boys working to end GBV.

Some underlying principles that came out of the department's findings include, number one: The importance of always having the affected person at the centre of any initiative and ensuring that when building a strategy, we should ensure it is informed by the populations it is addressing.

Number two: The importance of remembering adults have a right to make their own decisions.

Number three: The importance of supporting and respecting the needs of survivors and their children and aim to keep survivors and children together, particularly in relation to Indigenous women.

Number four: The report also reminded us of the importance of linking a strategy to broader social issues by (a) addressing the root causes and underlying factors related to violence, including systemic gender inequality, sexism and the hypersexualization of girls and young women, rape culture, colonialism and racism; (b) addressing intersecting forms of oppression with an understanding that violence is experienced in a continuum, across the lifespan, and in different situations and settings. For example, some participants challenged the separation between online and real-life violence. And (c) other social issues, such as poverty, child care, pay equity, homelessness and affordable housing contribute to gender inequality and serve as barriers to well-being and freedom from violence. Some participants discussed how institutions could contribute to violence or be violent themselves.

There are some key national strategies that can be consulted for inspiration, such as the National Framework on Collaborative Police Action on Intimate Partner Violence by the Canadian Association of Chiefs of Police designed to provide police services across Canada with a guide to leading practices to address intimate partner violence and to help police leaders better inform policy development and subsequent police action.

There is a wealth of research, various screening tools and other significant documentation that could help the committee in their review and strengthening of the bill. Many of these can be found by connecting with any or all of the seven research centres on family violence across Canada. The centre in Fredericton is very interested in helping us in any way they can.

Statistics are staggering. Even if women don't die by violence, they are often living in fear. A recent report by the World Health Organization states:

Intimate partner violence has been identified as a major global health concern, linked to intergenerational violence and detrimental physical, emotional and economic impacts on victims, witnesses and society as a whole.

I look forward to further dialogue on this very serious matter. It's time for change. Thank you.

(On motion of Senator McPhedran, debate adjourned.)

[ Senator Hartling ]

[*Translation*]

## BANKRUPTCY AND INSOLVENCY ACT

BILL TO AMEND—SECOND READING—  
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Eggleton, P.C., seconded by the Honourable Senator Richards, for the second reading of Bill S-253, An Act to amend the Bankruptcy and Insolvency Act and other Acts and Regulations (pension plans).

**Hon. Lucie Moncion:** Honourable senators, I rise today to speak to Bill S-253, which was introduced in this chamber in September by Senator Eggleton. It seeks to protect pension plan members in the event that their employer goes bankrupt by amending the Bankruptcy and Insolvency Act; the Companies' Creditors Arrangement Act, the Pension Benefits Standards Act, 1985; and the Pension Benefits Standards Regulations, 1985.

My speech focuses on the proposed amendments concerning bankruptcy and insolvency, which are mainly related to reorganizing creditor priorities.

Bill S-253 has a legitimate and highly commendable purpose. It seeks to ensure that claims in respect of unfunded liabilities of a pension plan are accorded priority in the event of bankruptcy proceedings.

Members of defined benefit pension plans who worked for a company their entire career have the right to expect their employer to fulfill its contractual obligations with respect to pension benefits. However, they constitute "a diverse group without strong financing" when the bankrupt company is liquidated. This group is often described as the "lost voice" among other unsecured creditors because it is difficult to make it heard during liquidation proceedings.

In an article published by the Organization for Economic Co-operation and Development, or OECD, entitled "Benefit Protection: Priority Creditor Rights for Pension Funds," Fiona Stewart states, and I quote:

[*English*]

Where they exist, unsecured creditors committees tend to be dominated by larger financial institutions, which do not necessarily share the interests of the former employees, with the "natural" representatives of pension claims potentially not having such a strong voice (e.g. unions may be weak, pension fund trustees inexperienced or guarantee funds, where they exist to take on pension creditor claims, may be politically constrained).

[*Translation*]

Bill S-253 proposes changing the order of claim priority in cases of insolvency or bankruptcy. It would ensure that the unfunded liabilities of a pension plan become secured debt in its entirety ahead of secured creditors, banks, preferred creditors, and other creditors.

Currently, outstanding arrears of the normal costs of the pension plan consisting in employee and employer contributions are guaranteed. However, unfunded liabilities are not. That is the portion of the pension fund that is not protected.

To better illustrate this concept, let's talk about the example of the provincial pension fund registered in Ontario by Sears. The guaranteed part of the pension fund, the one that Sears employees will have access to, is made up of the portion contributed by the employee and employer at each pay period for the duration of time that the employee worked at Sears. On October 16, 2017, the Superintendent of Financial Institutions appointed Morneau Shepell Ltd. as the administrator of this portion of the pension plan in accordance with the Ontario Pension Benefits Act.

• (1520)

The unsecured portion is the unfunded liability of the pension plan, the portion that guaranteed employees a percentage of their wages for life. When Sears was liquidated, the pension fund deficit was approximately \$267 million. It is this portion of the pension fund that Bill S-253 would protect by giving it priority status over the claims of financial institutions and other secured creditors.

This change in priority fails to consider salaried workers. At present, wages of up to \$2,000 for the last six months of employment are guaranteed. Amounts above that threshold are considered preferred claims and have priority over the unfunded portion of pension plans.

The proposed changes under Bill S-253 would give the pension plan priority over banks, but also over the portion of wages in excess of \$2,000, which would decrease the guarantee on the unpaid portion of wages.

We should note that employees have access to a wage earner protection program that provides up to \$3,705 in wages in the event of an employer's bankruptcy.

There seems to be a consensus in the literature that elevating unfunded pension plan liabilities to super priority would cause a whole range of adverse effects on financial markets. Mark Firman of the University of Toronto Faculty of Law stated, and I quote:

[*English*]

This solution's simplicity belies a host of problems. To name two, such a change risks drastically increasing the cost of capital because secured creditors would rank behind conceivably massive pension claims. In addition, it could open the floodgates for other arguably vulnerable creditors, such as those claiming priority rights for health or environmental claims, to argue for their own super priorities.

[*Translation*]

The OECD report also suggests that changing creditor priority to give priority to pension plan members could have a snowball effect on the stability of financial markets across the country. The impact would be even more disruptive if the pension plan became a super priority, as the bill proposes.

Fiona Stewart also said, and I quote:

[*English*]

If pension fund rights increase in status other creditors (who may themselves be small trade and personal creditors) naturally must drop in the rankings, increasing their credit risk, which might be passed onto corporations in the form of more expensive capital or a general impact on the markets with increased bad debts and potential failures. The impact of "super priority" rights over secured creditors would, of course, have an even bigger potential impact, particularly on small trade and personal creditors. (This would have a general impact in that the cost of borrowing would increase if secured creditors were not able to rely on their security, given in exchange for lending.)

[*Translation*]

If we change the order of priority, we need to consider the fact that some parties will be given the advantage, while others will be penalized. For instance, going on information regarding Sears Canada's financial situation received as part of an application in Ontario Superior Court last July, we note that if super priority were granted to members of the Sears pension plan, as Bill S-253 suggests, other creditors — primarily small businesses, individuals, including former employees, subcontractors, suppliers and clients — would have no access to any funds, since the amount to be liquidated was about \$158 million, plus the value of a few properties, and the pension fund deficit was about \$267 million.

The World Bank document on the principles and guidelines governing insolvency and the protection of creditors' rights upholds the principle whereby the rights of creditors to recover what is owed to them in a bankruptcy must be as predictable and transparent as possible in order to ensure market stability. It states, and I quote:

[*English*]

The more predictable and transparent the insolvency process, the greater the chance of retrieving collateral in the advent of bankruptcy and the more willing lenders should be to lend at rates that reflect lower risk premiums.

[*Translation*]

The OECD recognizes the legitimacy and importance of pension plan participants' claims, but believes that there are other more effective ways to protect the interests of this class of creditors while still preserving a strong, predictable financial market. Among other things, the OECD recommends stricter pension plans financing rules.

My study of Bill S-253 made me think about financial literacy levels, especially when we're talking about pension funds.

Do employees who have access to a defined benefit pension plan truly know how it works or even know the risks associated with this type of plan? Should companies have an obligation to duly inform employees of the risks associated with their pension plan, in clear and simple language, to give workers the opportunity to make informed decisions in planning for retirement?

For example, employees who work for private companies that offer defined benefit retirement plans might plan differently for retirement if they knew that, in the event of bankruptcy, they could end up receiving just 40 per cent or 50 per cent of the amount they'd been promised. Defined benefit plan members are vulnerable because they aren't well informed of the risks associated with this type of plan.

Defined benefit pension plans are good for employees and costly for employers. The level of risk and uncertainty is high, especially when it comes to the employer's long-term ability to pay.

Pension underfunding has been a problem for a very long time. It represents an employee's biggest risk and is not handled the way it should be.

Companies such as Nortel and Sears have some important lessons to teach us. Those share capital corporations took advantage of the system and overly permissive rules around shareholder dividends and executive bonuses, and they left in their wake severely depleted pension funds and employees disillusioned by unscrupulous employers.

I understand what Senator Eggleton is trying to achieve with this bill, and I invite the members of the committee tasked with studying it to consider the following issues.

One of the goals of the bankruptcy and insolvency system is to ensure fair and equal treatment of creditors seeking to recover what they are owed. The system considers the fact that there is not enough money to pay all creditors and that monies must be distributed to creditors fairly and in a manner proportional to their contractual agreements. In the interest of fairness, would it not make sense to look at how Bill S-253 fits into the broader context of the Bankruptcy and Insolvency Act? Is it fair and equitable to make all creditors absorb the risk associated with the volatility of defined benefit pension plans?

Companies have the option of spreading the payment of an actuarial liability out over a long period of time. Will stricter measures be imposed on companies so that they fulfill this financial obligation more quickly? What impacts will change the

creditor priorities, as proposed in Bill S-253, have on the financial market? By way of suggestion, would there be any advantage to creating a public insurance fund designed specifically for defined benefit pension plans?

In closing, although Bill S-253 includes additional protections for pension plan members with regard to creditor priorities, it does not mitigate the risks or provide any guarantee regarding the payment of unfunded liabilities of defined-benefit pension plans. Is it not time that an in-depth reform of pension plan methods was introduced and that a better structured framework was proposed that provides more adequate protection to pension plan members? Perhaps that would prevent situations like the ones at Nortel and Sears from happening again.

Thank you for your attention.

(On motion of Senator Housakos, debate adjourned.)

• (1530)

[*English*]

## EMANCIPATION DAY BILL

### SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Bernard, seconded by the Honourable Senator Forest, for the second reading of Bill S-255, An Act proclaiming Emancipation Day.

**Hon. Mary Coyle:** Honourable senators:

Stolen from the plots of quixotic Pierrot and troubled Muddy Waters, these elegiac flowers of Whydah Falls, the Black Mississippi village banished to Jarvis County, Nova Scotia, in 1783, droop with the heaviness of history. Irrigated by liquor and tears and dessicated by blistering blues, they bloom in direct moonlight. Though intended originally for the garden of Whydah Falls, these loose flowers are freely planted here.

These are the words of our former Parliamentary Poet Laureate, George Elliott Clarke, found in *The Apocrypha of Whydah Falls*, his treatise on his birthplace, a place he calls Africadia, and the place where Africans first came to Canada; the place, at the time known as Acadia, and today, better known as Nova Scotia and New Brunswick.

Those loose flowers, these elegiac flowers of George Elliott Clarke's poetry, represent the over 3,000 people of African descent who came to Birchtown, Nova Scotia in 1783. The fictional Aminata Diallo and her very real fellow Black Loyalist brothers and sisters who were brought to life and to our attention by Canadian author Lawrence Hill in his famous novel and the CBC miniseries, *The Book of Negroes*: African women, men and children who were brutally stolen from their farms and villages in Africa and sold as slaves in the Caribbean and America.

On June 15, 2010, the Honourable Senator Donald Oliver, another African Nova Scotian, rose in this chamber to say:

Honourable senators, it seems that every day we see new evidence showing that racism still exists in Canada. Sadly, hate crimes motivated by race and religion are on the rise in this country. Honourable senators, I believe that we must do something about this.

He went on to say:

Honourable senators, the questions these facts beg are: What can be done to reduce the rising number of hate crimes in Canada? Why are Blacks the most commonly targeted racial group?

. . . These questions need answers. In my view, the Senate is a good place to launch such a dialogue. We should have a thorough debate on racism, diversity and pluralism in Canada. . .

I believe it is time for Canada to acquire new tools fit for the 21st century to fight hatred and racism, to reduce the number of hate crimes, and to increase Canada's tolerance in matters of race and religion.

In this same vein, Senator Wanda Elaine Thomas Bernard has introduced an inquiry into anti-Black racism in Canada. Many of our colleagues have spoken to that matter.

Senator Oliver referred to the need for Canada to acquire new, 21st-century tools to fight hatred and racism. Only last month, Senator Bernard introduced Bill S-255, the Emancipation Day Act, An Act proclaiming Emancipation Day. The act will enable Canadians to have a special day each year to commemorate the abolition of slavery.

[*Translation*]

This bill proclaiming August 1 as Emancipation Day across Canada will be a very important tool for raising awareness about Canada's role in slavery and emancipation, the negative effects of slavery felt to this day in our society and the contribution of the descendants of slaves and other African Canadians to our country.

[*English*]

Emancipation Day can be a powerful tool to educate and create awareness and recognition.

Earlier this week, \$10 banknotes commemorating civil rights icon Viola Desmond officially entered circulation, the first time a Canadian woman has been celebrated on the face of her country's currency. This is a historic occasion in so many ways. A Canadian woman is being recognized — an African Nova Scotian woman and a civil rights challenger at that.

By now, we have all heard the story of Ms. Desmond: her successful beauty business serving her fellow African Nova Scotian women; we've heard of her car breaking down and her desire to watch a movie from the floor section of the Roseland Theatre in New Glasgow which was, at the time, in 1946,

segregated, with Black people only allowed in the balcony section. This was nine years before the famous Rosa Parks bus incident south of the border.

Ms. Desmond was arrested, briefly jailed, charged, convicted and fined. Later, in 2010, long after Viola's passing in 1965, Nova Scotia gave her a free pardon, which was signed into law by the then Black Lieutenant Governor, Mayann Francis.

But what of these two African Nova Scotian women, the famous civil rights hero and the gifted Lieutenant-Governor? How did they and their families end up in Nova Scotia? What is the history of Black immigration to Nova Scotia and Canada, and what is its link to slavery?

Like their African Nova Scotian counterparts, Ms. Desmond and Ms. Francis can trace their origins to slavery. The story of the underground railroad and the link to Ontario is fairly well recognized in Canada, but the history of African Nova Scotians is not well known.

African people and people of African descent came to what is now known as Nova Scotia — George Elliott Clarke's *Africadia* — in a number of waves. Although the now better-known immigration of slaves and freed slaves into the Maritime provinces at the time of the Loyalist immigration in 1783 is often thought of as the first wave of slave immigration, in fact there was a much earlier influx of enslaved people.

[*Translation*]

France's King Louis XIV issued a royal proclamation in 1689 which gave Canadians permission to benefit from the services of African slaves by declaring that all "Negroes" who have been purchased or are owned shall be the property of those who have purchased them, giving them full ownership.

[*English*]

Even before the royal mandate in 1604, Mathieu da Costa is said to be the first Black person in Nova Scotia. He's recorded among the founders of Port-Royal, established by Samuel de Champlain on traditional Mi'kmaw territory, close to the present-day town of Annapolis Royal.

The Fortress of Louisbourg on Cape Breton Island, then called Isle Royale, was said to be home to 200 Black slaves during the French regime. Marie Marguerite Rose is famous among them. She became a slave at the age of 19 and gained her freedom 19 years later, marrying a Mi'kmaw man and opening a tavern in Louisbourg, becoming part of the business community she had previously been forced to serve.

The next significant wave of Black immigration was the most famous one, and the largest: that of the Black Loyalists. When the U.S. War of Independence ended in 1783, New York was the last British-held port. It became the embarkation point for thousands of Loyalists, Black and White. Some Blacks came to Nova Scotia as property of White Loyalists. Between 3,000 and 3,500 Black Loyalists who had been offered protection, freedom, land and rations for their support of the British during the war also immigrated at this time.

British officials drew up a detailed list of all Blacks who were leaving. That list, *The Book of Negroes*, stated whether the person was free, a slave or an indentured servant and what their military service had been.

Roughly half of them settled where they landed in Birchtown and others settled in other parts of Nova Scotia, including in my area, in the Tracadie and Guysborough settlements. Lionel Desmond, the Afghan war veteran Senator Cormier recently spoke of, who killed himself and his family, is from one of those settlements, Upper Big Tracadie.

As you can imagine, the good land went to the White Loyalists and the Black Loyalists were not given what had been promised to them. Things got so bad that over 1,000 of them left Nova Scotia to help establish Freetown, in Sierra Leone.

In 1796, 600 Trelawny Town Maroons were exiled from Jamaica to Nova Scotia. They, too, faced misery and most left for Sierra Leone.

After 1813, roughly 2,000 Black refugees from the War of 1812 also found their way to the Maritimes. Slavery was then officially abolished in the British Empire in 1833.

From the 1920s on, hundreds of Caribbean immigrants came to Cape Breton to work in the coal mines and the steel industry.

• (1540)

Our two African Nova Scotian women mentioned earlier came to Nova Scotia in two different waves. Former Lieutenant Governor Mayann Francis's parents came to Cape Breton from the Caribbean — Cuba and Antigua — both countries populated much earlier by slaves from Africa. Some of Viola Desmond's ancestors were likely Black Loyalists who would have landed at Birchtown and then resettled elsewhere.

But even with slavery officially abolished in 1833, its legacy persists in many ways in Nova Scotia and across our country.

Dr. Isaac Saney of Dalhousie University says:

The disadvantages, the disenfranchisement, the racist attitudes, the racist segregation — that did not disappear.

All of these factors create significant barriers to success for African Canadians, as Senator Bernard has told us.

However shameful this chapter of our history was, the Black Cultural Centre of Nova Scotia presents the topic to its local African Nova Scotian community in the following way on its website:

Slavery is a part of our history and culture —

This is geared to African Nova Scotians.

— that we should not ignore or find humiliating. Our ancestors were captured like animals, treated as property, separated from their families, and routinely subjected to even more unbearable treatment. Surviving this made us a strong people, empowered to rise above racism. The

magnificent contribution that Africans made to society is a legacy we must convey to future generations in all walks of life.

By instituting Emancipation Day across Canada, these historical lessons and lessons in cultural pride would be reinforced annually.

Colleagues, I could speak more about examples of modern-day slavery here and around the world — think of Mauritania — but I will not at this moment.

My last story is a very local one — yet another Nova Scotia story. It's a story of the legacy of slavery and of racism in my own backyard. Just last month, a young Black man went to hospital in New Glasgow to be treated for a collapsed lung caused by a co-worker shooting him with a nail-gun on a work site. The young man had been bullied and goaded by a co-worker who even joked that every White person deserves to own a Black person. Apparently, the young man was reluctant to report the bullying because his co-workers would say things like, "We don't like how those Black people always pull the race card."

Colleagues, this is Pictou County, Nova Scotia, in 2018, not Birchtown in 1783.

As we celebrate the civil rights legacy of Viola Desmond this week with our gorgeous new \$10 bill, let's remember how we still have a long way to go. Let's remember the words of Martin Luther King, Jr., words quoted by the mother of the young injured Pictou County man:

Power without love is reckless and abusive, and love without power is sentimental and anemic. Power at its best is love implementing the demands of justice, and justice at its best is power correcting everything that stands against love.

Colleagues, as senators we have opportunities to put in place laws and other mechanisms to help foster that balance among the power, love and the justice we need in our society. Senator Bernard has presented us with just such an opportunity, Bill S-255, an Act proclaiming Emancipation Day. It provides us all with a special day in our annual calendars to remember the sacrifices of slaves, to examine our history and the legacies of that slave-master relationship, and to celebrate the resilience and accomplishments of African Canadian people.

[*Translation*]

Honourable senators, it is important for the education and evolution of our Canadian society.



[English]

Let's use the power and responsibility we have been entrusted with to support this very important bill. *Welalioq.*

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

**Hon. Kim Pate:** Honourable senators, I also rise today to speak in support of Bill S-255 and to thank Senator Bernard for bringing forward this important bill to proclaim Emancipation Day and commemorate the abolition of slavery in Canada.

Like other aspects of Canada's history of racial discrimination, too few of us are educated about this country's legacy of enslaving Indigenous peoples and peoples of African descent.

As we discussed during Senator Bernard's inquiry into anti-Black racism, we know that, like our neighbours to the south, Canada used non-consensual, unpaid labour to build infrastructure and wealth for European settlers.

In 1792, six of Upper Canada's 16 elected legislators and six of its nine appointed representatives asserted ownership over Indigenous and Black people.

I'd like to share a story of someone whose name each of us should know: Marie-Joseph Angélique. Born in Madeira, Portugal, around 1705, unfortunately, we don't know much about the first 20 years of her life. We know Angélique was an enslaved woman who was first sold when she was only a teenager and brought to Montreal to work as a domestic slave in the home of François Poulin de Francheville and Thérèse de Couagne.

While enslaved, Angélique gave birth to three children who did not survive infancy. Some scholars believe that enslaved women like Angélique were expected to produce offspring with an enslaved man in order to contribute to their owner's workforce.

In 1733, Angélique began to assert her right to freedom. She asked Madam de Francheville to grant her freedom. She was denied. Not surprisingly, Angélique was rightfully upset. She is said to have consequently threatened de Francheville's life and to have lashed out at others.

Whether that is true, Angélique most certainly refused to be silenced. When de Francheville arranged for Angélique to be sold, she began to plan her escape with the intent to return to her home in Portugal. As she fled, Angélique is said to have set fire to her bed and set off in search of a ship bound for Europe. She was captured shortly thereafter, jailed and returned to her owner. Angélique continued to assert her desire to be free.

The following year, in 1734, Angélique was accused of burning down a large portion of Montreal. Although she denied setting the fire, she was presumed guilty and sentenced to death. A Black, enslaved, poor woman, who was also deemed a foreigner, she was afforded no rights in Canada and ultimately died an enslaved person on Canadian soil.

For over 200 years, slavery was legal in Canada. For over 200 years, people like Angélique were captured and forced to perform all manner of tasks against their will. Their resistance, their consistent assertions of self and their demands to be recognized as humans did finally result in the abolition of slavery.

One-hundred and eighty-four years after Emancipation, Black Canadians continue to experience systemic anti-Black racism in numerous ways, from socioeconomic disparity; active discrimination; erasure of history; and over-representation in child welfare, juvenile and adult criminal justice systems.

Black Canadians face anti-Black racism at all levels of the criminal justice system, from racial profiling and carding to the exercise of prosecutorial discretion, the imposition of pre-trial detention, incarceration and disparities in sentencing. We cannot continue Canada's legacy of ignoring the root causes of anti-Black marginalization and criminalization. Failure to name the harmful stereotypes and other ongoing effects of Canada's colonial history only serves to further impair progress.

The 2017 report from the United Nations Working Group of Experts on People of African Descent noted that systemic racism in the criminal justice system has led to the over-representation of Black Canadians in prisons. While Black Canadians make up 3 per cent of Canada's population, they comprise 8.6 per cent of individuals in federal penitentiaries. In addition, between 2003 and 2013, the incarceration rate of Black people increased by almost 90 per cent. Once they are inside, Black Canadians routinely experience harsher conditions of confinement, including over-representation in segregation and other forms of solitary confinement. In addition to the devastating consequences for mental and physical health, segregated conditions of confinement severely limit opportunities for prisoners to access programming, education, visits and conditional release.

• (1550)

The harms of anti-Black racism within the criminal justice system are too often incalculable for those ensnared in the criminal justice system, for their families and for the integrity of their communities. I echo the UN working group's recommendation that the Government of Canada:

Develop and implement a National Corrections Strategy to address and correct the disproportionately high rates of African Canadians within the correctional system . . . .

Abolish the practice of segregation and solitary confinement and explore alternatives to imprisonment.

In her book *Policing Black Lives*, Robyn Maynard discusses the racialization of crime in Canada. She points out that the association between Blackness and criminality can be traced back to fugitive slave times. Black freedom seekers were seen as property and their attempts to escape bondage were criminalized. Escaping enslavement was the first crime associated with being Black in Canada. This association between Blackness and criminality has firmly taken root in Canada in ways that continue to perpetuate discrimination.

Earlier this year, Canada made an important step toward recognizing this racist legacy. Prime Minister Trudeau officially recognized the International Decade for People of African Descent and was the first incumbent Prime Minister to acknowledge the damaging effects of anti-Black racism in Canada. The government should now prioritize and implement the recommendations of the UN working group to address the legacy of slavery, end systemic racism and ensure substantive equality for Canadian residents of African descent.

We should also ensure that sites such as the Saint-Armand, Quebec site, which is the only known cemetery for those who were born and died enslaved in Canada, are clearly recognized as historical sites. This site and other similar sites are at risk of being lost due to the lack of support from the government to recognize them as historically significant locations for Canada's Black communities.

Honourable colleagues, I hope each of us is encouraged to educate ourselves and those around us about the history of Black Canadians and the legacy of slavery and anti-Black racism in Canadian society today.

Let us support Senator Bernard's bill to proclaim Emancipation Day and continue to foster solutions that bring justice to communities, particularly those affected by Canada's history of racial discrimination.

Thank you, *meegwetch* and, for Angélique, *obrigado*.

(On motion of Senator Mégie, debate adjourned.)

[*Translation*]

#### BILL TO CHANGE THE NAME OF THE ELECTORAL DISTRICT OF CHÂTEAUGUAY—LACOLLE

##### SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Pratte, seconded by the Honourable Senator Lankin, P.C., for the second reading of Bill C-377, An Act to change the name of the electoral district of Châteauguay—Lacolle.

**Hon. Claude Carignan:** Honourable senators, I will be brief. I am pleased to speak to Bill C-377, which is sponsored by Senator Pratte and seeks to change the name of the riding of Châteauguay—Lacolle to Châteauguay—Les Jardins-de-Napierville.

Senators Pratte and Dawson clearly explained the reasons for this change. However, I would like to recap them quickly just to make sure everyone understands them.

There are two towns in the region in question with very similar names: Lacolle and Saint-Bernard-de-Lacolle. Lacolle is not actually located in the riding of Châteauguay—Lacolle, but Saint-Bernard-de-Lacolle is. This is due to a mistake made by the Electoral Boundaries Commission in 2013 when the new electoral district map was adopted. I'm told that people were very

upset about this error and that they called on all the candidates in the 2015 election to correct it. That is understandable. People feel a connection to their riding, and they take pride in it.

Constituents in that riding are therefore very pleased that their member of Parliament, Brenda Shanahan, introduced Bill C-377. I invite you, honourable senators, to vote in favour of this bill and to send it to the Standing Senate Committee on Legal and Constitutional Affairs for an in-depth review.

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

**Hon. Senators:** Question.

**The Hon. the Speaker pro tempore:** It was moved by the Honourable Senator Pratte, seconded by the Honourable Senator Lankin, P.C., that this bill be read the second time.

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 the second time, on division.)

##### REFERRED TO COMMITTEE

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

(On motion of Senator Pratte, bill referred to the Standing Senate Committee on Legal and Constitutional Affairs.)

[*English*]

#### RIDING NAME CHANGE BILL, 2018

##### SECOND READING—DEBATE ADJOURNED

**Hon. Peter Harder (Government Representative in the Senate)** moved second reading of Bill C-402, An Act to change the name of certain electoral districts.

He said: Honourable senators, I rise to speak to private member's Bill C-402 which would change the names of 16 federal electoral districts. In considering my role as sponsor of this legislation, William Shakespeare put it best when he said: "Some are born great, some achieve greatness, and some have greatness thrust upon them."

As our Senate scroll meeting community will know, long have circumstances conspired to achieve my sponsorship of this bill. So call it chance or call it fate, I rise as the reluctant yet resolute champion of Bill C-402.

For context, this bill passed unanimously in the other place, my understanding being that it was the result of consultation between whips of the various groups. It is also my understanding that Bill C-402 must pass before we rise for the winter break in order to take effect for the 2019 election. I do think it is important that we generally respect the will of the elected chamber with respect to the names of electoral districts they represent.

However, I understand that with one of the proposed changes the other place may again be in need of our sober second thought. My hope is that a solution and agreement can be reached that would give unanimous consent of the other place before our third reading vote, to avoid the return of this item to the order of precedence which could cause significant delay. I believe there is a solution as we move forward.

So, in closing, as we think about the plethora of vibrant electoral districts in Canada, I again quote William Shakespeare: "A rose by any other name would smell as sweet."

Thank you.

(On motion of Senator Brazeau, debate adjourned.)

• (1600)

## SENATE MODERNIZATION

FIRST REPORT OF SPECIAL COMMITTEE—  
DEBATE CONTINUED

On the Order:

Resuming debate on the consideration of the first report (interim) of the Special Senate Committee on Senate Modernization, entitled *Senate Modernization: Moving Forward*, deposited with the Clerk of the Senate on October 4, 2016.

**Hon. Ratna Omidvar:** Honourable senators, I move the adjournment of debate in the name of Senator Greene.

(On motion of Senator Omidvar, for Senator Greene, debate adjourned.)

## BENEFICIAL OWNERSHIP TRANSPARENCY

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Wetston, calling the attention of the Senate to beneficial ownership transparency.

**Hon. Yuen Pau Woo:** Honourable senators, I would like to add my voice in support of Senator Wetston's inquiry on beneficial ownership transparency with a focus on real estate.

To be clear, the problem that this inquiry is addressing is the lack of transparency on the person or persons who enjoy the benefits of ownership of an asset such as property. The so-called "beneficial owners" are not listed on the titles of the properties in question, and their identities are masks by way of shell companies, trusts and nominees. The relevant ease with which identities can be masked makes real estate an attractive vehicle for money laundering. Hidden ownership in property deprives the government of tax and other revenue. It also hinders the collection of accurate data, making it difficult to analyze the impact the different types and sources of ownership have on the real estate market.

In its 2017 Budget report, the Canadian government stated that it would implement strong standards for corporate and beneficial ownership transparency that provide safeguards against money laundering, terrorist financing, tax evasion and tax avoidance while continuing to facilitate the ease of doing business in Canada. I was pleased, therefore, to learn at the Bill C-86, the second budget implementation bill for 2018 on which we have begun pre-study, tackles this issue. Specifically, Division 6 of Part 4 amends the Canada Business Corporations Act to set out criteria for identifying and keeping a registry of individuals with significant control over a corporation.

The new act includes a list of applicable offences and associated punishments for failure to comply. Under the proposed amendment to the act, ownership of 25 per cent or more is considered as having significant control.

The government's actions in this area are timely. Canada has been falling behind the rest of the world in terms of beneficial ownership transparency. A 2018 report by Transparency International, the global coalition against corruption, lists Canada as a laggard on its legal framework on beneficial ownership reporting. Three years after the G20 adopted a set of beneficial ownership principles, progress across Canadian provinces is patchy, with some companies' registers requiring little or no information on shareholders.

In turn, lawyers, accountants and real estate agents are not required to identify the beneficial owner in transactions that they facilitate, and financial institutions are able to proceed with transactions without beneficial ownership information.

There is, however, some positive news from British Columbia where the provincial government is working to increase land owner transparency. Consultation on draft legislation took place through the summer of 2018 and a bill is expected to be tabled early next year. The plan is to include beneficial ownership information and property transfer tax forms and to make the information available in a public registry subject to some privacy considerations.

The importance of strengthening beneficial ownership transparency has been on the agendas of industrialized countries other than Canada. The United Kingdom, for example, has published proposed legislation requiring foreign companies and entities owning land or involved in government procurement in the U.K. to register and disclose their beneficial ownership.

The principal requirement is for an overseas entity to provide information about its beneficial owners on the new register, which will be operated by the U.K. Registrar of Companies. The intention is that most of the information on the register will be available to members of the public, again subject to some privacy considerations. Once an organization has registered, there will be an ongoing obligation to update the information annually or to confirm that the information does not need to be updated.

The objective of both the U.K. and the British Columbia bills is similar. It is “to prevent and combat the use of land for the purposes of laundering money or investing illicit funds by increasing transparency.” All property types in B.C., including residential and commercial, will be affected by the new legislation.

Honourable senators, land ownership registration is provincial responsibility, and there are limits to the extent that the federal government can be helpful in improving greater transparency. Indeed, the challenges are even greater than in the case of the registration of corporations where there is at least the possibility of federal incorporation of companies.

Nevertheless, the federal government can encourage co-operation among provincial jurisdictions to improve beneficial ownership information across all sectors, including real estate. After all, money laundering and terrorist financing will migrate from one asset class to another as the transparency rules tighten in one area compared to another.

Since December 2017, the federal, provincial and territorial finance ministers have been working on amendments to their respective corporate statutes to ensure corporations hold accurate and up-to-date information on beneficial owners that will be available to law enforcement, tax and other authorities; to eliminate the use of bearer shares and bearer share warrants or options; and to replace existing ones with registered instruments.

The federal, provincial and territorial finance ministers pledge their “best efforts” to bring those amendments into force in all jurisdictions by July 1, 2019. They should also look at establishing goals for beneficial ownership information on real estate and measures to share information across different provincial jurisdictions.

Colleagues, in my home province of British Columbia, the discussion on the need for better information on beneficial ownership in real estate has been driven in large part by concern about housing affordability in metropolitan areas, especially the Lower Mainland. The issue of beneficial ownership has a link to housing affordability, but it is only one piece and likely not the major piece in the problem of housing affordability. We need to address beneficial ownership transparency in real estate in order to combat money laundering and tax evasion, but doing so will not solve the problem of housing affordability in cities like Vancouver where demand or housing simply exceeds supply.

Likewise, the beneficial ownership problem has been conflated with the issue of foreign buyers. Lack of transparency in real estate transactions, however, is not limited to foreign buyers. A simplistic view of beneficial ownership as the key problem in housing affordability and the presumption that lack of transparency in beneficial ownership is limited to foreign buyers of real estate produces the following erroneous syllogism: (a), that foreign buyers lack transparency; (b), that lack of transparency leads to housing unaffordability; and (c), therefore foreign buyers equals housing unaffordability. In fact, the 2018 CMHC study shows that foreign buyers account for only about 5 per cent of the ownership of properties in Greater Vancouver. We should address information gaps in ownership data on domestic and foreign buyers alike, but closing our doors to foreign capital will not solve the problem of housing affordability.

• (1610)

In addressing gaps about beneficial ownership of land, we should be careful to make a distinction between criminals and corrupt individuals who are using lax reporting standards in Canada to launder the proceeds of their ill-gotten wealth, and others who are operating within the law to pursue their private interests.

Senators, there should be no ambiguity about the need to identify and root out the former. In the latter situation, the issue is not that these individuals are acting criminally but that our laws provide a way for them to reduce their tax exposure. The fault is in the law and not necessarily in the people who take advantage of the law. The use of bare trusts in real estate transactions is an excellent example, and I’m glad to see the B.C. government taking steps to close that loophole.

In our zeal to address these “tax gap” type issues we should be careful to look at the overall public interest in addressing such gaps rather than treating them necessarily as issues of criminality or morality.

Honourable senators, let me conclude by reiterating my support for Senator Wetston’s inquiry on beneficial ownership. I look forward to his further leadership on how the Senate can play a constructive role in improving transparency on beneficial ownership in order to strengthen the integrity of our market economy as well as the protection and welfare of Canadians.

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

**Hon. Percy E. Downe:** Colleagues, I too want to support Senator Wetston in his work in this area. Prior to a few remarks I have prepared I want to explain to colleagues by highlighting an article that was in the *Toronto Star* on May 6, 2018. It talks about and highlights how far behind other countries Canada has fallen in recent years. We used to be a leader in tax policy. We used to be a leader in the fight against corruption, organized crime and money laundering. Other countries have jumped ahead of us. The article states:

Britain has passed a law that will require company owners in Bermuda, the Cayman Islands and British Virgin Islands — notorious offshore tax havens where shell companies shield billions of dollars in illicit money — will soon have more open corporate records than in Canada. In a stunning move last week —

This was in May this year.

— Britain’s House of Commons passed legislation that will lift generations of corporate secrecy in its offshore territories by compelling company owners registered on the islands to reveal themselves in public databases.

That kind of transparency is not available in Canada where corporate owners can mask their identity behind lawyers and figurehead directors. There is no requirement for real company owners — or “beneficial” owners — to list their names in provincial or federal registries.

The U.K. is becoming the global leader for beneficial ownership, transparency and holding tax havens to account, said Richard Leblanc, a professor of corporate governance at York and Harvard universities. Canada is rapidly being left behind in a race to the bottom and now has an unenviable international reputation as the go-to country for lax beneficial ownership transparency laws.

This is an indication of the importance of what Senator Wetston is talking about, and I’m so glad he introduced the inquiry given his personal background and career experience in this area.

This beneficial ownership is a subject I stumbled upon when I was studying overseas tax havens, and part of the problem with the Canada Revenue Agency is finding out who actually owns assets. The issue of beneficial ownership and tax evasion are closely linked. Over the course of my work I began to appreciate the importance of information and the knowledge and the understanding and the connection between assets and owners. Put simply, if you can hide who owns a given asset, you are well on the way to hiding the asset itself. It is also not surprising to know that a policy favouring secrecy is one of the defining traits of tax havens.

By way of illustration, let me once again talk about the Liechtenstein case, when details of those 102 Canadians who had secret accounts in one bank in Liechtenstein were released by a former employee it was a mystery who they were. But in an article in October 2012, about the affair for *iPolitics*, journalist Elizabeth Thompson noted that almost half the named account holders — 51 of them — “were not the real beneficial owners of the account.” This demonstrates the added layer of difficulty inherent in discovering who really owns a given asset, never mind what can ensue when those owners set out to make such discovery as difficult as possible.

Earlier this year I was invited to speak on a panel sponsored by Transparency International Canada in Toronto, where the theme was “Spotlight on Corruption.” Senator Wetston was there that day as well. The day brought together a host of experts, government, the media, the police, and other organizations dedicated to exposing and combatting financial crime and

corruption. They spoke about the effect of hidden money, whether it is through the laundering of the proceeds of crime, tax evasion, the funding of terrorism or other activities, or the basic corruption that threatens the rule of law and economic development around the world.

To stem this tide, nations need to be able to tie money to the person who owns it. So it is with more complicated assets like companies. As honourable senators have heard, this is a field where Canada has fallen behind. We have heard how easily one can form a business in this country. When Jon Allen, a former senior public servant, appeared before the Senate Banking Committee, he told the committee that in many cases you have to disclose more information to get a library card in Toronto than you do to set up a corporation. In that context the word “register” starts to lose all meaning.

How do you ensure the word does have meaning? Information, or the requirement to disclose more information, is the way to go. One way to achieve this is a national public beneficial ownership registry. Described in a recent article in *Policy Options* as “a database of individuals who own, derive benefit from, or exercise control over a legal entity, whether or not they are the same as the formal legal owners,” such a registry would provide an invaluable resource for those chasing hidden assets. In an age when money can be moved around at a keystroke, a database with accurate up-to-date information is the only way to ensure that Canadian laws are being enforced and to demonstrate our commitment to financial transparency to the international community.

• (1620)

Now, obviously a Canadian registry of beneficial owners would not solve the problem of assets hidden in other countries — that’s a fight for another day. If Canada is serious about combatting overseas tax evasion, we must ensure we are not ourselves a haven for those trying to evade other countries’ legitimate taxes or to hide the proceeds of corruption or other crimes.

When laws and regulations allow individuals and companies to avoid paying their fair share of taxes or the proceeds of crime to be hidden under a pile of paper or for corrupt practices, such as to buy businesses, lands or houses, particularly in our major cities, driving up rents and making it unaffordable for the average citizen of Canada, then all Canadians bear the burden.

Senator Wetston has spoken of the 2014 statement by the G20 nations regarding the need for greater transparency regarding beneficial ownership and a similar measure in June 2013. The countries of what was then the G8 endorsed what they described as a series of “core principles that are fundamental to the transparency of ownership and control of companies and legal arrangements.”

Among those with the proposal of beneficial ownership are companies that should be accessible onshore to law enforcement, tax administrators and other authorities, including, as appropriate, financial intelligence units. This could be achieved through central registries of companies with beneficial ownership and basic information at national or state levels.

Countries should consider measures to facilitate access to companies' beneficial ownership information by financial institutions and other regulated businesses. Some basic company information should be publicly accessible. Fine sentiments indeed, but they need to be followed up with concrete action.

As Transparency International and others have reported, other countries are making progress on this file but Canada is not. In fact, in 2018, the report this year on beneficial ownership entitled *G20 Leaders or Laggards*, Transparency International stated:

Canada remains one of only two assessed countries still to have a weak legal framework, with average, weak or very weak scores across 8 of the 10 G20 Principles.

Surely, honourable senators, we can agree that "average, weak or very weak" efforts would not solve what is a very real concern in this country. Without coordinated efforts at the federal and provincial levels to ensure transparency in the area of beneficial ownership, the problem of shell companies and hidden assets will not go away, but its efforts will continue to be felt throughout the Canadian economy and society.

Senator Wetston's inquiry is an ideal opportunity to bring this issue out in the open so that in the future, the true beneficial owners of Canadian businesses will be there for all to see. Thank you, colleagues.

**Hon. Serge Joyal:** Would the honourable senator entertain a question?

**Senator Downe:** Yes, of course.

**Senator Joyal:** Honourable senators, yesterday we had the opportunity to read the economic statement by the Minister of Finance. Were you surprised in that statement there was nothing at all that really addressed tax evasion and the principles that essentially trigger the way for Canadian companies to cover their assets through various trusts, numbered companies and all kinds of other legal screens?

While the government is insisting Canadian taxpayers are overburdened by charges, I don't understand why the Minister of Finance didn't devote more initiatives to fight tax evasion. Were you surprised there was nothing in the economic statement in relation to that?

**Senator Downe:** The government did take a couple of initiatives. In two separate budgets after their election, they dedicated up to \$1 billion over five years in the first budget and an additional year in the second budget. As colleagues would know, when I asked for information on the expenditures of those funds — it was a written question here in the Senate that Senator Harder was kind enough to get the answer very quickly — we find out as of the last two fiscal years, they have only spent about 11 per cent of that on fighting overseas tax evasion.

There was nothing in the economic statement, as you indicated. There was a very disturbing report earlier this week by the Auditor General that highlighted what we have been saying here for years — and it's in his report; I urge colleagues to read it — that the Canada Revenue Agency treats very differently those who are hiding their money offshore from average Canadians. This has been a long-time problem in the government, which hasn't been addressed, much to my surprise. We have outstanding public servants and people who spoke earlier today about the public service in various departments. We have all worked with them. They are a credit to the country.

As I've said in the past, there is something seriously wrong at the Canada Revenue Agency when their conduct is allowed to continue year after year, misleading Canadians on everything from simple things like the percentage of calls put through to more serious offences and how there is a double standard, as the Auditor General confirmed in his report this week, in terms of how Canadians are treated. For the average Canadian who lives with a T4 slip, the Canada Revenue Agency does an outstanding job. If you are trying to cheat on your taxes, they'll catch you. If you go to their website, you will see all kinds of people posted, charged and convicted, in some cases sent to jail. There is a list of them. There is no corresponding list for those convicted of overseas tax evasion. When the department tells you a number, they won't tell you where they were convicted and in what court. Numerous journalists have tried to track this down. The Auditor General confirmed the complete double standard.

The fact the senior public service, the Clerk of the Privy Council who is responsible for agencies in the public service, nobody takes any action, is it incompetence or collusion? I don't know. It undermines the tax system when Canadians believe that other Canadians are being treated differently than they are. They have the money to lawyer up and move a minimum of half a million dollars to an overseas tax account, your chances of being charged, convicted and fined are nil to none and you are likely to get away with it.

**An Hon. Senator:** Shame!

(On motion of Senator Joyal, debate adjourned.)

## DECIMATION OF ATLANTIC SALMON SPAWNING GROUNDS

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Richards, calling the attention of the Senate to the decimation of Atlantic salmon spawning grounds on the Miramichi, Restigouche and their tributaries.

**Hon. Paul E. McIntyre:** Honourable senators, I rise today in support of Senator Richards' inquiry regarding the decimation of Atlantic salmon spawning grounds on the Miramichi and Restigouche Rivers and their tributaries.

First and foremost, I want to thank Senator Richards for bringing attention to this important issue. It is one close to my heart. I grew up near both of these beautiful rivers.

Wild Atlantic salmon spawn in fresh water, generally in their natal river. Juveniles, or smolts, spend two to eight years in fresh water before migrating to salt water in the North Atlantic. After staying at sea for one to four years, adults return to fresh water to spawn.

Atlantic salmon reproduce in the coastal waters of northeastern North America, Iceland, Europe and northwestern Russia and migrate long distances through various portions of the North Atlantic Ocean.

Salmon born in the Miramichi and Restigouche Rivers eventually travel across the Strait of Belle Isle, between Newfoundland and Labrador, or the Cabot Strait, between Cape Breton and Newfoundland, on their migration to the waters off the coast of Greenland. Both are critical passage zones for North American Atlantic salmon.

European and North American populations of Atlantic salmon share similar summer feeding grounds off southwestern Greenland, where they feed on a diet of crustaceans and small fish.

• (1630)

As noted by Senator Richards, the continued decline of wild Atlantic salmon populations in Eastern Canada is alarming. New Brunswick's famous Miramichi River was once the largest salmon-producing river in North America. However, the number of salmon returning to the Miramichi River is dropping at an alarming rate. They are now a fraction of what they were in 1990s and scientists are not entirely sure why.

Several factors affecting the health of the salmon resource are freshwater habitat quality, climate change, the marine environment and Greenland's commercial harvest. Issues such as predation and open-net pen salmon aquaculture also represent important factors to consider in certain areas.

A contributing factor to this decline is the striped bass. They are a predator of the salmon. With the recent explosion of the bass population in the rivers, more young salmon are being eaten. Research done by the Atlantic Salmon Federation found that striped bass eat a percentage of salmon smolts during spawning season. Experts are saying that until something is done to control the booming striped bass population and, to some extent, the grey seal population, the salmon decline will continue to happen.

Honourable senators, the number of salmon is dropping at an alarming rate on the Miramichi River as returns are substantially down. However, the Restigouche River has, so far, met its minimum of conservation limits.

It should be noted that there are some initiatives in place to try and stop the decline of salmon stocks. For example, the Atlantic Salmon Federation recently secured a 12-year conservation agreement between the North Atlantic Salmon Fund and fishermen in Greenland which they hope will lead to Atlantic salmon numbers rising again in the near future.

Improved scientific collaboration and data-sharing between DFO, Indigenous communities, environmental and salmon conservation organizations and academic institutions is a good step forward in stopping the decline of the wild Atlantic salmon.

That said, it is important for DFO to continue consulting all stakeholders and build partnerships with Indigenous and conservation organizations for enhanced enforcement and protection of Atlantic salmon habitats.

Recently, the federal fisheries minister announced Canada's five-year plan of "concrete actions" that DFO will take to rebuild Pacific wild salmon populations and their habitats. That said, it is imperative that the federal government make the same commitment for wild Atlantic salmon. Thank you.

(On motion of Senator Maltais, debate adjourned.)

## FISHERIES AND OCEANS

### COMMITTEE AUTHORIZED TO DEPOSIT REPORT ON STUDY OF MARITIME SEARCH AND RESCUE ACTIVITIES WITH CLERK DURING ADJOURNMENT OF THE SENATE

**Hon. Marc Gold**, pursuant to notice of November 6, 2018, moved:

That the Standing Senate Committee on Fisheries and Oceans be permitted, notwithstanding usual practices, to deposit with the Clerk of the Senate, no later than November 29, 2018, its final report on its study on maritime search and rescue activities, including current challenges and opportunities, if the Senate is not then sitting, and that the report be deemed to have been tabled in the Senate.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

## NATIONAL FINANCE

MOTION TO AUTHORIZE COMMITTEE TO STUDY ISSUES RELATED TO PUBLIC ASSISTANCE PROVIDED TO MULTINATIONAL COMPANIES BY THE GOVERNMENT—  
DEBATE ADJOURNED

**Hon. Leo Housakos (Acting Deputy Leader of the Opposition)**, pursuant to notice of November 8, 2018, moved:

That the Standing Senate Committee on National Finance be authorized to examine and report on issues related to public assistance provided to multinational companies by the Government of Canada, including the 350 million dollar loan provided to Bombardier Inc. in 2008 and the 373 million dollars loaned to Bombardier Inc. in 2017, taking particular account of, but not limited to, the overall value of such investment on behalf of Canadians; and

That the committee submit its final report to the Senate no later than April 2, 2019, and that the committee retain all powers necessary to publicize its findings until 180 days after the tabling of the final report.

He said: Honourable senators, in the spring of 2017, I moved a similar motion calling for the Standing Senate Committee on Transport and Communications to study the \$373 million handout of public money to Bombardier Inc., looking at the overall investment on behalf of Canadians and whether it was a responsible use of taxpayer money.

It was a reasonable ask at the time and a reasonable ask now. As a matter of fact, given the most recent news from Bombardier about thousands of impending job cuts, I'm of the mind that it would be irresponsible for us not to take a closer look at the use of taxpayers' dollars.

I'll remind you, colleagues, that I wasn't alone in my desire for answers last time around. As a matter of fact, my motion received considerable support from a number of my colleagues in this chamber, including Senators Lankin and Pratte standing to express their concerns at that time. For those of you who weren't here or can't recall what was said at that time, allow me.

My initial motion was prompted in the spring of 2017 by news of substantial increases to bonuses for Bombardier executives and senior management while at the same time the company was going through massive layoffs. This was also around the same time the company had received close to \$1.5 billion in funds between the provincial government of Quebec and the federal government.

What I found, and still do find, very troubling about all of this was that the gift — and I call it a gift because we've not seen anything to indicate otherwise — this taxpayer money appears to have been awarded without any apparent conventions attached to ensure against such a travesty.

As a matter of fact, months earlier I had asked Prime Minister Trudeau's leader in the Senate about precisely that. On February 8, a day after the federal gift was announced, I asked Senator Harder what assurances his government had received

from Bombardier that the \$373 million gift of taxpayer money wouldn't be going into "pockets and bonuses of senior executives of Bombardier" at the expense of middle-class Canadians. Little did I know how prophetic was my question. It wasn't even two full months later that we heard about the increase in executive bonuses at Bombardier.

Also at the time of my original questioning to the government leader in the Senate, his response was that the use of hundreds of millions of taxpayer dollars by his government was entirely appropriate to advance the Bombardier C Series. However, eight months later, Bombardier sold control of its marquee C Series program to Europe's Airbus Group for a controlling share.

Now here we are with the news of more job losses. Thus, I am compelled to renew my call to have this apparent misuse of taxpayers' dollars studied here in the Senate.

Over the last few years, there continues to be an attempt under the guise of Senate reform and modernization to eradicate from the upper chamber one of the most tenets of our Westminster Parliament, which is holding the government accountable on behalf of the people of Canada.

In a bicameral system, when the lower house is handcuffed as a result of a majority government, it is all the more incumbent on the upper house, whose members are independent thanks to their security of tenure, to do so. That's what we're here for, colleagues.

I'm renewing my call to have this matter studied because we didn't get the answers 18 months ago. We were stymied here in this place by the government, and now we're hearing of more job losses at Bombardier, including thousands in my neighbourhood of Montreal, where I'm from — 2,500 jobs.

If we're not here to speak on behalf and get answers for those Canadians, and for all Canadian taxpayers, then why are we here, colleagues? If, once again, we allow the government to stymie our efforts as parliamentarians to take a closer look at this use of taxpayers' dollars, we aren't worth much to the people who pay our salaries.

All we are seeking is what an investor would or should seek before handing over their hard-earned money. What assurances do we have that this is a sound use of our money? These are the simplest of questions. Is this a loan? If so, what is the repayment schedule, and will it be repaid with interest?

Both the Quebec and the Trudeau governments don't think that taxpayers deserve to have any guarantee that their money will be spent wisely or to even ask questions. And I think it is our obligation to show otherwise, certainly as it pertains to the federal portion of those funds.



• (1640)

I know there will be claims that it is not our place to look into the affairs of a private company. I would argue Bombardier forfeits that protection when it continues to come with its cap in hand looking for and receiving public money. The argument against probing a private company wears thin when you're using public money to stay in operation.

We aren't talking about a completely self-sufficient private company. We are talking about a company that has received hundreds of millions, if not billions of dollars, from the Canadian public over many years. The Trudeau government gives its gifts of hundreds of millions of taxpayers' dollars to Bombardier under the Strategic Aerospace and Defence Initiative, with little to no requirements regarding the use of the funds. They made it under the auspices of protecting and creating middle-class jobs but sought absolutely no mechanisms to guarantee that would be the case. As we know now, the very opposite, unfortunately, has occurred.

If we're going to continue to make loans or agreements like this, we must be both strategic and responsible about it. We are talking about public money here. Governments not only have to be truly transparent about the terms of these types of deals, but they also have to be responsible and put covenants in place on the use of the funds. Banks, other private lenders or investors are not afraid to put a long list of conditions, representations and warranties in their deals to protect their interests. Don't taxpayers deserve the same sorts of protection?

The previous government certainly thought so. I know the last time we had this debate, Senator Bellemare raised the issue of other such government assistance initiatives. Senator Bellemare was arguing against making this a partisan issue before she went on to make it a partisan issue. But I digress.

Yes, Conservative governments have undertaken the use of taxpayer money to protect industries in times of need. But there are some differences. In 2013, Air Canada was looking down the barrel of a gun, facing the very real possibility of being grounded as they struggled to deal with deficits in their pension plan. The Harper government knew it had to act. However, Finance Minister Jim Flaherty did not let the urgency of the situation force him to act irresponsibly or flippantly with taxpayers' money. Jim Flaherty attached conditions in the government's deal with the airline, including a freeze on executive compensation tied to the rate of inflation, a ban on special bonuses and limits on executive incentive plans. It was the prudent thing to do then, as it should have been with the Trudeau handout to Bombardier.

Regardless, as I said, Senator Bellemare is correct in pointing out that the Trudeau government isn't alone in participating in government investments of this nature. That is why, when we last had this discussion, I readily agreed to the amendment to my motion put forward by Senator Pratte to open the study up to more than just Bombardier. You'll note the motion I'm bringing forth now reflects that. It also reflects my agreement with Senator Pratte's proposed amendment last time around to send this to the Finance Committee rather than Transport.

This is not about a "gotcha" moment for me, colleagues. This is about getting to the heart of this for Canadian taxpayers. Do they not deserve to know even the most basic details about a loan of this magnitude and others of this nature? For a government that prides itself on supposedly being transparent, why has this government not been forthcoming? We aren't talking about design schematics or anything of the sort here. Again, we are talking about the most basic information you would expect when you make a loan: when the repayment schedule is and whether the loan is interest-free.

It should come as no surprise that Bombardier doesn't want to divulge any information. Colleagues, this is a company that has been to court in the neighbourhood of 10 times in nine years to avoid having to divulge information about government funding it receives. Bombardier usually cites competitive concerns to suppress information, despite the fact that, in many cases, its industry peers allow this exact same type of information to be released.

Regardless, Bombardier doesn't owe us those answers. They're just taking what they can get under the conditions they can get it.

But what's the government's excuse? What's Parliament's excuse? This government's cavalier attitude toward expenditures of public funds and their condescending attitude when asked to account for those expenditures should not be tolerated, certainly not by this independent house of Parliament.

If the Trudeau government continues to use its majority in the House of Commons to avoid giving Canadians the answers they deserve, it is up to this independent chamber and this group of independent senators to get those answers for them.

That's why I moved:

That the Standing Senate Committee on National Finance be authorized to examine and report on issues related to public assistance provided to multinational companies by the Government of Canada, including the 350 million dollar loan provided to Bombardier Inc. in 2008 and the 373 million dollars loaned to Bombardier Inc. in 2017, taking particular account of, but not limited to, the overall value of such investment on behalf of Canadians; and

That the committee submit its final report to the Senate no later than April 2, 2019, and that the committee retain all powers necessary to publicize its findings until 180 days after the tabling of the final report.

Thank you, colleagues.

(On motion of Senator Gold, debate adjourned.)

[Translation]

### THE SENATE

#### MOTION TO REAFFIRM THE IMPORTANCE OF BOTH OFFICIAL LANGUAGES AS THE FOUNDATION OF OUR FEDERATION IN LIGHT OF THE GOVERNMENT OF ONTARIO'S CUTS TO FRENCH SERVICES—DEBATE ADJOURNED

**Hon. Julie Miville-Dechéne**, pursuant to notice of November 21, 2018, moved:

That the Senate, in light of the decisions made by the Government of Ontario with respect to the Office of the French Language Services Commissioner and the Université de l'Ontario français:

1. reaffirm the importance of both official languages as the foundation of our federation;
2. remind the Government of Canada of its responsibility to defend and promote language rights, as expressed in the *Canadian Charter of Rights and Freedoms* and the *Official Languages Act*; and
3. urge the Government of Canada to take all necessary measures, within its jurisdiction, to ensure the vitality and development of official language minority communities.

She said: Honourable senators, “English and French are the official languages of Canada and have equality of status and equal rights and privileges . . . .”

That is what the motion is about. That is what our Constitution states. It is one of the pillars of our federation.

The Senate and the principle of federalism are closely linked. The purpose of the Senate is to accommodate the vast differences between the regions and the provinces. It was created to counterbalance the demographic representation of the other place. The federative pact depended on explicitly obtaining equality in the upper chamber to represent regional and minority interests.

In the *Reference re Secession of Quebec*, the Supreme Court of Canada points out that the respect for and protection of minorities represent an unwritten constitutional principle of Canada.

The Senate is the ultimate institution for representing every segment of our society, including official language minority communities.

As the highest court in the land unanimously ruled, the Senate is a national forum for minority groups:

. . . that did not always have a meaningful opportunity to present their views through the popular democratic process.

Historically, this lack of a forum put not only francophone minorities but also indigenous peoples at a disadvantage, since the latter were not even included in the Confederation pact. Indigenous peoples also have traditional languages that are at risk of extinction, and recognizing that reality does not take anything away from other minorities.

Today, the Senate once again has a constitutional obligation to speak out loud and clear for the protection of the language rights of the Franco-Ontarian community, which has suffered some tough blows lately: the position of French Language Services Commissioner has been eliminated, and plans to build a French-language university in Ontario have been scrapped.

On top of that, it was reported yesterday that one of the major players in Franco-Ontarian theatre, La Nouvelle Scène, will no longer receive a grant it had been promised to help pay down its debt. This morning, we learned that the Centre franco-ontarien de ressources pédagogiques is losing a grant that enabled it to publish three magazines for children.

My motion should not be perceived as interfering in the decisions of a provincial government. But there is no question that these budget cuts send a disturbing message to the Franco-Ontarian community. That is what we must focus on.

Let's be clear. The Government of Canada has a duty to defend the half a million francophones living in Ontario. They are the largest francophone minority group in the country. This duty is clear: in the Official Languages Act, a quasi-constitutional act, the federal government made specific commitments to enhance the vitality and support the development of official language minority communities. The commitments include the following:

- (1650)

[English]

Encourage and assist provincial governments to support the development of English and French linguistic minority communities generally and, in particular, to offer provincial and municipal services in both English and French and to provide opportunities for members of English and French linguistic minority communities to be educated in their own language.

Encourage and assist provincial governments to provide opportunities for everyone in Canada to learn both English and French.

[Translation]

Consequently, the Government of Canada must take positive steps to assist the provinces with official languages. This could take the form of a financial contribution under an agreement, for example, which would be in keeping with the federal and provincial constitutional jurisdictions.

The Canadian Charter of Rights and Freedoms provides that there is no limit to the authority of Parliament or a legislature to “advance the equality of status or use of English and French.”

As a Quebec senator, I believe that it is my duty to present this motion in solidarity with my fellow Canadians who live in French in the rest of the country.

While travelling through the provinces and meeting these communities, I have seen firsthand their strength of character and also the challenges and obstacles faced by these people, who are trying to live in French in an anglophone environment. You have to be strong to hold onto your language when faced with the immense pressure of anglicization. You have to be strong to pass this beautiful language on to your children in a globalized world where young people live in English-only virtual networks. Our language is under attack in Quebec, even though we live in a francophone majority setting. It is easy to see that here in Ottawa, the nation's capital, and throughout Ontario, the threat of anglicization is a thousand times greater.

That is why it is important for Franco-Ontarians to have institutions “by and for” francophones to prevent assimilation. We need French educational institutions, from daycare through to post-secondary institutions. It is much more difficult to live in French and hold onto your language when you are studying in English or even at a bilingual university.

The comparisons are not perfect, but they should give you an idea of the discrepancies in the services provided to linguistic minorities across the country. As far as post-secondary institutions are concerned, Quebec has three anglophone universities to serve a community of 657,000 Quebecers whose mother tongue is English. In Ontario, where there are 530,000 francophones, the French-language university that is being axed would have been the only university “by and for” francophones.

The elimination of the position of French Language Services Commissioner could have serious consequences. The commissioner was the watchdog for French services, an independent ombudsman dedicated to a single cause. Franco-Ontarians could count on the commissioner to enforce their rights and ensure that the government met its obligations to them.

We should all be concerned about the fate of these communities from coast to coast to coast. I hope that my colleagues will support this motion so that we can show a united front on such a fundamental issue of identity for Canadians as language.

Thank you.

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

**Hon. Peter Harder (Government Representative in the Senate):** Honourable colleagues, I would like to thank Senator Julie Miville-Dechéne who, with her motion, has called the attention of this chamber to the troubling situation going on in Ontario with respect to official languages. I won't be responding to the motion in this speech, but I want to express my full support for these efforts. Obviously, I am an anglophone.

[English]

I speak as an anglophone, albeit one whose mother tongue is German. I speak as a francophile whose tongue does not wrap easily along the lines of the language of Voltaire. I speak as an unaffiliated Ontario senator and as a former public servant who has had the benefit of working in a bilingual workplace.

I cannot be silent about recent actions by the Government of Ontario, the Premier of Ontario, to halt plans for the creation of a francophone university in our largest city, Toronto, and to eliminate the post of French Language Services Commissioner.

Canada's linguistic duality is a fundamental characteristic of our national identity. We have the responsibility, as legislators, to preserve and promote the rights of official linguistic communities across Canada. That means protecting the rights of anglophones in Quebec, as well as francophones outside of Quebec.

The history of Canada's Confederation is proof of how differences can become strengths, of how openness to understanding others can define a people and can become the fundamental value of a nation.

Canada's linguistic duality is at the foundation of today's Canada — a country that welcomes, with open arms, people from around the world. This foundation has defined the quality of our citizenship and who we are as a people.

I would like to quote our colleague the Honourable Senator Pratte, who was, as always, very eloquent in a recent op-ed article in the *Toronto Star*. He said:

Not only will eliminating the position of the French Language Services Commissioner and killing the project of a French-language university in Toronto have little impact on the provincial government's balance sheet; they demonstrate a profound indifference, if not worse, toward the French minority's rights and needs.

What French-language minority communities need, beyond legislation, is the chance to be strong — to live in French, to grow in French, to learn in French and to play in French. There is still much work to do before we can ensure the vitality of French-language minority communities. I am here to say this is not a battle for one community to fight alone. We need to work together to understand and respond to the needs of these communities.

Honourable senators, within Canada, Ontario traditionally sees itself as the expression of the country we have been, the country we are, and the country we will become. The actions of the Premier of Ontario are those of a province in retreat.

As honourable senators know, I came to this place after decades as a public servant. I did spend some years as a political staffer. I was there in 1983 when the Progressive Conservative caucus of the day, led by the then Leader of the Opposition, Brian Mulroney, took a strong stance as a defender of linguistic minority communities. He said:

Our collective evolution has determined that two peoples speaking English and French were united in a great national adventure. This unique situation has given birth to our Canadian citizenship . . . This resolution compels us to remember our overriding commitments in this country of almost limitless space, overflowing with great opportunities for the future. These commitments comprise a respect for our linguistic and other minorities, a long-held desire to encourage their flowering, and the duty to protect the rights of our minorities, wherever they are.

I believe this was a defining moment for a leader — the moment that transformed Mr. Mulroney from a Leader of the Opposition to the national leader he became.

Honourable colleagues, today is the time for this Senate, for this chamber, to become the leader it should be and support this motion. In doing so, we will express our full support for both official languages; for language rights, as expressed in the Canadian Charter of Rights and Freedoms and the Official Languages Act; and for the protection, vitality and development of official language minorities across Canada.

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

[Translation]

**Hon. Ghislain Maltais:** Honourable senators, first of all, I sincerely congratulate Senator Miville-Dechéne for having moved this motion and for the way she did it. She managed to make it non-partisan. One of the things I deplore is that we often hear people in this chamber say that we are non-partisan, but as soon as you turn on the radio or look at a newspaper, they are attacking the political leaders. That is not our role here in the Senate.

• (1700)

To defend what we must defend today, we must know where we come from. Francophones have been here since 1534, 229 years before the arrival of anglophones in Canada. At the time, Canada extended from Île Saint-Jean to the Rocky Mountains and down through the Ohio Valley to Louisiana. That was Canada in the 16th and 17th centuries.

The First Nations were among us. They have been here since time immemorial. As Senator Miville-Dechéne said, Canada is the product of a collective effort. When the Fathers of Confederation met and decided they needed to build a strong country, the first condition was that we all be accepted as we were: First Nations, francophones, anglophones and others who have joined us across Canada over the centuries.

Canada was one of the first countries to adopt a charter to protect its people, its language and its culture. Canada has been an example for the rest of the world. Anyone who ventures out into the world will see that few countries have a charter to protect their citizens like Canada does.

I see my friend Senator Joyal, who came to the Official Languages Committee to explain how many battles he has led to help preserve one of the official languages. When you are a founding people of a country, you do not want to hear that you represent a tenth or twelfth language. You do not like that.

I have a great deal of respect for my anglophone colleagues, and a great deal of respect for anglophone Quebecers. We live somewhat in harmony, and I would not tell them that their language is twelfth or thirteenth because that would mean that there is a twelfth or thirteenth culture in Canada, which is based on two cultures. Consequently, if we want Canada to progress we must respect these cultures.

[ Senator Harder ]

In reference to language and culture, in another Parliament I experienced some very difficult language laws. Language and culture are hot button topics. I'm very disappointed to see what is currently happening in Ontario. As the old saying goes, you reap what you sow. What we are seeing now is the reaping. *A Mari Usque Ad Mare*. Francophones and anglophones have shown very strong opposition to what is going on in Ontario. Need I remind senators that this is quite a large community that helped build this province? They have a right to respect for their education, their educational institutions, and above all they have a right to be considered full-fledged Canadians. Whether we are talking about Newfoundland and Labrador, Prince Edward Island, Nova Scotia, New Brunswick, Quebec, Ontario, Manitoba, Saskatchewan, Alberta, British Columbia, or the territories, minorities have every right to be respected for who they are.

This is Canada's strength. If we cannot overcome this fear, we are no longer the country we know as Canada. We will lose our Canadian identity. I am a staunch defender of the French language, as you know, honourable senators, but I am also a staunch defender of my country, Canada. I accept this country with all of its communities, because there are not just two of them. There are all kinds of communities in all of our major cities: Italian communities, Jewish communities, Asian communities, and I could go on. I love living and working with these people and welcoming them to my country of Canada.

The value of Senator Miville-Dechéne's motion is in how it was designed. In clause 2, she reminds the government that it has a responsibility to defend and promote language rights, as expressed in the Canadian Charter of Rights and Freedoms. Therein lies the motion's very meaning. Today, this motion applies to Franco-Ontarians, and tomorrow, it will apply to anglophone minorities in certain provinces.

The Charter must apply to all. It would be unacceptable to let this happen. I don't know what power we have here in the Senate, but I think this motion needs to go well beyond this chamber, and I think it needs our unanimous support. I invite all my colleagues, whatever their language or culture, to join forces with Senator Miville-Dechéne to ensure her motion goes beyond the Senate to tangibly and meaningfully benefit our fellow citizens in Ontario. Thank you.

**Hon. Raymonde Gagné:** Honourable colleagues, I fully support this motion. I would like to use the little time I have to try to help you understand just how much time and energy and how many resources the community responsible puts into a major project like the Université de l'Ontario français. Let's be clear. This is not just a promise made by the former government that Ontario decided to not to keep. When the Ontario legislature passed the Université de l'Ontario français Act on December 14, 2017, it was the culmination of a project dating back 50 years, one that, like many francophone minority community projects, moved forward slowly, little by little. In fact, according to historian Serge Dupuis, and I quote:

This movement began in the 1960s in the face of the marginalization of francophone workers and the barriers hindering the expansion of the French programming at Laurentian University.

I was President of the Collège universitaire de Saint-Boniface when it completed its transition and became the Université de Saint-Boniface in 2011, so I can say from personal experience that this sort of project is not something that is hatched overnight. There was already talk of having the Collège de Saint-Boniface designated as a university when I was going to school there in the 1970s, but we had to wait until 2011 for that to happen. Imagine all of the efforts that must have been made by several generations — yes, generations — in order to get to the point where the Université de l'Ontario français could become a reality.

In short, when a wonderful and major project such as this is finally agreed to and it starts to be implemented, it cannot simply and suddenly be abolished on a whim.

It is important to note that an acting president and a board of governors for the Université de l'Ontario français were already in place. In fact, the board issued its first annual report this week, which very eloquently described the imminent opening of what was destined to be a great institution. It was not simply a dream or a promise that was killed. A major accomplishment, the result of blood, sweat, tears and a lot of patience, was destroyed.

• (1710)

Official language minority communities build their own institutions, but they also rely on them to ensure their survival and to achieve their full potential. The Université de Saint-Boniface, which celebrated its two hundredth anniversary this year, serves as a hub for the francophone and francophile community of Manitoba and Western Canada at large. Building the Université de l'Ontario français in Canada's largest city, in the heart of the Canadian province that is home to the most francophones after Quebec, would clearly have served a similar role.

The French-language university is not the only institution that was targeted. The Office of the French Language Services Commissioner, led by François Boileau, will also be abolished. The ombudsman's office will take on its duties. The Office of the French Language Services Commissioner does not just handle complaints, however. It actively participates in developing best practices for the active offer of services. This means that we are losing another institution that was a source of pride for Ontario in Canada and around the world, and that had fought for years to gain its independent status.

Honourable colleagues, the economic argument has been made *ad nauseam*. My intention, and that of the motion, is not to tell any province where or how it should spend its money, but the economic argument is not compelling. First, there are no anticipated savings from closing the Office of the French Language Services Commissioner, since all the resources will be reassigned to the office of the ombudsman.

Anyone making the economic argument has to be aware of an undeniable fact, namely the disproportionate impact on official language minority communities. People who say that withdrawing funding from the French-language university did not target francophones because two anglophone campuses were also closed are forgetting one key point: The French-language university that the Government of Ontario wants to close is the only French-language university in the province. Indeed, it is the

only one that has been in the making for 50 years. You have to be aware of that and not compare things that simply cannot be compared. The ultimate proof that this is not about money is that when it was reported yesterday that a francophone theatre centre, La Nouvelle Scène Gilles Desjardins, was also losing its funding, Franco-Ontarian lawyer Anne Lévesque offered this eloquent analysis on social media:

It's taking away our voice, our mind, and now our soul.

Honourable colleagues, this motion allows us to reiterate our commitment to linguistic duality as a fundamental aspect of our reality.

It also allows us, as a chamber of Parliament dedicated to protecting minorities, to remind the federal government that it has a duty, within its own jurisdiction, to enforce the rights of linguistic minority communities, including the right to achieve their full potential. Thank you very much.

**Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, I will be brief. I too unequivocally support Senator Miville-Dechéne's motion, and I sincerely thank her for moving it. I hope it receives unanimous support.

Canada's linguistic duality is a constitutional reality. It forms the foundation of Canada as we know it. It is part of our Canadian identity and integrity. We must proclaim this loud and clear. The recent political actions of certain anti-French governments must be denounced and stopped. The French fact in Canada should be celebrated and encouraged.

Honourable colleagues, we are living in a time of growing populism in politics. By definition, populism is divisive. It cultivates an us-versus-them feeling. In this time of change of all kinds — the climate change, clash of values and demographic shifts that we are experiencing and will continue to face — we need more open-mindedness.

If regions and provinces no longer recognize our constitutional DNA, how will Canada survive? If the right arm has no idea what the left arm is doing, it will be hard to function, and if the heart has nothing to do with the lungs or vice versa, a crisis is unavoidable. If Canada's constitutional DNA is not respected, it will be hard to integrate newcomers, those who are different, and to work towards reconciliation with First Nations. We must put an end to populism and, above all, to anything that casts doubt on the pact between francophones and anglophones in this country.

The recent political decisions by the Ontario government are shameful and require us, the Senate of Canada, to take action. Let's adopt this motion quickly and unanimously. Thank you.

**Hon. Lucie Moncion:** Honourable senators, I will save my comments for Tuesday. Thank you.

[English]

**Hon. Josée Forest-Niesing:** Honourable senators, hello/*bonjour*.

[*Translation*]

That is how people are greeted in Canada. As Canadians, we are privileged to be able to address one another in either of this country's official languages from coast to coast to coast.

Protecting and promoting official languages has been a lifelong passion of mine. As an Ontarian, it was my destiny to experience the serious challenges faced by francophones in minority communities and to celebrate the amazing victories that emerged from their many struggles. Those victories belong to the French-Canadian community, of course, but they also belong to our unilingual anglophone compatriots, the vast majority of whom feel a sense of pride in our linguistic duality. I have often enjoyed conversations in French with unilingual anglophones who were taking French classes and wanted to practice their new language. I have also enjoyed conversations in English about people's decision to have their children educated in French, that they might have every opportunity to benefit from our great country's linguistic and cultural duality.

For the past week, members of francophone communities across the country and especially in my home province of Ontario have been expressing dismay at the decision to cancel plans for the Université de l'Ontario français and to eliminate the post of French Language Services Commissioner. Those actions were seen as an insult to the more than 600,000 Franco-Ontarians and the millions of francophones in this country who have been rising up since last Thursday in defence of their constitutional rights.

In contrast, our federal government announced the reinstatement of the court challenges program, whose mission is to protect our linguistic minorities and support their institutions and organizations on the ground.

- (1720)

Moreover, the Minister of Tourism, Official Languages and La Francophonie, Mélanie Joly, intends to expand this organization's mandate in response to the cuts announced and defended by her provincial counterpart, Caroline Mulroney.

In contrast, the government of my province of Ontario imposed significant cuts to the education of their children, their cultural environment and their fundamental rights that will further weaken these linguistic minorities. What a contradiction, and what a tragedy.

Led by Senator Miville-Dechéne, some senators concerned by this unacceptable situation have proposed to reaffirm the importance of both official languages as the foundation of our country by invoking the protection conferred by the Canadian Charter of Rights and Freedoms, the Official Languages Act and, in Ontario, the French Language Services Act, 1986. This motion would also urge the Government of Canada and the Government of Ontario to explore opportunities for collaboration in their respective jurisdictions to maintain these two institutions, which are important to Ontario's francophonie. A collaborative approach could lead to negotiated solutions without requiring a legal challenge.

[ Senator Forest-Niesing ]

We are all affected by this issue, no matter our mother tongue or province of origin. As Canadians, whether or not you speak both official languages, your Canadian identity is in question, as is that of your children and grandchildren.

I urge you, honourable senators, to be open to our comments and to vote in favour of this motion.

Thank you, *meegwetch*.

**Hon. Paul E. McIntyre:** Honourable senators, I rise today to speak in support of Senator Miville-Dechéne's motion to reaffirm our two official languages' importance to the foundation of our federation in light of the recent cuts to French-language services by the Government of Ontario.

As a senator from New Brunswick, the only officially bilingual province in Canada, as a bilingual senator, as a senator who serves on the Standing Committee on Official Languages, and as a former chair of the Assemblée parlementaire de la Francophonie, I care deeply about the topic of our official languages.

Dear colleagues, I think you'll agree that linguistic duality is one of our country's most fundamental values. The history of Canada's official languages goes back more than 150 years.

As you know, during the pre-Confederation negotiations, French-Canadian members of Parliament strongly opposed the notion of optional bilingualism. Their work paid off, and the use of French and English became mandatory in the activities of the Parliament of the Dominion of Canada, with section 133 of the Constitution Act, 1867, the purpose of which is to grant, and I quote:

. . . equal access for Anglophones and Francophones to the law in their language and to guarantee equal participation in the debates and proceedings of Parliament.

A number of extremely important events occurred after Confederation. The Office of the Commissioner of Official Languages website has a timeline describing each of these events.

Honourable senators, as Senator Miville-Dechéne and other colleagues mentioned, we need to remind the Government of Canada of its responsibility to defend and promote language rights, as set out in the Canadian Charter of Rights and Freedoms and the Official Languages Act. We must call upon the Government of Canada to take all of the necessary steps within its jurisdiction to ensure the vitality and development of official language minority communities.

Many people have fought over the decades and many others continue to fight every day to have their language rights recognized across Canada. We cannot lose ground now. We need to continue to move forward for the good of all official language minority communities and all Canadians.

It is absolutely vital that we defend and promote the language rights of our two founding peoples. We need to defend Canada's bilingualism from any affront.

I will close with the following quote, found on the website of the Office of the Commissioner of Official Languages, which states:

Canada's official languages belong to all Canadians, regardless of their linguistic background or whether they are unilingual, bilingual or multilingual.

I join my voice with that of Senator Miville-Dechéne and the voices of all those who, like me, care about Canada's official languages and bilingualism.

Thank you.

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

[English]

**Hon. Patricia Bovey:** Honourable senators, I too stand in support of the motion in respect of the importance of both Canada's official languages, their enshrinement in the Canadian Charter of Rights and Freedoms and their central place in Canada's Official Languages Act.

Speaking as an anglophone Manitoban, or I hope, as one who might be considered a francophile, in my view, this is an urgent issue. I want to underline the need for teaching French in every level of education, preschool through post-secondary programs, undergraduate and graduate and the importance of encouraging the use of the French language throughout Canada. These needs are ongoing, indeed, essential, and not just for Canada's francophones and francophiles but for all Canadians. Our language and multicultural realities define who we are as a people and as a nation — and this, our unique being, is to be cherished, protected and expanded.

Language and culture are critical to our being, as individuals, regionally and nationally. Language and culture are inextricably tied. The expression of language and culture needs to be encouraged at home, at school, in our universities, by our newspapers, the media, our organizations and throughout society as a whole.

I hear this wherever I go — in my home city and province, in my travels across Canada, and in my international work over many years. Indeed, at this year's Arctic Parliamentary Conference in Inari, Finland, where the eight polar countries discussed issues and concerns that affect us all, language and culture joined climate change as central themes.

In my recent discussions with the deputy speaker of the Senate of France, he was particularly congratulatory to us regarding Canada's languages and our use of both English and French. I had just spoken in both languages, so was very proud to hear those accolades and observations. Working and living in both languages is who we are as a nation.

So where are we now? How do we celebrate and protect our roots? How do we enable Canadians to learn work in their first language while enabling others to learn a second or third or fourth language?

[Translation]

When I was young, there were no opportunities for anglophones to receive education in French. Fortunately, as a teenager, I had the opportunity to live with a family in France for a whole year. Things were better for my children. One of my daughters was accepted into the late immersion program in British Columbia. It was a good program, but not advanced enough for her to be able to work in French. These programs are very important and, in my opinion, we must continue to offer and improve them. It is vital that francophones have access to education in their mother tongue.

• (1730)

[English]

However solid a culture and language may be, they are also always in peril, especially in today's world of conflict and changing philosophies. Culture evolves and grows, and yet it is fragile. While the reach throughout society of the use of a language or the number of students and cultural attendees are certainly measurable, the real reach of language and culture is intangible. Such experiences affect one for many years to come and often in ways unimagined. That has certainly been my personal and professional experience.

A recent report from Hill Strategies, which I received just last week, showed that almost all Canadians take part in arts and cultural activities, underlining our basic need as human beings to explore and participate in who we are, underlining for me the human right and societal obligation for accessible cultural activities, including all those of language.

My concern for the future of our languages and culture became even greater when I read yesterday that Ottawa's major francophone theatre, La Nouvelle Scène, had a \$3 million promised Ontario investment reversed. These monies were to be for the theatre's program and upgrades and to assist in covering costs of a recent upgrade. Their work has been excellent. As one audience member wrote:

[Translation]

The artistic programming offers plenty of variety. The productions are top-notch. Go spend a perfect artistic evening there.

Its mandate is described as follows:

La Nouvelle Scène Gilles Desjardins . . . is Ottawa's centre of francophone theatre . . . This performing arts centre offers a diverse program of theatrical performances by its four resident theatre companies (Théâtre du Trillium, Théâtre de la Vieille 17, Vox Théâtre, Théâtre la Catapulte), a music series, and many stage shows (theatre, music, dance, performance) presented by other companies from the Ottawa-Gatineau region, across Canada and around the world. The new theatre has two performance studios with 173 and 80 seats respectively, a rehearsal studio, a bar/courtyard that can accommodate more than 200 people . . .

[*English*]

This is a truly important organization in Ottawa, just as francophone theatres are across Canada, like Cercle Molière in St. Boniface.

Colleagues, I support this motion and hope you do too. We must always be on guard to ensure our languages and culture are healthy, vital and accessible to all. Please ensure we maintain and deepen the opportunities for all Canadians to be educated in and to partake in the official language of their choice and their roots and that our diverse culture is there for all.

How would those of us who are anglophone react if our English-language universities, cultural organizations and services were suddenly taken from us?

Thank you.

[*Translation*]

**Hon. Marie-Françoise Mégie:** Honourable senators, I wholeheartedly support the motion from my colleague the Honourable Senator Miville-Dechéne.

I still remember very clearly that when I first became a member of Médecins francophones du Canada, many of my Franco-Ontarian colleagues were still in the midst of a bitter fight to save the only French-language teaching hospital in Ontario, the Montfort, from being shut down permanently. As an association that promotes French in medicine, Médecins francophones du Canada stood firmly behind the Montfort Hospital.

It is my duty, as outgoing chair of that association, as a senator from Quebec, as a parliamentarian and as a citizen, to express my solidarity with my Franco-Ontarian sisters and brothers in their fight to protect their rights from government decisions that undermine their collective development.

[*English*]

I just hope that everyone in this house will support this motion.

**Hon. Tony Dean:** Honourable senators, I rise to add my voice to support for Senator Miville-Dechéne's motion this afternoon, which seeks to reaffirm the importance of both official languages as a foundation of our federation.

It's also important, I think, to take a moment to recognize the many languages inherited from those peoples who were here a long time before all of us.

I'm speaking today not only as a senator who understands his obligation to advocate for and protect minority and linguistic rights.

[*Translation*]

I'm also speaking as an anglophone who lives in Ontario.

[*English*]

I recognize that democratically elected governments, as you all do, have the right to set out their legislative and fiscal priorities. But I would like to talk briefly on the consequences of a decision made last week by the provincial government in Ontario that would see the closure of the French Language Commission of Ontario, the cancellation of a French-language university in my community, and continued cuts to the French theatre, La Nouvelle Scène, and education for Franco-Ontarian children.

[*Translation*]

My dear colleagues, Mr. Ford's decision to abolish the Office of the French Language Services Commissioner will affect more than just Franco-Ontarians.

[*English*]

It is a decision that will affect all of us across the province. It is symbolic of a deeper issue that sends a message to Ontarians, and Canadians, that linguistic rights and freedoms are not considered valued or important.

The commissioner ensures that the rights of Ontario citizens and the obligations of government and government agencies are respected according to the French Language Services Act. The commissioner makes recommendations for improving the delivery of services in French, monitors progress, conducts independent investigations following complaints or on his own initiative, prepares reports and advises the government, government agencies and MPPs to promote compliance with the act.

Independent commissions are vital to how our governments operate in Canada. They ensure that the rights of Canadians are protected by providing independent oversight to ensure compliance of our laws and ensure fair and equal delivery of services offered by our elected governments.

In the absence of a designated body to oversee compliance with the French Language Services Act, there is a serious potential that the French-speaking minority in my province of Ontario will not be able to access services in their first official language. This would be a violation of the Canadian Charter of Rights and Freedoms, and it would erect significant barriers for those requiring access to public services across the province.

The province also announced that the government will be cancelling plans to build a francophone university in the Greater Toronto Area. This is extremely concerning and unfortunate. Universities, as we all know, are an important source for research and the production of academic resources and set the foundation for future generations' key areas of expertise and development of their disciplines.

A francophone university in Toronto would provide access to education in our second official language not only to the hundreds of thousands of Franco-Ontarians living in the province, but to many other French Canadians who would have liked to study in the region. The university would have enriched the linguistic profile and diversity of Canada's most populated city and would have given more options to many French-



speaking Canadians and international students who wish to pursue their studies in French. It would have promoted bilingualism, created jobs and added to the social fabric of our community.

Bilingualism is especially important and acts as a defining piece to the overall identity of Canada. I found this having been born in the United Kingdom. I have always thought Canada is made richer because of its protection and promotion of the French language. Bilingualism unites all Canadians by promoting a heightened awareness of linguistic interests as well as a shared minority interest from coast to coast to coast.

Our recognition of two official languages is an international asset. French is the dominant language of important international institutions like the European Union and the United Nations. French is spoken in 29 countries, and it is estimated there are 275 million French-speaking people around the world.

Closer to home, in my province, Ontario is home to the largest French-speaking minority in the country, with over 600,000 francophones.

• (1740)

According to the latest information, 42 per cent of the community live in the Ottawa area and 19 per cent reside in the Greater Toronto Area. I am also personally familiar with Northern Ontario, where over 20 per cent of Franco Ontarians live. The proliferation of the French language and culture in these northern communities has contributed significantly to the unique identity of the region.

On a personal level, it became very clear to me just how important French language services are after arriving in this place, in this Senate. As an anglophone, it is really easy to take for granted how everyone easily accommodates us. I have been really well accommodated. Documents are always prepared in my language, usually first, services are offered first in my language, emails, conversations and debate occur primarily in English first. I often reflect how difficult it would be for me to do my job properly if English wasn't my first language. I recognize how disadvantaged I may be every day in personal and professional interactions.

[Translation]

Once I realized this, I started taking French courses here, in the House of Commons. I support bilingualism because it is important to me, and I think we need to recognize and respect the language rights of the people of the province I represent.

[English]

I urge my anglophone counterparts to encourage and promote the linguistic rights of French Canadians. All our voices need to be heard on this issue.

[Translation]

Even though this voice has a strong anglophone accent.

[English]

Honourable senators I urge you to support this motion. It's significant for all Canadians, and especially for Ontarians, whether you identify as francophone or anglophone. We as Canadians need to unite and celebrate our linguistic and cultural diversity, not only because it is the fibre and identity of our nation, but because it is a right we are afforded under the French Languages Act and the Canadian Charter of Rights and Freedoms. *Meegwetch*. Thank you.

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

(On motion of Senator Joyal, debate adjourned.)

## NATIONAL SECURITY AND DEFENCE

COMMITTEE AUTHORIZED TO MEET DURING SITTING  
OF THE SENATE

**Hon. Gwen Boniface**, pursuant to notice of earlier this day, moved:

That the Standing Senate Committee on National Security and Defence have the power to meet on Monday, November 26, 2018, even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

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

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

**Hon. Senators:** Question.

**Hon. Donald Neil Plett:** No, Your Honour, I would like to ask the senator a question, if I could.

**Senator Boniface:** I'd be delighted.

**Senator Plett:** We have adopted a procedure in the Senate some time ago that committees do not sit while the Senate is sitting unless there are government bills being discussed. Is that the case with defence?

**Senator Boniface:** That is the case with witnesses listed for Bill C-21. [Translation]

**Senator Plett:** Thank you.

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

**Hon. Senators:** Question.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

### OFFICIAL LANGUAGES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET  
DURING SITTING OF THE SENATE WITHDRAWN

On Motion No. 411 by the Honourable René Cormier:

That the Standing Senate Committee on Official Languages have the power to sit on Monday, November 26, 2018, even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

**Hon. Raymonde Gagné:** Honourable senators, pursuant to rule 5-10(2), I ask that Notice of Motion No. 411 be withdrawn.

(Notice of motion withdrawn.)

*(At 5:44 p.m., the Senate was continued until Saturday, November 24, 2018, at 11 a.m.)*

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