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The Honourable GEORGE J. FUREY,
Speaker

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THE SENATE

Wednesday, April 3, 2019

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

Prayers.

[Translation]

SENATORS' STATEMENTS

JUDICIAL SELECTION PROCESS

Hon. Serge Joyal: Honourable senators, last week, media reports based on an unidentified leak described confidential conversations that allegedly took place between the Prime Minister himself and the former Minister of Justice, the Honourable Jody Wilson-Raybould, regarding the appointment of a judge from Western Canada to fill that region's vacant seat on the Supreme Court. The conversations also concerned the appointment of a new Chief Justice of the Supreme Court to replace the Right Honourable Beverley McLachlin.

[English]

This is an extraordinary breach of confidentiality regarding the process of appointing justices to the benches of the highest court of the land. It should be investigated immediately by the most able forces of the RCMP so that the source of the leak can be quickly identified and that corrective measures can be put in place as soon as possible. To be clear, such a shocking leak is a breach of the oath of secrecy taken by those involved in the selection process of such nominations which are part of the process of consultation, appraisal and examination of the candidates for appointment to the bench. This is even more serious, honourable senators, than a violation of cabinet deliberations, since the consequences of that leak affect each and every Canadian.

The Supreme Court of Canada is the court of last appeal. It interprets the Constitution and the nation's laws for all citizens. Its Chief Justice presides over the work of the Canadian Judicial Council that governs the ethics and conduct of the more than 1,100 federally appointed judges in Canada. Making public the exchanges on the selection of candidates for important judicial positions jeopardized the functioning of constitutional democracy in Canada and the guarantee that the rule of law is always served and protected.

There is an integral relationship between democracy, the independence of the courts and the rule of law. An impartial and independent judiciary guarantees that Canada remains a law-based society; it allows Canadians to have faith in their court system.

As the Supreme Court underlined in the decision of *Valente* in 1985:

The word "impartial" . . . connotes absence of bias, actual or perceived.

Later in the 1997 in the case of *R v. S*, the court added:

True impartiality. . . requires that the judge be free to entertain and act upon different points of view with an open mind.

Chief Justice Richard Wagner properly recognized this judicial fundamental when he was sworn in in February 2018:

The importance of public confidence in the justice system. . . is the lynchpin of our democracy.

Such an inexcusable leak regarding the exchange of views in the selection process challenges the whole system of appointments at the highest level and the integrity of judges; it jeopardizes the trust of every Canadian in the judicial system in Canada. The Prime Minister must intervene immediately and launch a thorough investigation so that corrective measures be put in place to protect the democratic right of every Canadian to be heard by an independent and impartial court. To safeguard the rule of law demands nothing less.

Some Hon. Senators: Hear, hear.

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Mr. Kevin Perkins. He is the guest of the Honourable Senator Omidvar.

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

Hon. Senators: Hear, hear!

FARM RADIO INTERNATIONAL

Hon. Ratna Omidvar: Honourable senators, I am delighted to rise today to shine a light on an outstanding and somewhat, I think, unknown Canadian charity, which is Farm Radio International. This may not be an organization that you have heard about, but I certainly hope that my comments today will lead you to the same conclusion as I have, which is: It might be small, but it is really mighty.

As the name suggests, Farm Radio International works with farmers, but more specifically with farmers in over 40 countries in Africa. It reaches them in places as far away as Rwanda, Burkina Faso and Somalia, and it does so by using air waves. Working with over 800 radio stations across the continent of Africa and local journalists, it informs, educates and supports small-scale subsistence farmers with essential information on subjects such as seeding, irrigation, soil management, animal handling and so on. As you can imagine, this is a low-cost strategy. It doesn't cost too much money but it reaches so many farmers, improving the quality of their lives and contributing to the sustainability of local food systems.

One of its secrets is its creativity about its programming. Its impact goes well beyond the dos and don'ts of farming. Let me give you an example. Our honourable colleague Stan Kutcher was part of a Farm Radio International team that developed a radio soap opera called *Bahati*. This was a 30-episode radio soap opera that touched on mental health issues like depression, suicide and drug abuse. I think we all appreciate that mental health is everywhere. Through this effort, the radio audience is better able to recognize how to detect signs and how to deal with and assist members in their communities.

Last month, Kevin Perkins, the Executive Director, appeared before our charities committee and outlined his organization's challenges with precarious funding from government and from the charities regime. It is my hope that our work in the Senate can allow organizations like Farm Radio, not only simply to exist, but to thrive and succeed. I look forward to issuing our final report from the Charities Committee. In the meantime, please join me in applauding the fantastic work Farm Radio International does on behalf not only of Canadians, but all global citizens. Thank you.

Hon. Senators: Hear, hear.

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Ms. Helen Klengenber, Languages Commissioner of Nunavut. She is the guest of the Honourable Senator Patterson.

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

Hon. Senators: Hear, hear!

NUNAVUT

TWENTIETH ANNIVERSARY

Hon. Dennis Glen Patterson: Honourable senators, *unusakut*. Monday, April 1, 2019, marked the twentieth anniversary of the establishment of Canada's newest jurisdiction, the Territory of Nunavut. That day – April 1, 1999 – also marked the end of a more than 20-year struggle since the dream of Nunavut, our land, was envisioned by the founding president of Inuit Tapirisat of Canada, the precursor to ITK, Mr. Tagak Curley.

Honourable senators, while Nunavut is still struggling with the challenges of rapid social change, the intergenerational legacy of residential schools, forced relocations, tuberculosis, as well as the daily realities of climate and remoteness. We also need to step back and acknowledge that Nunavut came about as a result of the close collaboration between the Government of the Northwest Territories and the Inuit of Nunavut, which represent 85 per cent of our population of 38,000.

• (1410)

Nunavut is a model which is the envy of Indigenous people throughout the world because, through the Nunavut Land Claims Agreement, Inuit became the largest private landowners in the world with a strong voice in the regulatory process and a guaranteed share of resource royalties. Article 4 of the Nunavut Agreement also set up a territorial government contiguous with the land claims agreement boundaries with a guaranteed mechanism for close consultation and collaboration through the Nunavut Social Development Council.

Honourable senators, in closing, I want to give credit to the then Indian and Northern Affairs Minister of the day, the Honourable Tom Siddon and the Right Honourable Brian Mulroney, Prime Minister, who finalized the Nunavut Land Claim and Nunavut Act with all-party support as the final legislative acts in their mandate in 1993. I also want to thank all the elders and visionaries who contributed to the creation of this wonderful territory, Canada's largest jurisdiction.

This milestone is somewhat bittersweet as I, much like many Nunavummiut, continue to mourn the recent passing of a man who capably and loyally served the territory as an MLA and Speaker of the Assembly since 2011, the Honourable Joe Enook. You will be missed, my friend.

Nunavut, the Inuit homeland with its own public government is a model of reconciliation between Aboriginal people and government we can be proud of. *Nunavut talaukpugut! Alianait!*

Hon. Senators: Hear, hear.

[*Translation*]

CANADIAN WOMEN'S ARMY CORPS

Hon. Bev Busson: Honourable colleagues, I rise today to speak to you about a far too often forgotten chapter in the evolution of the role of women in this great country.

[*English*]

As 338 young women, the Daughters of the Vote, are due to attend in this place tomorrow and will again sharpen the focus on women and their search for full participation and leadership in Canadian society, I wish to pay tribute to a group of young women who got us to where we are today. I'm speaking of the Canadian Women's Army Corps. The CWAC was formed near the beginning of the Second World War as a response to the need to have every able-bodied man available for combat. The women were permitted into the army as non-combatants. This decision was not universally well received. The "petticoat army" was one of the more polite terms used to describe the corps.

[*Translation*]

Despite this, young women from across Canada stepped forward to serve their country. Women acted in many capacities, from working in the canteen, to driving supply trucks, to working as mechanics on transport equipment.

[*English*]

One young woman from a small settlement in Lunenburg County, Nova Scotia heard the call. She was born into a family of 13 children during a time when there were no extras to go around. At age 14, she went to work for a doctor and his wife as a housekeeper and a nanny for their four children. At age 16, World War II started and the CWAC was formed soon after.

She discreetly reinvented herself as a young woman of 18 years and enlisted. For a girl from a place where, in her words, “You had to come to town to go hunting,” her life would change forever. When the war ended and the CWAC was disbanded, she was able to finish her education, later married my father and started a family.

Honourable senators, I want not only to recognize my mother but all the women who were perhaps born too soon, who, through no fault of their own, had to forgo their true potential due to the times and the role of women in those times. Most of us have been nurtured, supported, motivated and inspired by such women. They found meaning in their lives through their genuine sacrifice in helping to create a better world for their children and for all of us.

I recall at an earlier time in my life, when I was being honoured as the incoming Commissioner of the RCMP, and my mother, who was sitting beside me, leaned over and said to me, as only a mother could say, “You know, darling, I never thought you’d get this far.” This continues to remind me that it is always important to remember where you came from, to have the courage of those who have sacrificed themselves for a better life and to never waste the opportunity to pay it forward.

[*Translation*]

This is sincerely dedicated to the memory of the brave women who paved the way for all of us. Thank you. *Meegwetch*.

[*English*]

WORLD POETRY DAY

Hon. Paul E. McIntyre: Honourable senators, I rise today to speak on World Poetry Day, which was held on March 21. It used to be held in October and some countries still observe it then. A decision to proclaim March 21 as World Poetry Day was adopted during UNESCO’s thirtieth session held in Paris in 1999. In celebrating World Poetry Day, UNESCO recognizes the unique ability of poetry to capture the creative spirit of the human mind.

It is an invitation to reflect on the power of language and the full development of each person’s creative abilities. It also supports linguistic diversity through poetic expression and offers endangered languages the opportunity to be heard within their communities.

It is also the occasion to honour poets and their works, revive oral traditions of poetry recitals and promote the reading, writing and teaching of poetry. It is also meant to restore a dialogue

[Senator Busson]

between poetry and the other arts such as theatre, dance, music and painting and to support small publishers and raise the visibility of poetry in the media.

On that day, poets all over the world share their work at universities, bookstores, cafés, schools and even the Internet. It is also a day where educators and poetry advocates can take the time to share poetry with their students and the general public.

World Poetry Day is an opportunity for children to be introduced to poetry in classrooms. It is a time when classrooms are busy with lessons related to poetry, in which students examine poets and learn about different types of poetry. It is also a good day for people to check out their favourite poets.

Awards and other forms of recognition are made to honour poets and their works. Exhibitions and poetry evenings are also held to showcase the work of various poets on or around March 21 to coincide with World Poetry Day.

As poetry continues to bring people together across continents, all are invited to join in. Hopefully, with the observance of World Poetry Day, the art of poetry will no longer be considered an outdated form of art but one which enables society as a whole to regain and assert its identity.

[*Translation*]

Honourable senators, as you know, I love poetry. In fact, I will be publishing my first poetry collection very soon. Long live poetry.

Hon. Senators: Hear, hear.

ROUTINE PROCEEDINGS

THE SENATE

NOTICE OF MOTION TO AFFECT QUESTION PERIOD ON APRIL 9, 2019

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

That, in order to allow the Senate to receive a Minister of the Crown during Question Period as authorized by the Senate on December 10, 2015, and notwithstanding rule 4-7, when the Senate sits on Tuesday, April 9, 2019, Question Period shall begin at 3:30 p.m., with any proceedings then before the Senate being interrupted until the end of Question Period, which shall last a maximum of 40 minutes;

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

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

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

[English]

ADJOURNMENT

NOTICE OF MOTION

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

That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Monday, April 8, 2019, at 6 p.m.;

That committees of the Senate scheduled to meet on that day be authorized to do so for the purpose of considering government business, even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto;

That, notwithstanding rules 9-6 and 9-10(2), if a vote is deferred to that day, the bells for the vote ring at the start of Orders of the Day, for 15 minutes, with the vote to be held thereafter; and

That rule 3-3(1) be suspended on that day.

• (1420)

THE SENATE

NOTICE OF MOTION TO URGE THE GOVERNMENT TO INVOKE THE GENOCIDE CONVENTION TO HOLD MYANMAR TO ITS OBLIGATIONS AND TO SEEK PROVISIONAL MEASURES AND REPARATIONS FOR THE ROHINGYA PEOPLE

Hon. Marilou McPhedran: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Senate urge the Government of Canada without further delay to invoke the Genocide Convention and specifically to engage with like-minded States to pursue the matter before the International Court of Justice in order to hold Myanmar to its obligations and to seek provisional measures and ultimately reparations for the Rohingya people;

That the Senate urge Canada to exert pressure on Myanmar to release the jailed Reuters journalists, and to allow for unobstructed access to Rakhine State by

independent monitors in order to investigate the international crimes committed and to afford protection to remaining Rohingya;

That the Senate urge the Government of Canada to continue to assist the Government of Bangladesh through multilateral aid in addressing the humanitarian needs of the Rohingya refugees, with particular focus on the needs of women and children, including education; and

That a message be sent to the House of Commons requesting that house to unite with the Senate for the above purpose.

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

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

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

That the Standing Senate Committee on Foreign Affairs and International Trade have the power to meet on Tuesday, April 9, 2019, at 4:00 p.m., for the purpose of hearing from the Minister of Foreign Affairs, even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

THE SENATE

NOTICE OF MOTION PERTAINING TO THE CONDEMNATION OF ANTI-SEMITIC INITIATIVES

Hon. Linda Frum: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, in light of Global Affairs Canada's provision of international aid to groups that do not align with Canadian values and stated Canadian policy, the Senate now:

- (a) recall Prime Minister Trudeau's numerous condemnations of boycott, divestment, and sanctions (BDS) campaigns against Israel, including his reference to them as a "new form of anti-Semitism";
- (b) recall the 2016 motion in the House of Commons, supported by the Liberal and Conservative parties alike, to "condemn any and all attempts by Canadian organizations, groups or individuals to promote the BDS movement, both here at home and abroad";

- (c) recall that Global Affairs Canada has recognized the International Holocaust Remembrance Alliance's (IHRA) definition of antisemitism, which identifies "double standards", denials of the Jewish right to self-determination, and therefore BDS campaigns as anti-Semitic;
- (d) recall that Canada's *Official Development Assistance Accountability Act* is meant to ensure that "all Canadian official development assistance is focused on poverty reduction and is consistent with aid effectiveness principles and Canadian values";
- (e) recall that Canada's Feminist International Assistance Policy assures that "our assistance is more responsive, more transparent and more predictable";
- (f) recall that Canada's Feminist International Assistance Policy prioritizes "peace and security, by promoting inclusive peace processes and combatting gender-based violence";
- (g) recall that Global Affairs Canada assures that "For all humanitarian and development assistance funding for Palestinians, Canada exercises enhanced due diligence"; and
- (h) call on the government to to:
- (i) scrutinize all grants provided by Global Affairs Canada to non-governmental organizations, ensuring Canadian aid is not provided to groups that promote hatred, racism, anti-Semitism, and/or BDS campaigns;
 - (ii) freeze \$1 million in funding to the Palestinian organization "Wi'am: Peace and Conflict Transformation Center" — a group that promotes BDS campaigns and anti-Semitic documents;
 - (iii) review the entirety of the \$4.8 million "Women of Courage — Women, Peace and Security" grant to the United Church of Canada (and its KAIROS Canada program), as such groups are partners of Wi'am and also promote BDS and anti-Semitic documents; and
 - (iv) ensure that support for women's involvement in peace processes is inclusive, and not discriminatory, as support for civil society actors that promote BDS campaigns is antithetical to these objectives.

QUESTION PERIOD

PRIME MINISTER'S OFFICE

SNC-LAVALIN

Hon. Larry W. Smith (Leader of the Opposition): My question is for the government leader in the Senate.

Yesterday, Jody Wilson-Raybould and Jane Philpott were kicked out of the Liberal Party as a consequence for telling the truth and standing up for the rule of law. In an open letter released after her dismissal, Dr. Philpott stated:

Rather than acknowledge the obvious — that a range of individuals had inappropriately attempted to pressure the former Attorney General in relation to a prosecutorial decision — and apologize for what occurred, a decision was made to attempt to deny the obvious — to attack Jody Wilson-Raybould's credibility and attempt to blame her

I was not able to support the recommended response to deny these allegations.

Senator Harder, can you tell us how punishing and silencing these two former cabinet ministers is an example of doing politics differently, as Prime Minister Trudeau once promised Canadians?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. Let me simply say that the decisions with respect to who is and who is not in a caucus in the other chamber is for that chamber and their caucus to determine, not for me to comment on.

Senator Smith: I thank you for your limited response.

This government is going to great lengths to try to conceal the details of its attempted interference in a criminal prosecution. *La Presse* recently reported on access to information requests seeking the Clerk of the Privy Council's letters, emails and documents regarding the SNC-Lavalin affair. PCO responded that the ATIP request could not be answered for 240 days or until a month after the next federal election.

Senator Harder, we see what is going on here. This type of request should take 30 days, not 240 days. How much further will the government go to hide the truth from Canadians?

Senator Harder: Again, I thank the honourable senator for his question. Let me remind the chamber that this government has initiated the inquiry by the Conflict of Interest and Ethics Commissioner in the other place. That process has the strength of that office, which is independent and which has, as the honourable senator will know, the powers of a superior court judge to render findings as he determines them to be.

• (1430)

The Prime Minister has also engaged the former Deputy Prime Minister, the former Minister of Justice and Attorney General, to provide advice by the end of June of this year with respect to the relationship between the Attorney General function and cabinet and the role of staff on both sides.

The government is taking these measures very seriously. It has, as the honourable senator will know, provided comfort to the former minister and Attorney General to speak, and to speak even though she would otherwise be encumbered by her cabinet oath on matters that relate to these series of events. Those hearings have been held and dealt with in the other chamber.

I think it's important to underscore that this government has gone to quite extraordinary lengths to ensure that voice has been given and that the appropriate authorities will have ongoing roles in this matter.

THE SENATE

PROGRAMMING MOTION

Hon. Donald Neil Plett: Honourable senators, my question is for the Leader of the Government in the Senate.

Senator Harder, yesterday Senator Smith and I met with you in your office. We had what I thought was a very collegial conversation about moving legislation forward. You were adamant that you were being pressured by Senator Woo and others, that you needed to get Bill C-75 and Bill C-85 done.

Yesterday, your recollection of our agreement on those bills was different than mine. You were of the understanding that I had promised we would move those bills to committee yesterday. That was not my recollection, but in the interest of good faith, I agreed to try and make this change.

Your words to me when I left your office were that if I could make that change, you would not introduce a programming motion. I had never heard of a programming motion.

I kept my part of the bargain. You did not. In complete contradiction of your word to me, you tabled a programming motion that is seven pages long and impacts 11 bills. You had to have had this text prepared and translated in order for it to go yesterday. This did not happen after our conversation. It had to have happened before.

Senator Harder, at what point did you decide that you were going to bring in your programming motion regardless of an agreement that you had made?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. Without going into all of the details of the conversations I've had over the weeks past with all leaders and with the honourable senator himself, let me simply reiterate that I have, over the last number of weeks, spoken about the need to have a programming approach and that hopefully we could get an agreement without a

formal programming motion needing to be brought forward. However, it is my responsibility to prepare for all eventualities, and those preparations have been under way for some time.

The dates that I spoke to are the dates that I shared with Senator Smith and other leaders weeks ago, and that I shared with all senators at an open Senate meeting two or three weeks ago, and this ought not to come as a surprise.

But what I did say to the honourable senator is that I wouldn't blindside him in the chamber. I would let him know if it was my intention to move forward before we sat. So at 12:15, after having had consultations with appropriate people, I indicated that I would be moving forward with a motion, as I did yesterday.

Senator Plett: "Don, in the spirit of transparency and the commitment I made at our last meeting this morning, I have had further discussions with other leaders and will be proceeding with a programming motion this afternoon." After a "commitment I made."

Senator Harder, much of what happens in this chamber regarding timelines on legislation is decided by negotiation and, when possible, consensus. It is impossible for this process to work without trust and good faith, which you, Senator Harder, have now broken.

Senator, this is not some schoolyard squabble. What you have done impacts the ability to move legislation forward in a manner which respects the traditions, conventions and values of this chamber. Having broken your word to us on this matter, how am I or any other senator in this chamber supposed to trust your word going forward?

Senator Harder: Again, I thank my honourable friend for his comments. Let me simply say that my obligation is to continue to work with all leaders to seek agreement to advance legislation and to ensure the comity of this place to perform its duties. I remain dedicated to that task.

NATIONAL REVENUE

OVERSEAS TAX EVASION

Hon. Percy E. Downe: Honourable senators, my question is for Senator Harder as well. Today is the third anniversary of the release of the Panama Papers from one company in Panama that had thousands of names on their files, including the names of 894 Canadians. We find out today that in the last three years countries around the world have recovered \$1.2 billion. Canada, however, in the last three years has recovered zero dollars.

Why does the government allow people who hide their money overseas to avoid taxes to get away with this?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question and, frankly, for his ongoing interest on these matters and other subjects that he gives attention to. That is good for us. It also gives me an opportunity to report to him and the chamber that he

will not be surprised that fighting tax evasion is a high priority of this government and is the basis on which the government has invested \$1 billion in the fight against tax cheats.

With respect specifically to the Panama Papers, I can report that 894 Canadians have been identified, that 300 have been identified for audit and that 116 audits have been completed. In addition, last week the agency responsible, the CRA, executed two search warrants related to the Panama Papers in an alleged \$77 million tax evasion scheme.

The work continues. It is a high priority and one that this government places great emphasis on.

Senator Downe: The government keeps saying it's a high priority, but the results belie that statement. Other countries around the world have collected money. The Australian government, in the last three years, has collected \$92 million. Spain has collected \$164 million. The United Kingdom collected \$252 million, and even Iceland, a smaller country than Canada, \$25 million.

Today, we have zero collected. The CRA talks about how complex it is. They also talk, as Senator Harder did, about the \$1 billion investment as of the end of 2017; 11 per cent of that has actually been spent. That's another promise that is a high priority, but the actions belie the reality.

We all understand that we have to pay taxes. We debate what the rate should be. We all have to contribute to infrastructure, to health care. Those of us who don't have children in school anymore pay taxes so that the education system can educate those who have to go to public school.

Why does the government allow Canadians to hide money overseas and not contribute their fair share? Why do they allow this to continue?

Senator Harder: I think the honourable senator for his question. I think his question misinterprets what I have said with respect to the commitment of the government. The government is absolutely committed to ensuring that everybody pays their fair share. That is why it has made the investments I've referenced. That is why they have executed the search warrants. That is why the audits have taken place.

This is, as the honourable senator himself recognizes, a complex matter. But I will take this occasion, as I have in the past, to remind the minister responsible of the attention given to this question by this chamber and by the honourable senator in particular.

TRANSPORT AND COMMUNICATIONS

BUSINESS OF COMMITTEE

Hon. Douglas Black: Honourable senators, my question today is for the Chairman of the Senate Transport and Communications Committee.

My question, Senator Tkachuk, relates to Bill C-48, the tanker ban legislation.

• (1440)

I have indicated on any number of occasions in this chamber and outside the chamber, senator, that this piece of legislation is a blunt and a direct effort to limit the growth of Canada's oil sands and to limit First Nations economic opportunities by ensuring that no pipeline can be built to the Pacific coast or the central and northern coast from the province of Alberta.

Your committee, Chair, has decided to travel to British Columbia and back, flying over Alberta twice, without agreeing to meet with Albertans in the province of Alberta.

Senator, how is it that your committee believes that the substantial human economic state that this bill is going to cause in Alberta is not worthy of your committee's attention? When do you intend to revisit this decision?

Hon. David Tkachuk: I like the way you put it, Senator Black. I may be the chair of the committee, but it isn't my committee.

We have had this discussion before. There were differences of opinion. The majority of the committee decided they wanted to go to British Columbia and not to Saskatchewan and Alberta. But since then, there have been a number of letters that have come to the attention of the chair and members of the committee. We've had the letter, of course, from the Premier of Alberta. We've also had phone calls from officials from the Province of Saskatchewan and from the Minister of Natural Resources.

I'm happy to report today, Senator Black, that there have been discussions between myself and the two other members of the steering committee, and we're hopefully going to bring a positive motion to the Senate committee this evening. I hope you will be there, and we'll see what happens.

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

CHINA—CANOLA EXPORTS

Hon. Pamela Wallin: Honourable senators, my question is for the Government Representative in the Senate. On Monday, the government announced that they are reaching out to Chinese officials to figure out or to search for a science-based understanding of China's recent ban on canola, specifically that of the companies Richardson and Viterra.

I was disappointed to hear Minister Carr publicly concede that there might actually be a problem with the quality of our canola. I don't think anyone believes our product is contaminated. China is known to be not exactly a fair trader — some people even use the word bully. We discussed this matter a couple of years ago.

Seeding has now begun. Farmers in Saskatchewan, Alberta and Manitoba do not have the luxury of waiting to see what will happen and what might be the result of some trip to China. China takes 45 per cent of our canola exports in this country. It's a \$3 billion industry.

Chinese officials, we understand, will be in Washington this week. Is there any thought that we might reach out to our colleagues in the United States and ask them for help on this file?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for her question. This is a subject that has been raised recently by the honourable senator and others in this chamber. All senators will know that this is an important issue for Canadian farmers and it needs to be put in the context of an important set of challenging issues in our bilateral relationship with China at this moment.

What the government is seeking to do in respect of the canola issue is to bring the scientific facts to the fore and engage China on the basis of those facts. If there are concerns, let's hear them. Let's have the exchange with the appropriate experts so that it is not an issue that can be influenced by the overall context of other issues that are challenging the relationship.

The government has indicated it is prepared to have such senior officials visit China. With respect to taking advantage of the discussions at the senior level that are happening in the United States on a broader set of issues, the Government of Canada is always looking for like-minded understanding and support for improving the trade and bilateral relations with China and dealing with irritants such as this that are also, frankly, on the radar screen of other countries that are engaged in trade with China.

Senator Wallin: Have the Chinese agreed to meet with senior Canadian officials? Can you tell us who those officials might be and what the timeline is?

Senator Harder: My understanding at this moment is that timelines and confirmation of a visit are not yet complete, but the government is actively pursuing just such an engagement at the highest level.

PRIME MINISTER'S OFFICE

ROLE OF WOMEN IN DEMOCRACY

Hon. Denise Batters: Senator Harder, this week the Daughters of the Vote are with us on Parliament Hill. These young women from across Canada are here to witness democracy in action and to experience what it might be like to one day sit in Parliament.

Instead these young women have witnessed the terrible spectacle of the Prime Minister of Canada trampling on democracy by throwing two women out of his caucus, all because these former high-ranking cabinet ministers stood up for the rule of law and the independence of our justice system, and all because these women told the truth about the corruption infecting this Trudeau government.

Senator Harder, today many Daughters of the Vote turned their backs on Prime Minister Trudeau in the House of Commons. How can this so-called feminist prime minister look them in the eye when he has turned his back on the women of Canada?

Hon. Peter Harder (Government Representative in the Senate): Again, I thank the honourable senator for her question. She will know, I'm sure, that the Prime Minister and other leaders had occasion to meet with this group that is in town and to speak with them for some time to directly and respectfully answer their questions.

I do hope that when the visit to this chamber takes place that the attendees notice that this chamber has 47 per cent representation of women and that they see, by the conduct of the women in this chamber, that this is a place of influence for women and a place to aspire to in their own careers.

Senator Batters: Senator Harder, when the men in Trudeau's cabinet flounder, they get promoted. Seamus O'Regan; John McCallum; Stéphane Dion. Yet, in this fake feminist Prime Minister's cabinet shuffles, the highest-profile demotions are always women. Why does this keep happening, Senator Harder? Is it because it's 2019?

Senator Harder: Again, I strongly dispute the allegations made by the honourable senator. Cabinet changes take place in all governments over time. I do think that whether a minister is so-called promoted or demoted is, frankly, in the minds of either critics or media commentaries.

The last time I looked, any cabinet seat was worth having.

[Translation]

SNC-LAVALIN

Hon. Pierre-Hugues Boisvenu: My question is for the Leader of the Government in the Senate. A few months ago, the media reported that in April 2016, the Liberal Party of Canada organized a cash-for-access fundraising event at the offices of prominent law firm Torys LLP, in Toronto. Guests paid \$500 each.

Senator Harder, can you confirm whether that law firm employs lawyers who played a key role in SNC-Lavalin's legal representation during the scandal that the company is embroiled in?

[English]

Hon. Peter Harder (Government Representative in the Senate): Again, I thank the honourable senator for his question. I will have to take notice of it and return with an appropriate answer.

[Translation]

Senator Boisvenu: Could you also confirm by the weekend or next week the name of the lawyer at Torys LLP who is representing SNC-Lavalin in these proceedings and who attended that fundraiser and made a \$478.37-donation to the Liberal Party of Canada?

[English]

Senator Harder: Again, I thank the honourable senator for his question and I will add it to my inquiry.

ENVIRONMENT AND CLIMATE CHANGE

CLIMATE PLAN

Hon. Frances Lankin: Honourable senators, my question is for the Government Representative in the Senate.

Senator Harder, yesterday I had the opportunity to ask a question of Minister McKenna while she was here. I put forward the context that I very much support the budget initiative of \$130 million over five years to expand networks and infrastructure for charging electric vehicles. I see it as an important contribution to the climate change debate and to getting results, given the contribution that transportation makes to greenhouse gases.

• (1450)

I'm prone to going on too long in a preamble. Maybe that's why the minister spoke to my preamble and not the specific question, so I'll give her the benefit of the doubt.

I will put my specific questions to you, Senator Harder. My concern is about rural and remote communities. I am a senator for northern Ontario. I represent many communities, and I live in one, where there is no infrastructure with respect to charging electric vehicles. Is the government putting forward a specific plan to address the unique needs of these communities? What commitments or targets does that entail? What monitoring, measuring and reporting will be done? Most important, as I said to the minister, if you don't have those answers today, will you provide us with this information before the budget bill arrives in the Senate for deliberation?

Hon. Peter Harder (Government Representative in the Senate): Again, I thank the honourable senator for her preamble. I can confirm that the \$130 million allocation is inclusive of and specifically references remote locations. In that context, it is obviously included.

With regard to further details the honourable senator wishes to have, let me take that under advisement and report back as appropriate.

PUBLIC SAFETY

CYBERSECURITY

Hon. Marc Gold: This is a question for the Government Representative in the Senate.

The other week, the *Toronto Star* reported two anonymous government intelligence officials as saying that the rate of cyberattacks against federal institutions, political parties and private companies has been steadily increasing. Moreover, the CBC recently reported that the websites for some members of Parliament do not use a secure encrypted protocol when members of the public send personal contact information.

The new federal budget contemplates the investment of hundreds of millions of dollars in the area of cybersecurity particular to the Communications Security Establishment, CSE, but also for partnerships with post-secondary institutions and certain federal departments.

Senator Harder, could you explain how these new monies will translate into improved cybersecurity for Canadian infrastructure, including political parties, with an election imminent, and whether and how these investments are consistent with the legislative provisions in Bill C-59, the proposed national security act?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. This is a subject that the honourable senator has spent some time becoming an expert on, both as sponsor of Bill C-59 but also with the broader interest that the senator has expressed on cybersecurity.

As the Senate will know, Budget 2019 provides a further \$144.9 million over five years to help with the protection of critical cyber-systems in Canada. The government is particularly focused on the underpinning of vital services and systems in the finance, telecommunications, energy and transport sectors. Details are expected to be announced later this spring with regard to those program investments.

The National Cybersecurity Strategy included a commitment to support and partner with the private sector to strengthen cyber-resilience in Canada. That is part of the plan, and those discussions with the private sector are actively under way.

The government is now investing more than \$869 million to fund a new National Cybersecurity Strategy to ensure a secure and resilient cybersecurity system and innovation in this area.

The Canadian Centre for Cyber Security, launched in October of last year, establishes a single unified Government of Canada source of expertise, advice and services, providing Canadian citizens and businesses with a clear and trusted place to turn to for cybersecurity. Funding from Budget 2019 will help the Canadian Centre for Cyber Security to deliver on this mandate, to provide advice, and to better prevent and address cyberattacks.

It is the government's intention to introduce legislation in the coming months to create a common framework for cybersecurity across sectors. This proposed framework will ensure that cybersecurity efforts in priority sectors align with a set of shared goals. It will also increase the government's capacity to take actions to protect national security and the safety of Canadians by reacting to threats to our cybersecurity systems, and it will complement the efforts contained in Bill C-59, which is an important component of this overall strategy.

VETERANS AFFAIRS

SUPPORT FOR VETERANS

Hon. Leo Housakos: Honourable senators, my question is for the Leader of the Government in the Senate.

As per legislation that was unanimously passed last June, Health Canada is convening a conference next week with various stakeholders and other departments, including Veterans Affairs Canada, to develop a federal framework on PTSD among first responders. Yesterday, however, we learned that in recent months, Veterans Affairs quietly made changes to the questionnaire doctors fill out in treating veterans with PTSD. According to one expert, the rewritten form has essentially been stripped of almost all specific questions related to PTSD symptoms and has raised concerns that it will thwart efforts to get veterans the treatment they need, leading to an increased risk of suicide.

Senator Harder, why would Veterans Affairs do this now? Did they consult Health Canada before doing so? If not, why didn't they?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. Let me indicate that I will take note of it and ensure a response in a timely fashion.

Senator Housakos: Senator Harder, the surprising move to shorten the questionnaire has many health care providers across the country wondering if it might not have something to do with your government's new pension structure for veterans. They say these changes to the questionnaire could effectively mean fewer people qualifying for PTSD benefits and for the lifetime pension offered to veterans suffering from PTSD, leading me to believe this is a cost-cutting measure. I'd hate to believe that is the case, Senator Harder.

Considering the new law regarding a federal framework, why else would Veterans Affairs do this, and why would they do it now? I dearly hope the work being done, like next week's conference, isn't just more window-dressing and lip service from our government that is long on platitudes and short on action.

Senator Harder: Again, I thank the honourable senator for his follow-up question. It gives me the opportunity to reiterate the government's priority in dealing with veterans' matters and ensuring that the pensions of veterans are more adequately addressed and that wait times are shortened.

The senator will know the investments the government has made with respect to opening offices to ensure better processing times. I can assure the honourable senator that whatever action being contemplated in the PTSD area is not motivated by any desire to restrict the entitlements of our veterans.

Again, I will get back to the honourable senator with respect to the particulars on the PTSD issue.

The Hon. the Speaker: Honourable senators, the time for Question Period has expired.

ORDERS OF THE DAY

ADJOURNMENT

MOTION ADOPTED

Hon. Donald Neil Plett moved:

That the Senate do now adjourn.

He said: Your Honour, if you would indulge me for a minute. Yesterday, when we got to Bill C-57 and Bill C-85, I spoke to Bill C-75. I occasionally let some of my feelings get in the way of always talking as slowly and deliberately as I should. I suggested to Senator Harder that he had broken a trust, which I continue to believe, but I could have possibly chosen my words a little differently. But I do believe that a trust has been broken.

Collegiality and collaboration have gone out the window, and I believe we need to do something to bring that back.

I truly believe that even though we disagree with the government on many issues, and we indeed disagree with some of their legislation — and strongly disagree — we should try to negotiate some way through in bringing things to an end. I thought we had that kind of arrangement — I did with Senator Harder, and Senator Woo believes he should have been included more often, and so on.

I think we need to find a way to bring that back. I'm not sure.

I think we should reflect on that for a while, and in light of that, I move that the Senate do now adjourn.

The Hon. the Speaker: It is moved by the Honourable Senator Plett, seconded by Honourable Senator Wells, that the Senate do now adjourn.

Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: No.

Some Hon. Senators: Agreed.

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

Some Hon. Senators: Yea.

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

Some Hon. Senators: Nay.

The Hon. the Speaker: In my opinion, the "nays" have it.

And two honourable senators having risen:

The Hon. the Speaker: Is there agreement on a bell?

Senator Plett: One hour.

The Hon. the Speaker: The vote will take place at 4 p.m.

Call in the senators.

• (1600)

Motion agreed to on the following division:

YEAS
THE HONOURABLE SENATORS

Andreychuk	Manning
Beyak	Marshall
Black (<i>Ontario</i>)	Martin
Boisvenu	McCallum
Boyer	McInnis
Busson	McIntyre
Carignan	McPhedran
Dagenais	Mockler
Deacon (<i>Nova Scotia</i>)	Moodie
Deacon (<i>Ontario</i>)	Neufeld
Doyle	Pate
Duncan	Plett
Griffin	Poirier
Klyne	Smith
Kutcher	Tannas
LaBoucane-Benson	Tkachuk
Lankin	Verner

MacDonald
Maltais

Wallin
Wells—38

NAYS
THE HONOURABLE SENATORS

Bellemare	Forest
Black (<i>Alberta</i>)	Forest-Niesing
Boniface	Gold
Bovey	Harder
Campbell	Hartling
Christmas	Lovelace Nicholas
Cordy	Massicotte
Cormier	Mégie
Coyle	Mitchell
Dasko	Miville-Dechêne
Day	Omidvar
Dean	Pratte
Dupuis	Sinclair
Dyck	Woo—28

ABSTENTIONS
THE HONOURABLE SENATORS

Dalphond	Greene
Gagné	Joyal—4

(At 4:10 p.m., pursuant to the order adopted by the Senate on February 4, 2016, the Senate adjourned until 1:30 p.m., tomorrow.)

