



DEBATES OF THE SENATE

1st SESSION



42nd PARLIAMENT



VOLUME 150



NUMBER 288

OFFICIAL REPORT
(HANSARD)

Tuesday, May 14, 2019

The Honourable GEORGE J. FUREY,
Speaker

CONTENTS

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

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THE SENATE

Tuesday, May 14, 2019

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

Prayers.

SENATORS' STATEMENTS

ASIAN HERITAGE MONTH

Hon. Victor Oh: Honourable senators, it is with great pride that I rise today to mark Asian Heritage Month. As stated in the declaration 17 years ago:

Diversity represents one of Canada's greatest strengths, and we strive to ensure that all Canadians have the opportunity to reach their full potential and participate in Canada's civic life.

One Chinese Canadian who did just that was celebrated author Wayson Choy, considered to be a pioneer of Asian literature here in Canada. His most lauded works, *The Jade Peony* and *Paper Shadows: A Chinatown Childhood*, explored the difficult issue of identity politics and the challenges of growing up in an immigrant community in Vancouver in the 1950s.

This courageous and enduring author, who recently passed away, had his remarkable accomplishments fittingly recognized in 2005 when he received the Order of Canada. Choy's resolve to lean into adversity was remarkable and serves as a prime example of how one can find success even when confronted with great struggle.

Today, we are fortunate to live in a country that welcomes and embraces diversity. However, this has not always been the case, for our history includes many sad examples of systematic discrimination against cultural minorities. For example, on this day, May 14, we mark the seventy-second anniversary of the repeal of the Chinese Exclusion Act of 1923. This law not only imposed a head tax but restricted nearly all Chinese immigrants to Canada.

In the late 1940s, Kew Dock Yip, Canada's first lawyer of Chinese descent, along with a group of lawyers and activists, successfully lobbied for the repeal of the act.

Some 60 years later, a formal apology was made by Conservative Prime Minister Stephen Harper, whom I proudly quote:

We have the collective responsibility to build a country based firmly on the notion of equality of opportunity, regardless of one's race or ethnic origin.

The Japanese community also suffered injustice, and in 1988, Conservative Prime Minister Brian Mulroney acknowledged and apologized, saying, "... the treatment of Japanese Canadians during and after World War II was unjust and violated principles of human rights as they are understood today."

I believe we continue —

The Hon. the Speaker: I'm sorry, senator, but your time has more than expired. You have gone a half minute over your time.

I would remind all senators that Senators' Statements are meant to be for three minutes only.

[*Translation*]

DECriminalIZATION OF HOMOSEXUALITY

FIFTIETH ANNIVERSARY

Hon. René Cormier: Honourable senators, 50 years ago today, Parliament passed Bill C-150, which included a provision partially decriminalizing homosexuality in Canada. The bill altered the offence of gross indecency to decriminalize private, consensual homosexual acts between people aged 21 or more.

[*English*]

Many Canadians will remember the declaration given by then Prime Minister Pierre Elliott Trudeau, in which he said that there is no room for the state in the bedrooms of the nation. However, how many remember that the argument behind this idea was that homosexuality was more closely related to a mental disorder and so had to be treated with sympathy, not criminalized? Who remembers the emphasis that was made between crime and sin and an individual's conscience in coming to grips with their behaviour?

[*Translation*]

For some, this amendment may seem rather timid today, given that part of the LGBTQ2+ population continues to experience discrimination to this day. Considered within the social context of the era, however, this decision unquestionably represented a first step towards ensuring respect for the rights of this sexual minority.

Colleagues, we must not think of the 1969 amendment as the end of a quest, but rather as the beginning of a process that is still going on today, a process to secure respect for the fundamental rights of these citizens.

[*English*]

As it is essential to celebrate what was a first significant step in 1969 in recognizing the rights of this community, we must also remember the pitfalls that have strewed and strew the road to integration, acceptance and respect for all LGBTQ2+ community members.

[*Translation*]

Just think of conversion therapy, which still exists in Canada, or the discrimination experienced by transgender and intersex people, leading some of them to take their own lives. That should be enough to convince us of the importance of continuing to break down the prejudices and taboos surrounding these realities.

Initiatives like the International Day Against Homophobia and Transphobia, which was created by the Fondation Émergence and is observed on May 17 each year, help raise public awareness of the obstacles that members of the LGBTQ2+ community still face. This year's theme is online violence, including cyberhomophobia and cybertransphobia, which particularly affects youth.

[*English*]

Honourable colleagues, working to ensure the rights of minorities such as the LGBTQ2+ community is in fact working towards the respect of rights for all Canadians. The Senate of Canada has a fundamental role to play in this regard.

[*Translation*]

I encourage you to recognize the International Day Against Homophobia and Transphobia this Friday, May 17.

Thank you.

Hon. Senators: Hear, hear!

SYMPOSIUM ON THE ONE HUNDRED AND FIFTIETH ANNIVERSARY OF CANADIAN CONFEDERATION

COMPILATION OF CONFERENCE PROCEEDINGS

Hon. Serge Joyal: Honourable senators, today is a very special day, since later this afternoon we will be celebrating the conclusion of initiatives taken by the Senate to mark the one hundred and fiftieth anniversary of Confederation and, by extension, the one hundred and fiftieth anniversary of the first sitting of the Senate, which took place on November 6, 1867.

[*English*]

• (1410)

As many of you will recall, a symposium to commemorate the Senate's one hundred and fiftieth anniversary was held in our chamber two years ago on May 25 and 26, 2017, where 24 learned and distinguished Canadians spoke with the authority of their respective fields of experience, with plans to eventually publish the texts in book form of all lectures we heard on that occasion. That day has finally come.

The Speaker has sent to each senator an invitation to participate in the launch of the book, which will be held at the end of our afternoon session today.

The book, which I hold in my hand, was published by McGill Queen's University Press. It is a stunning and reputable book, published in each of the official languages. It is over 500 pages long and contains more than 100 illustrations and covers 10 different themes relating to what characterizes Canadian society. The book will also surely serve as a solid reference volume to be used in university classrooms.

The Senate marked its one hundred and fiftieth anniversary with this initiative, one designed to reflect on important policy issues, given that the Senate is the chamber of Parliament particularly well suited to fill the need of building institutional memory and as a chamber of sober second thought on national public questions confronting our country.

This initiative got the support of the Internal Economy Committee, chaired at the time by Senator Leo Housakos, whom I thank personally very much, and all of the members of the committee at that time.

Among the speakers who participated in the book, I want to list a number of them: Phil Fontaine; Paul Heinbecker; Beverley McLachlin; Bob Rae; Jean Charest; Gary Doer; Kim Campbell; David Suzuki; Nathan Obed; astrophysicist Hubert Reeves; philanthropist Pierre Lassonde; David Dodge — and I look at my friend Senator Smith — former Governor of the Bank of Canada; Professor David Smith, well-known on Senate issues; and Professor David Docherty. These speakers offered a variety of reflections and perspectives on Canada's recent history and what lies ahead for the country's future.

Each senator attending the launch today will be offered a complimentary copy of the book, either in English or in French. Senator Judith Seidman and I were co-editors of the book — thank you, senator — and I authored 10 different essays opening each chapter. Senator Cormier also participated in the book.

You are all warmly welcome to pick up a complimentary copy of your book at the end of the afternoon. Thank you.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Dr. Wilf Keller, Serge Buy, and the Ahren and Leifso families. They are the guests of the Honourable Senator Black (*Ontario*).

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

Hon. Senators: Hear, hear!

The Hon. the Speaker: Honourable senators, I also wish to draw your attention to the presence in the gallery of Rosemary Peer and Diane Townsend. They are the guests of the Honourable Senators Black (*Ontario*) and Coyle.

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

Hon. Senators: Hear, hear!

CANADIAN AGRICULTURAL HALL OF FAME

CONGRATULATIONS TO 2018 INDUCTEES

Hon. Robert Black: Honourable colleagues, I rise today to congratulate the 2018 inductees to the Canadian Agricultural Hall of Fame. The five inductees, Ted Bilyea, Peter Dhillon, Wilf Keller, Larry Martin, and the Honourable Gerry Ritz, have greatly influenced Canadian agriculture. They were officially inducted into the Hall of Fame on November 4, 2018.

The Canadian Agricultural Hall of Fame Association was created in 1960. Since then, its board of directors annually judges nominees and selects recipients who have done great things in the field of agriculture across Canada. To celebrate their achievements, their portraits are hung in a gallery housed at the Royal Agricultural Winter Fair in Toronto.

I certainly do not have time here today to list all of the many accomplishments of the 2018 recipients, but I would like to highlight a few.

Ted Bilyea spent 34 years working with Maple Leaf Foods and as a leading consultant across the agricultural value chain.

Peter Dhillon, a leading cranberry farmer and President and CEO of Richberry Group, is the first non-American Chair of the Board of Ocean Spray.

Larry Martin was the founding executive director and then CEO of the George Morris Centre in Guelph and chaired a competitiveness task force for the Canada-U.S. trade negotiations.

The Honourable Gerry Ritz served as the Minister of Agriculture and Agri-Food from 2007 to 2015.

Wilf Keller, who is sitting in the gallery today, has had a 45-year career in the field of agriculture. His achievements include the advancements in canola breeding through biotechnology. Thanks in large part to Mr. Keller, canola now covers more acreage than any other field crop in Canada. Mr. Keller also helped establish the Protein Industries Canada Supercluster. He worked at Agriculture and Agri-Food Canada for 16 years and spent 19 years at the National Research Council's Plant Biotechnology Institute in Saskatoon. He has been President and CEO of Genome Prairie and is still President and CEO of Ag-West Bio Inc. and Chair of the Agricultural Institute of Canada.

Thank you, Mr. Keller, for your many invaluable contributions to Canadian agriculture over many years.

Colleagues, I hope you'll join me in congratulating these five agricultural leaders for their recent induction into the Canadian Agricultural Hall of Fame.

I, for one, am looking forward to seeing who the 2019 inductees will be. Thank you.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Marie Davis, Charlotte Hepburn and Samantha Grills. They are the guests of the Honourable Senator Moodie.

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

Hon. Senators: Hear, hear!

ROUTINE PROCEEDINGS

LEGAL AND CONSTITUTIONAL AFFAIRS

COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

Hon. Serge Joyal: Honourable senators, with leave of the Senate and notwithstanding rule 5-5(a), I move:

That the Standing Senate Committee on Legal and Constitutional Affairs be authorized to meet on Wednesday, May 15, 2019, at 3:15 p.m., even though the Senate may then be sitting, and that the application of 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.)

FISHERIES AND OCEANS

COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

Hon. Marc Gold: Honourable senators, with leave of the Senate and notwithstanding rule 5-5(a), I move:

That the Standing Senate Committee on Fisheries and Oceans have the power to meet, in order to continue its study of Bill C-68, An Act to amend the Fisheries Act and other Acts in consequence, today, Tuesday, May 14, 2019, from 6 p.m. to 8 p.m., 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? • (1420)

Hon. Senators: Agreed.

(Motion agreed to.)

CANADA-UNITED STATES INTER-PARLIAMENTARY GROUP

PACIFIC NORTHWEST ECONOMIC REGION ANNUAL SUMMIT,
JULY 23-26, 2018—REPORT TABLED

Hon. Michael L. MacDonald: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian Delegation of the Canada–United States Inter-Parliamentary Group respecting its participation at the Pacific Northwest Economic Region 28th annual summit, held in Spokane, Washington, United States of America, from July 23 to 26, 2018.

ANNUAL MEETING AND REGIONAL POLICY FORUM OF THE
COUNCIL OF STATE GOVERNMENTS' EASTERN REGIONAL
CONFERENCE, AUGUST 5-8, 2018—REPORT TABLED

Hon. Michael L. MacDonald: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian Delegation of the Canada–United States Inter-Parliamentary Group respecting its participation at the 58th annual meeting and Regional Policy Forum of the Council of State Governments' Eastern Regional Conference, held in Rye Brook, New York, United States of America, from August 5 to 8, 2018.

ANNUAL NATIONAL CONFERENCE OF THE COUNCIL OF STATE
GOVERNMENTS, DECEMBER 6-8, 2018—REPORT TABLED

Hon. Michael L. MacDonald: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian Delegation of the Canada–United States Inter-Parliamentary Group respecting its participation at the Annual National Conference of the Council of State Governments, held in Covington, Kentucky, United States of America, from December 6 to 8, 2018.

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, pursuant to the motion adopted in this chamber Thursday, May 9, 2019, Question Period will take place at 3:30 p.m.

ORDERS OF THE DAY

CRIMINAL CODE

IMMIGRATION AND REFUGEE PROTECTION ACT

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

The Senate proceeded to consideration of the message from the House of Commons concerning Bill S-240, An Act to amend the Criminal Code and the Immigration and Refugee Protection Act (trafficking in human organs)

1. *Clause 2, page 2:*

(a) replace line 3 with the following:

“person from whom it was removed or a person lawfully authorized to consent on behalf of the person from whom it was removed did not give in-”

(b) replace line 8 with the following:

“knowing that the person from whom it was removed or a person lawfully authorized to consent on behalf of the person from whom it was removed”

(c) replace lines 12 to 15 with the following:

“(c) does anything in connection with the removal of an organ from the body of another person on behalf of, at the direction of or in association with the person who removes the organ, knowing that the person from whom it was removed or a person lawfully authorized to consent on behalf of the person from whom it was removed did not give informed consent”

(d) delete lines 18 to 23; and

(e) delete lines 34 to 39.

Hon. Salma Atallahjan moved:

That the Senate agree to the amendments made by the House of Commons to Bill S-240, An Act to amend the Criminal Code and the Immigration and Refugee Protection Act (trafficking in human organs); and

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

She said: Honourable senators, I rise today as the sponsor of Bill S-240, An Act to amend the Criminal Code and Immigration and Refugee Protection Act (trafficking in human organs), a piece of legislation that has been described as “the culmination of over 10 years of parliamentary work on the important issue of organ trafficking.”

In the years since human organ transplantation became a viable treatment for patients with terminal organ failure, the demand for organs globally has resulted in lengthy wait times for donor organs in many parts of the world. This demand has created a shortage of available organs and has compelled countries to develop systems to increase supply, mainly via deceased organ donation programs. Unfortunately, these programs have not been enough to fill the gap between demand and supply.

Consequently, trafficking in human organs has become a global problem, particularly in countries where an economic crisis along with social and/or political instability often creates opportunities for traffickers.

Recipients of trafficked organs are most often people from wealthy countries who have been waiting on organ donor lists and travel abroad to obtain a black market organ from victim donors. The victim donors predominantly are suffering from desperate poverty and have been deceived or coerced by trafficking networks into giving up an organ for a fraction of the money the organ recipient paid to the traffickers. Worse still, victim donors are kidnapped and held against their will for the purpose of harvesting their organs without their consent, and many do not survive the process.

Bill S-240 proposes to strengthen Canada's response to organ trafficking by creating additional Criminal Code offences in relation to such conduct and extends extraterritorial jurisdiction over the new offences. Further, it seeks to amend the Immigration and Refugee Protection Act to provide that a permanent resident or foreign national is inadmissible to Canada if the Minister of Citizenship and Immigration finds that they have engaged in trafficking in human organs.

The European Parliament has stressed that the recipients of illegally obtained organs must be held morally responsible and that measures must be taken to discourage and deter this practice, including holding organ recipients criminally liable. The Declaration of Istanbul also states that any commodification of organs is ethically wrong and must be criminalized.

Honourable senators, there is currently no law in Canada barring Canadians from travelling abroad, purchasing organs for transplantation and returning back to Canada notwithstanding that Canada has joined most of the world in condemnation of the sale of organs and transplant tourism.

On April 30, this bill passed in the House of Commons with all-party support, with the following amendments: A clarification that a substitute decision maker can provide consent on behalf of an organ donor; the removal of both the definition of "informed consent"; and the duty of the physicians to report organ transplants. I accept these amendments and ask, therefore, that this bill be adopted as amended.

I would like to extend my gratitude to parliamentarians from all parties who supported this bill in the Senate and House of Commons. In particular, I recognize the critic in the Senate,

[Senator Ataullahjan]

Senator Richards, and sponsor in the house, MP Genuis, as well as Senator Jaffer, MPs Rankin, Virani and Wrzesnewskyj. In this regard, I echo the sentiments of MP Genuis who said:

Let us get this done. Let us make this a legacy of the 42nd Parliament, that notwithstanding disagreements and occasional rancour, we were able to do something incredible for the world's most vulnerable, something that other Parliaments until now have failed to do.

Honourable senators, organ trafficking is a horrendous predatory practice that targets and exploits impoverished and otherwise vulnerable people. It is a violation of the principles of equity, justice and respect for human dignity. Let us be global leaders in the battle against organ trafficking and pass Bill S-240 here and now.

(On motion of Senator Mégie, debate adjourned.)

CRIMINAL CODE

BILL TO AMEND—SECOND READING—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Wetston, seconded by the Honourable Senator Marwah, for the second reading of Bill S-250, An Act to amend the Criminal Code (interception of private communications).

Hon. Paul E. McIntyre: Honourable senators, I rise today to speak on Bill S-250, an Act to amend the Criminal Code (interception of private communications).

First and foremost, I would like to thank Senator Wetston for introducing this bill and for the good work he has done on this issue. I would also like to thank Senators Boniface and Dalphond for their thoughtful interventions on this debate and, in so doing, wish to echo their remarks.

Currently, section 183 of the code, the provision dealing with wiretaps and electronic surveillance, outlines those offences, such as forgery, uttering forged documents, fraud and fraudulent manipulation of stock exchange transactions where the interception of private communications is permitted. However, it does not include prohibited insider trading.

Bill S-250 proposes a minor amendment to section 183 by adding section 382.1, prohibited insider trading, among those offences where a wiretap can be authorized.

Insider trading can be prosecuted in one of three ways: Administratively, quasi-criminally or criminally.

[*Translation*]

Insider trading can be prosecuted in one of three ways: through an administrative proceeding, a quasi-criminal proceeding or a criminal proceeding.

[English]

The difference between prosecuting administratively as opposed to quasi-criminally or criminally revolves around the issue of standard of proof. In other words, an administrative procedure requires only a standard of proof based on a balance of probabilities while the quasi-criminal or criminal procedure requires a standard of proof that is beyond a reasonable doubt.

As noted by Senator Wetston during his second reading remarks, respecting Charter rights is essential, but insider trading cases are difficult to prove as most tend to rely on circumstantial evidence, deduction and inference, as opposed to direct evidence.

• (1430)

In order to prove that the accused used the information for his or her own benefit by buying or selling securities, the Crown must show criminal intent or mens rea on his or her part; in other words, it must obtain direct evidence. That said, obtaining information such as relevant documentary or financial records through a wiretap would be direct evidence. It would show the mens rea or criminal intent of the accused who is charged with insider trading.

There is no question that prosecuting criminally is a more difficult but better procedure to follow. Numerous studies have shown that criminal sanctions, as opposed to administrative or quasi-criminal sanctions, would have a more deterrent effect on individuals engaging in illegal insider trading practices.

However, before obtaining information through a wiretap, the police must obtain a judicially authorized search warrant. The procedure to be followed by the prosecution is found under subsection 186(1) of the code.

In 2003, the Standing Senate Committee on Banking, Trade and Commerce issued a report entitled *Navigating Through “the Perfect Storm”: Safeguards to Restore Investor Confidence*. The report recommended that “The federal government review current legislative and regulatory provisions regarding fraud, insider trading and other offences . . . to ensure that instances of corporate corruption are properly prosecuted.”

In 2004, legislation was introduced to deal with corporate corruption, but insider trading did not make the list in section 183. The purpose of Bill S-250 is to correct this omission.

It is equally important to note that the amendment proposed under Bill S-250 is a followup to a recommendation unanimously made by the Uniform Law Conference of Canada. The amendment would also fall in line with the U.S. legislation covering numerous white-collar crimes, including insider trading.

Winston Churchill once said, “Give us the tools, and we will finish the job.” The legislative framework as proposed under Bill S-250 will do exactly that: It will give law enforcement officials and the prosecution the tools to combat white-collar crime and insider trading.

I welcome Senator Wetston’s amendment. It is one long overdue. Bill S-250 reminds me somewhat of Senator Downe’s bill regarding overseas tax evasion.

The time is long overdue to address white-collar crime. Honourable senators, I invite you to support Bill S-250.

(On motion of Senator Housakos, debate adjourned.)

[Translation]

THE SENATE

MOTION TO STRIKE SPECIAL COMMITTEE ON PROSECUTORIAL INDEPENDENCE—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Pratte, seconded by the Honourable Senator Marwah:

That a Special Committee on Prosecutorial Independence be appointed to examine and report on the independence of the Public Prosecution Service of Canada and of the Attorney General of Canada;

That the committee be composed of six senators from the Independent Senators Group, three Conservative senators and one Independent Liberal senator, to be nominated by the Committee of Selection, and that four members constitute a quorum;

That the committee examine and report on the separation of the functions of the Minister of Justice and those of the Attorney General of Canada, and on other initiatives that promote the integrity of the administration of justice;

That the committee also examine and report on remediation agreements as provided by PART XXII.1 of the *Criminal Code*, in particular, the appropriate interpretation of the national economic interest mentioned in subsection 715.32(3) of the *Criminal Code*;

That the committee have the power to send for persons, papers and records; to examine witnesses; and to publish such papers and evidence from day to day as may be ordered by the committee;

That, notwithstanding rule 12-18(1), the committee be authorized to meet even though the Senate may then be sitting;

That, notwithstanding rule 12-18(2)(b)(i), the committee have the power to meet from Monday to Friday, even though the Senate may then be adjourned for a period exceeding one week; and

That the committee be empowered to report from time to time and submit its final report no later than June 1, 2019, and retain all powers necessary to publicize its findings until 30 days after the tabling of the final report.

Hon. Julie Miville-Dechêne: Honourable senators, this motion stands adjourned in the name of the Honourable Senator Housakos. I ask leave of the Senate for the item to remain adjourned in his name following my speech today.

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

Hon. Senators: Agreed.

Senator Miville-Dechêne: Honourable senators, I rise in support of Senator Pratte's Motion No. 474 to appoint a special committee on prosecutorial independence.

I was supposed to speak to this motion after it was moved five weeks ago, but the bells rang for a long time that day, too long, and the debate was adjourned several times after that.

I would like to thank Senator Pratte for taking the time to reflect on how the Senate might play a helpful role in the crisis confronting the government. I feel that the motion he moved achieves that objective in a pragmatic and balanced way.

As a senator and as a citizen, I was perturbed by the revelations and allegations surrounding top-level officials' handling of the SNC-Lavalin file. I am also troubled by the fact that the Quebec engineering firm at the centre of the storm has been seriously tainted by grave accusations of fraud and corruption.

The Senate is not doing its job if it simply echoes what is happening in the House of Commons. If this motion is adopted, I believe that the work plan it proposes for the special committee will give us the opportunity to shed some light on issues that go to the very heart of our institutions, such as the relationship between the political and the judicial and the integrity of the administration of justice.

It is true that this is a difficult mandate, that the path is strewn with obstacles and that we are far from certain of the results, but what other options do we have? Should we do nothing? Should we remain silent? Should we try to find comfort by saying that the risk is too great that the opposition will use the special committee's work? None of those options seem acceptable to me.

I believe that the political crisis that rocked the government is also a test for the new Senate, which is meant to be independent. How can we demonstrate that independence? Of course, we can do so by proposing relevant amendments to the bills that we examine. Many of those amendments are accepted. Very well. I agree with that.

However, above and beyond this methodical work that requires focus and perseverance, I think that we have a duty to shed light on the substantive issues that were raised by this controversy. We have not seen a crisis like this since we adopted the new method for appointing senators. In my opinion, by participating directly in public reflection — in admittedly riskier circumstances — and by stepping out of our legislative routine, we are shaping and affirming our independence.

• (1440)

The role that the Senate could play in the wake of this crisis is well defined by the terms of reference of the special committee being proposed. It is not about hearing the same players over again repeating what they said or wrote at the Justice Committee in the other place. It is also not about pre-empting the Conflict of Interest and Ethics Commissioner, Mario Dion, whose office must determine whether the Prime Minister exerted undue pressure on the Minister of Justice and Attorney General. That would be duplication.

The motion proposes instead to look at the advantages and disadvantages of having one person, a minister, an elected member of cabinet, perform both roles in our system, that of Minister of Justice and that of Attorney General.

The constitutional law experts I consulted all agree that it is an excellent idea to have the Senate consider the issue at this time. There are different schools of thought that deserve further consideration. Some believe that we should not demonize contacts between the attorney general and the government, that these contacts and the resulting exchange of information can result in better decisions.

The person who ultimately exercises the power to prosecute is more knowledgeable than a senior official, who would in some ways be constrained by his or her administrative structure. There is also a greater opportunity for accountability when a duly elected minister assumes both roles.

Several experts believe that a single elected official can continue to carry out both roles, provided that the uncertainty created by the Shawcross doctrine, whereby the sitting attorney general can be advised but not pressured by ministers, is eliminated. This doctrine is ambiguous and, according to several legal experts, it does not spell out the code of conduct to be adopted. A law and guidelines would undoubtedly provide a better framework for the role of the attorney general.

Other legal experts believe that it is high time we separated the two roles, as they do in Great Britain, to eliminate any partisanship in the administration of justice. The political crisis surrounding SNC-Lavalin appears to be the symptom of a problem with reporting structure. With things how they are, the act does not guarantee full independence for the Public Prosecution Service, since it acts on behalf of and under the authority of the auditor general, who is also the minister of justice. There is therefore too great a risk that political decisions made in cabinet could have an influence over the attorney general's role.

Would the independence of the attorney general therefore be better assured if he or she were not the minister of justice? But would there be a loss of responsibility and accountability? To compensate for that, we would no doubt have to review the oversight mechanisms and rules for decisions made by an attorney general who is not a member of cabinet.

Clearly, there are all kinds of legitimate questions to explore. Are our institutions organized in a way that allows them to meet the contemporary challenges of transparency and impartiality

required to ensure public trust in the administration of justice? Reflecting on these issues will not derail the debate. What makes this crisis so extraordinary and unprecedented is that the details of normally confidential conversations were made public.

According to the experts we consulted, it is more than likely that, in the past, political pressure of varying subtlety was placed on prosecutors without the public knowing anything about it, since those involved remained silent in the name of cabinet solidarity.

The other thing that should clearly be studied in depth is the issue of remediation agreements. There was no information campaign, no transparency, and no public debate on the objectives and eligibility criteria for these agreements before the storm broke. I think that is unfortunate.

This is a brand new legislative tool in Canada that has never been used before, even though other countries obviously use it. In my opinion, the Senate would help inform the debate if it were to look into the history of this type of agreement elsewhere in the world and if it were to determine what constitutes the national economic interest, a factor that must not be taken into account by the Director of Public Prosecutions when deciding whether to grant a remediation agreement.

We were often told that, because of that provision, job losses are not one of the criteria that must be met in order for a remediation agreement to be signed. That should certainly be clarified, because that criterion is used elsewhere in the world. What is more, the concept of national economic interest, which is part of the OECD'S 1997 Convention on Combating Bribery, seems to mean something very different.

According to Donald Johnston, a former federal minister and later Secretary General of the OECD, when the convention was signed, the primary aim was to prevent corporations charged with bribery from claiming that their exports were in the national economic interest and that bribes were necessary to protect their export markets.

Is that how our Criminal Code should be interpreted? We need to hear from experts on these matters to understand them more clearly. These remediation agreements are complex and controversial. At a minimum, the related criteria need to be more transparent.

In closing, I hope all senators, no matter their political stripe, will support Motion No. 474, which, in my view, has no partisan angle and focuses on the basic issues raised by the SNC-Lavalin affair.

The clock is ticking. We have no time to waste. Thank you for your attention.

Some Hon. Senators: Hear, hear!

[*English*]

The Hon. the Speaker: Honourable senators, we will continue debate on this item because Senator Batters wishes to speak to it, but the matter will stand adjourned following debate in the name of Senator Housakos.

Hon. Denise Batters: Thank you for mentioning that, Your Honour.

Honourable senators, I rise to speak against Senator Pratte's motion to establish a special committee on prosecutorial independence, although I do commend him for turning his attention to this issue. We on the Conservative side of the Senate had begun to wonder if the members of the Independent Senators Group were interested in discussing the SNC-Lavalin scandal consuming the Trudeau government.

In the speech introducing his motion, Senator Pratte asked senators: "Where is the Senate on this issue?" In reply to him, I answered: "Where have you been?"

Every day since the Senate resumed sitting in February, Conservative senators have worked tirelessly to uncover the truth of this whole mess. Senator Pratte fears the Senate will be seen as a chamber that lacks courage and relevance. He posed the question:

When we are asked where we were while this massive crisis was unfolding, what will we say?

I can tell you, Senator Pratte, that I will have no problem answering that question. I was here holding the Trudeau government accountable and asking Senator Harder the tough questions Canadians want answered about this whole affair. My Conservative colleagues and I have stood up for the rule of law and for democracy in this country.

We have asked about this issue almost every day since the Senate resumed on February 19. We have posed 113 questions so far in Question Period, in fact. And ISG senators? They have asked three. Oddly enough, none of those questions has been from Senator Pratte. For someone so remarkably concerned about Senate inaction on this Trudeau government scandal, he seems incurious.

Instead, Senator Pratte has proposed this motion, which I find weak and which sidesteps the pertinent issues at the heart of the Trudeau government's SNC-Lavalin scandal in favour of academic and theoretical debates. We don't need a committee to study prosecutorial independence. The need for prosecutorial independence should be self-evident. It is one of the most basic and fundamental tenets of our justice system.

The problem in the SNC-Lavalin matter is that Prime Minister Trudeau and his closest advisers didn't respect prosecutorial independence or the rule of law. That is the issue that a committee needs to investigate, not the history of the Shawcross doctrine or whether the roles of the Minister of Justice and Attorney General should be separated.

Separating the roles of Minister of Justice and Attorney General would have made absolutely no difference in the SNC-Lavalin scandal. The Trudeau government has peddled this idea to Canadians in a desperate attempt to distract from the real matter at hand. They even tasked a former Liberal Deputy Prime Minister and former Trudeau Foundation alumnus, Anne McLellan, to study the separation of those roles. Now, there's a shocker.

In truth, Ms. McLellan's make-work project will have precious little practical effect in preventing another SNC-Lavalin-type scandal in the future.

• (1450)

In more than 150 years of Canadian history it was not and is not Canada's Attorneys General who have had a problem with maintaining their prosecutorial independence. It's only Prime Minister Justin Trudeau and his top officials who can't seem to wrap their heads around that concept. This Trudeau government has no respect for how the Attorney General's role is separate and distinct from any other cabinet ministers. They don't understand and they don't care to if it gets in the way of their political ends.

The question that should be the focus of any committee studying the SNC-Lavalin affair is: Did the Prime Minister and officials within the highest echelons of his government pressure the former Attorney General on a prosecutorial decision that was hers and hers alone — yes or no? Canadians deserve answers on that matter, honourable senators.

This speaks directly to whether Canadians can trust the Trudeau government to protect and uphold democracy. If not, then Prime Minister Trudeau and his cabinet have lost the moral authority to govern. If government officials can play fast and loose with the principle of prosecutorial independence in the SNC-Lavalin affair, what is to stop a Prime Minister from picking up the phone to order the criminal prosecution of his or her political enemies? It is a slippery slope and one that should trouble all Canadians.

Senator Pratte says that all of the facts of this matter are now in the open. This could not be further from the truth. Jody Wilson-Raybould named 11 individuals she alleged had been involved in pressuring her regarding the SNC-Lavalin matter. Only three of those individuals testified at the House of Commons Justice Committee before the Liberal majority hastily shut that committee study down.

Senator Pratte was a journalist for a long time. If he was writing an exposé and was aware of 11 potential first-hand sources or witnesses, would he only interview three? A number of honourable senators here have served as police officers before their appointments to this chamber. I ask them: Would you have conducted an investigation by speaking to only three out of 11 witnesses or persons of interest? Of course not. By any measure that would be an inadequate investigation. You would be failing to fulfil your duty, and that is what the Trudeau government has done here.

There are many issues with Senator Pratte's motion. For one, the motion doesn't even mention the former Attorney General Jody Wilson-Raybould or SNC-Lavalin, the corporation that is central to this entire sordid affair. In fact, the motion is pretty much silent on all facts at the centre of the SNC-Lavalin scandal. I find it rather alarming that from the outset Senator Pratte declares that the committee he is proposing to look into this matter, "... should not be tasked with investigating what happened." That is precisely the problem. I recognize that the

Liberal government would just as soon avoid any sort of investigation. However, I do find it regrettable that Senator Pratte's motion would enable them to do just that.

Prime Minister Trudeau has already used the force of his majority to shut down the House of Commons Justice Committee inquiry without the committee even attempting to put a report together. Major witnesses, including Jody Wilson-Raybould, Gerry Butts and Michael Wernick, submitted written material to the committee which has not been tested because the Trudeau government shut the committee down prematurely. They have also prevented the Ethics Committee from taking up the matter. Just when Senator Smith's motion to send the SNC-Lavalin affair to be studied by the Senate Legal Affairs Committee began to pick up traction, Prime Minister Trudeau's government Senate leader tried to unilaterally gut the motion to render it useless.

Senator Plett introduced another motion to call Jody Wilson-Raybould and others before the Senate Legal Committee, and guess what? Now Senator Pratte thinks we should create a whole new committee but wants to ensure that it not be tasked with finding out what happened. Curious. Senator Pratte says he's concerned that by supporting a Conservative motion he would be playing the opposition game. In fact, Senator Pratte's motion is nothing but an attempt to help the Trudeau government continue to play hide-and-seek. Canadians deserve better than this, particularly when the rule of law is at stake.

Honourable senators, Senator Pratte knows full well that his motion will shield the Trudeau government from accountability. That is the purpose. You know it and I know it. He wants to study every aspect of the issue except for the facts because the facts are damning and inescapable. Contrary to Prime Minister Trudeau's assertions, people don't experience truth "differently." There is only truth.

The Prime Minister has spun so many different versions of what he calls the truth, he can't keep his stories straight anymore. On February 15, he told Canadians he was not aware that his former Attorney General felt any undue pressure because she had never brought it to his attention, but in April in the House of Commons, under questioning from my Conservative MP colleague Pierre Poilievre, Prime Minister Trudeau admitted that Jody Wilson-Raybould had asked him last September if he was trying to interfere in her decision regarding SNC-Lavalin's prosecution. Prime Minister Trudeau was well aware of where Jody Wilson-Raybould stood on the matter. He didn't want to take her "no" for an answer.

Senator Pratte's motion proposes to create a whole new committee with membership constituted according to a whole new formula other than the one on which our committees are currently comprised. I don't think that's advisable in setting precedent for the rules of this place, nor do I think it's necessary. Senator Pratte proposes a new committee of six ISG members, three Conservative members and one Liberal. The Legal Committee that Senator Pratte seems to want to avoid is made up of six ISG members; four Conservative members; one Liberal member, the chair; and currently one non-affiliated senator, Senator Jaffer. He doesn't give much justification for that, so it appears that the aim is to ensure there is one less Conservative senator involved in this investigation.

The Independent Senators Group already holds the majority of seats on the Legal Committee. Why do we need a whole new committee with one less Conservative member to deal with the study of that particular matter? Is this the tyranny of the majority at work? One of the Senate's roles is supposed to be the representation of minority interests in the legislative process, and that should include the representation of minority viewpoints as well.

Also, whether Senator Pratte likes it or not, Conservative senators do hold the role of official opposition in the Senate. While I know many on the government and ISG benches would like to obliterate opposition in this place and turn the Senate Chamber into an echo chamber reflecting only that one viewpoint, that is not how our system is structured and it's certainly not what is best for our democracy.

This motion is yet another attempt by the government to silence the opposition. The Trudeau government loves to crack down on dissent. We have seen the Prime Minister attempting to silence Jody Wilson-Raybould by leaving a partial confidentiality requirement in place and by him kicking both Jody Wilson-Raybould and Jane Philpott out of caucus. But covering up potential political interference in a criminal prosecution is wrong. Canadians deserve answers, honourable senators.

My colleague Senator Don Plett has proposed a motion suggesting that the Standing Senate Committee on Legal and Constitutional Affairs is the proper venue to try to get to the bottom of this scandal. I share that view. For one thing, most of the senators on the Senate Legal Committee have legal backgrounds. We don't need to spend time learning about the concept of prosecutorial independence. Everyone sitting around that committee table should have a firm grounding in that.

Our chair, esteemed constitutional lawyer, scholar and experienced parliamentarian Senator Serge Joyal, doesn't need a primer in the Shawcross Doctrine. He has, however, indicated publicly his support for the Legal Committee to get to the bottom of this SNC-Lavalin scandal. Many of us who are lawyers on the Legal Committee have experience conducting courtroom examinations of witnesses, and we can effectively expose the relevant facts in this case.

Senator Pratte suggested it might be an advantage for a Senate committee to study deferred prosecution agreements, or DPAs. Of course, our Senate Legal Committee, of which Senator Pratte is a member, already studied the deferred prosecution agreement provisions contained in Bill C-74, the Trudeau government's previous Budget Implementation Act. We didn't have nearly as much time as we would have liked to study those provisions, given that Senator Harder was pushing hard for us to return the bill to the Senate floor after only two meetings.

Our committee made the observation — unanimously I might add — that such a major Criminal Code change should not have been rolled into omnibus budget legislation. We also made another unanimous observation that then Justice Minister Jody Wilson-Raybould did not appear before our committee to defend this major Criminal Code change despite it being the usual practice. We had issued repeated invitations for her to do so.

Given all that has transpired around this matter since, it does beg the question whether the Trudeau government's pressure to ensure the DPA provisions passed quickly was precisely in order for them to avoid scrutiny. Minister Wilson-Raybould's reluctance to appear on DPAs before our committee also raises the question of whether she was already facing undue pressure on the SNC file at that point.

Senator Pratte is concerned that the Legal Committee will be too busy to handle an inquiry of this nature. Our committee is accustomed to handling a busy legislative agenda, even though the Trudeau government has not introduced that much justice legislation in comparison with the previous Conservative government.

Where there is a will for the existing Legal Committee to study the SNC-Lavalin scandal, there would be a way. We do not need to strike a whole new committee. The senators on the Legal Committee have the expertise to handle such a study and, as I mentioned, we have a unique interest in the issue of DPAs and the former Attorney General's role in that matter based on our previous work.

Significant and very serious questions about this affair remain unresolved, and Senator Pratte's proposed committee is doomed to fail in addressing them.

• (1500)

That is why I would encourage you to join me in opposing Senator Pratte's motion. I ask you instead to support Senator Plett's motion and bring this matter before the Standing Senate Committee on Legal and Constitutional Affairs. Thank you.

[*Translation*]

Senator Miville-Dechêne: Would Senator Batters take a question?

Senator Batters: Yes.

Senator Miville-Dechêne: I felt compelled to stand up and ask you a question in response to your wholesale, unrelenting attack against Senator Pratte, who isn't here today, unfortunately. As you know, I am in favour of this motion. I don't think it's right for you to keep using the same rationale to oppose independent senators' arguments. You can say we do the government's bidding and parrot its every word, but that has nothing at all to do with Senator Pratte's motion, in my opinion.

The committee he proposes is a special committee because there's not enough time as the session winds down to have the Standing Senate Committee on Legal and Constitutional Affairs discuss these issues. The reason he doesn't want to select the witnesses is that he wants the committee to have the freedom to choose its witnesses. I highly doubt this proposed committee would only talk to Jody Wilson-Raybould, considering she herself stated that she has nothing more to add on the subject. Perhaps there is more to be gleaned, but it seems unlikely that anyone can make her keep talking if she doesn't want to.

Senator Batters, I'm not sure why you are being so insistent on this and why you don't simply stick to the facts instead of ascribing motives to Senator Pratte and me, when we are trying to propose a serious study of substantive issues, since the Senate must play a complementary role and avoid duplicating the work of the House of Commons or even the investigation of the Office of the Ethics Commissioner into this matter.

[*English*]

The Hon. the Speaker: I'm sorry, Senator Batters, but your time has expired. Are you asking for time to answer questions for five more minutes?

Senator Batters: I would need one minute to answer that question.

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

Hon. Senators: Agreed.

Senator Batters: Thank you, senator. First, I thought my speech did a fair bit to address those particular items. This is Senator Pratte's amendment. I directly addressed what his particular amendment provides.

I indicated that for this particular matter, the Senate Legal Committee is already well equipped. In fact, we have already had a unique interest in both the study of the DPAs and in the particular former Attorney General's role in this very issue. I addressed the fact that time is short, and Senator Plett's motion not only indicates that Jody Wilson-Raybould would be a witness but others as to be determined by the particular committee. It already addresses those things.

I believe that Senator Pratte's amendment motion is very similar to the one that the Liberals tried to bring forward in the House of Commons, which dealt not at all with the subject of SNC-Lavalin but instead with theoretical and academic studies. Canadians want answers on SNC-Lavalin. Too many avenues have been shut down by the Liberal government, and we need to make sure they get those answers. Thank you.

Hon. Donald Neil Plett: If I could say a few words, on debate.

The Hon. the Speaker: On debate. I remind honourable senators that the matter will still remain adjourned in the name of Senator Housakos.

Senator Plett: I want to say a few words agreeing with Senator Miville-Dechêne, which may be a surprise to many, but indeed we have very limited time and something needs to be done in a hurry. Of course, my motion was introduced some time ago, and all we've had on the other side are attempts to delay this

and they now say we are limited for time. If my motion would have been accepted some weeks ago, this would have been thoroughly studied.

In light of what Senator Miville-Dechêne said, I want to agree with her that we need to move this along. In the spirit of moving this along, I have an amendment that I would like to propose.

MOTION IN AMENDMENT

Hon. Donald Neil Plett: Therefore, honourable senators, in amendment, I move:

That the motion be not now adopted, but that it be amended by:

1. Replacing the words "a Special Committee on Prosecutorial Independence be appointed" with the words "the Standing Senate Committee on Legal and Constitutional Affairs be authorized";
2. Deleting the paragraph beginning with the words "That the committee be composed of six senators";
3. Deleting the paragraph beginning with the words "That the committee have the power to send for persons"; and
4. Deleting the words "be empowered to report from time to time and".

Hon. Ratna Omidvar: I'd like to take the adjournment of the debate.

The Hon. the Speaker: It was moved by the Honourable Senator Omidvar, seconded by the Honourable Senator Bovey, that further debate be adjourned until the next sitting of the Senate.

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

Some Hon. Senators: Agreed.

Senator Plett: No.

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

Some Hon. Senators: Yea.

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

Some Hon. Senators: Nay.

[*English*]

The Hon. the Speaker: In my opinion, the “yeas” have it. The matter is adjourned.

(On motion of Senator Omidvar, debate adjourned, on division.)

[*Translation*]

**OCEANS ACT
CANADA PETROLEUM RESOURCES ACT**

BILL TO AMEND—MESSAGE FROM COMMONS—
AMENDMENT

The Hon. the Speaker: Honourable senators, I have the honour to inform the Senate that a message has been received from the House of Commons which reads as follows:

Monday, May 13, 2019

ORDERED,—That a Message be sent to the Senate to acquaint their Honours that, in relation to Bill C-55, An Act to amend the Oceans Act and the Canada Petroleum Resources Act, the House proposes that amendment 1 be amended by replacing the text of the amendment with the following text:

“(4) If an order is made under subsection (2), the Minister shall publish, in any manner that the Minister considers appropriate, a report

(a) indicating the area of the sea designated in the order;

(b) summarizing the consultations undertaken prior to making the order; and

(c) summarizing the information that the Minister considered when making the order, which may include environmental, social, cultural or economic information.”.

ATTEST

Charles Robert
The Clerk of the House of Commons

The Hon. the Speaker: Honourable senators, when shall this message be taken into consideration?

(On motion of Senator Harder, message placed on the Orders of the Day for consideration at the next sitting of the Senate.)

THE SENATE

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—DEBATE

On the Order:

Resuming debate on the motion of the Honourable Senator McPhedran, seconded by the Honourable Senator Bellemare:

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.

Hon. Ratna Omidvar: Honourable senators, I rise today to speak in support of Senator McPhedran’s motion calling on the Government of Canada to take further actions to bring to justice the perpetrators of genocide against the Rohingya people.

In 1951, after the horrors of the Second World War, the world came together to call into force the Convention on the Prevention and Punishment of the Crime of Genocide. Its rallying cry was never again — never again — would the world tolerate such oppression, injustice, inhumanity and cruelty. Yet, when we look back over the last 70 years, it appears that the global community has allowed genocide to occur again and again rather than never again. Remember Bosnia, Rwanda, Darfur and now Myanmar.

• (1510)

I want to take a minute to remind us about the scale of the disaster in Myanmar. Since August 2017, the number of refugees who have fled to Bangladesh has increased dramatically. More than 1.3 million in Rakhine State have been affected. More than 900,000 have been forced to flee.

The culpability lies with military leaders and the Government of Myanmar, who have acted with impunity. The United Nations has described the military offensive in Rakhine which provoked the exodus as “a textbook example of ethnic cleansing.”

This is not the first time I have spoken on this crisis. As you may recall, I introduced a motion in October of last year asking that the Senate revoke the honorary Canadian citizenship of Aung San Suu Kyi. That motion passed unanimously. In doing so, both houses of Parliament recognized that the crimes committed against the Rohingya constituted a genocide. We called on the UN Security Council to refer the situation to the International Criminal Court, which I will refer to as ICC.

The ICC has since ruled that it can prosecute Myanmar’s leaders for forcibly deporting the Rohingya to Bangladesh. However, there are concerns that other crimes may be left out of its proceedings and hearings, including executions, rapes and the burning of villages.

There is another problem. In order to expand the scope of this investigation and bring perpetrators to justice, the UN Security Council needs to pass a motion referring these crimes to the ICC. But, as we all know, some members of the Security Council will block such a move — in particular Russia and China.

Seeing the United Nations Security Council as an obstacle, Senator McPhedran has identified another route to justice and accountability. Her motion asks the federal government to invoke the Genocide Convention and to work with other like-minded states to bring this matter to the International Court of Justice.

While the International Court of Justice is not able to convict specific individuals for their crimes against humanity, it can compel the state of Myanmar to respond to the allegations of genocide put forward by UN observers. Provisional measures and reparations can be pursued in this court without having to navigate the UN Security Council.

The gap between the promise and the practice of preventing genocide over the last 70 years is dispiriting indeed. I believe, as Senator McPhedran believes too, that we must find multiple routes to justice. It is therefore entirely fitting that Canada lead on this by collaborating with international partners to pursue the matter with the International Court of Justice in addition to the examination currently under way in the ICC.

I want to briefly draw your attention to another clause in this motion. This clause urges the Senate to urge the federal government to continue to provide multilateral aid to address the humanitarian needs of the Rohingya refugees. Thus far, Canada has — and I’m pleased to say this — pledged \$66 million to support the Government of Bangladesh and international humanitarian organizations on the ground in Cox’s Bazar. However, this is still a very long way from what Bangladesh, Cox’s Bazar and the refugees need.

In fact, Bangladesh has been put under such severe strain by providing for the refugees that it has, in some way, been incentivized to sign a voluntary repatriation agreement with Myanmar even though there are no indications that the Rohingya will be allowed to return safely with a pathway to citizenship.

I ask you to consider the soon-to-come monsoons. For those who have not lived through monsoons, you may have a romantic notion about them. I have lived through monsoons, and I know what they can do to infrastructure that is barely sustainable. Flash floods and landslides will destroy housing and infrastructure. People will sink. Clean water becomes contaminated. Malaria, cholera and other diseases spread rapidly.

I believe that we should act in an expeditious manner to approve Senator McPhedran’s motion. I have proposed another bill — the frozen assets repurposing act — which would provide another route for getting urgently needed resources to the refugees. While Canada may be a middle power, it is not without influence. By approving this motion, we are encouraging our allies to do so.

I thank Senators McPhedran, Ataullahjan, Andreychuk, Munson and others for keeping our attention on this urgent global problem. Thank you very much.

Hon. Salma Ataullahjan: Honourable senators, before I begin, I would say that a free and independent press is one of the cornerstones of democracy. As such, I was elated to learn of the release of the Reuters reporters held in Myanmar after more than 500 days in prison.

I rise today in support of Motion No. 476. I have been speaking about the situation of the Rohingya in Myanmar in the Senate for the past 10 years. In September 2017, I spoke in this chamber specifically about the brutal and horrifying situation that the Rohingya people in Myanmar were enduring at that time. I spoke of widespread systematic attacks and gross violations of human rights against Rohingya people being perpetrated by the Myanmar government forces, including sexual violence; rape; mass gang rape; torture; extrajudicial and summary killings of civilians, including infants and children; arbitrary detention and forced disappearances; systematic evictions; families burned alive in their homes; torching of villages and indiscriminate attacks against those fleeing, including the shooting of women and children.

The attacks were in breach of international human rights conventions, international law and international criminal and humanitarian law. Furthermore, the Myanmar government failed to uphold its responsibility to protect the civilian Rohingya minority population and must face justice.

At the time, the attacks were mostly referred to as crimes against humanity and ethnic cleansing, notwithstanding that international experts warned that the situation in Myanmar had every hallmark of the genocides in Rwanda and Bosnia.

One year later, the Parliament of Canada formally recognized the attacks against the Rohingya people as genocide.

Subsequently, the United Nations Independent International Fact-Finding Mission on Myanmar found sufficient information to warrant investigation and prosecution of senior Myanmar military officials on charges of genocide. It found “. . . that genocidal intent, meaning the intent to destroy the Rohingya in whole or in part, can be reasonably inferred.”

In its interim report on the situation of the Rohingya, the Standing Senate Committee on Human Rights recommended that the Government of Canada continue engaging with UN member states to ensure that the perpetrators of crimes against the Rohingya were held accountable.

As we have learned from Rwanda and the former Yugoslavia ad hoc war crimes tribunals, accountability is a vital component in the healing process of victims, witnesses and their families.

Honourable senators, it is generally understood that the court best situated to prosecute those who perpetrate such crimes as genocide is the International Criminal Court. However, as Myanmar is not a state party to ICC, it is barred from exercising its jurisdiction over crimes committed within Myanmar.

In fact, the ICC has already ruled that since Myanmar is not a signatory to the Rome Statute and Bangladesh is, the court may only exercise jurisdiction over the alleged deportation of the Rohingya people from Myanmar to Bangladesh.

The only way the ICC could exercise its jurisdiction over the crimes committed in Myanmar would be if the UN Security Council referred the matter to the court. However, a referral would require the support of China, which enjoys a close relationship with Myanmar, including strong commercial relations and, moreover, holds the power of veto in the Security Council and would almost certainly block any such attempt.

In light of this, and in order to seek provisional measures and repatriation for the Rohingya people, the motion before us asks the Government of Canada to invoke the Genocide Convention and pursue the matter before the International Court of Justice, a court that decides legal disputes submitted by states.

• (1520)

To this point, Professor of International Law at McGill University Payam Akhavan and Professor of Law and Director of the Human Rights Research and Education Centre at the University of Ottawa John Packer published an analysis recently on the Centre for International Policy Studies blog affirming this regarding the International Court of Justice, or ICJ:

The ICJ, on the other hand, has jurisdiction over the crime of genocide, and Canada could immediately bring a case against Myanmar based upon the available evidence. Canada and Myanmar are both signatories to the 1948 Genocide Convention . . .

. . . Article IX of the treaty confers jurisdiction on the ICJ to determine the responsibility of governments, including their failure to prevent or punish perpetrators of genocide.

In this regard, the Government of Canada must uphold its positive duty under the Genocide Convention and demonstrate global leadership in the promotion of international human rights

by engaging with like-minded states to pursue the matter before the ICJ. Furthermore, unobstructed access to Rakhine State by independent monitors in order to investigate the international crimes committed is of paramount concern.

As such, the Organization of Islamic Conference underscored in a recent resolution:

. . . the need to establish the facts of the situation on the ground in Rakhine State through an independent investigation body, and in this regard, noting with concern that the Government of Myanmar has ceased cooperation with UN mechanisms . . .

Canada can and must do more with its global partners to facilitate unfettered access to Myanmar, in particular Rakhine State.

The protection of an estimated 530,000 Rohingya who remain in Myanmar also is of paramount concern. Ensuring that humanitarian organizations have access to affected communities is an urgent priority as is the ability to monitor the security and human rights situation on the ground, again particularly in the Rakhine State.

Furthermore, in its study, the Standing Senate Committee on Human Rights heard repeatedly that the need for humanitarian aid to the more than 1.1 million Rohingya refugees who have fled persecution in Myanmar is monumental and dire.

The majority of refugees are concentrated in Cox’s Bazar. As we heard Senator Omidvar mention, there they face a lack of food and water, shelter and sanitation. Sexual violence is prevalent, as are human trafficking and limited access to health care and trauma services. These issues were addressed in the Human Rights Committee’s recommendations to the Government of Canada, also calling for particular attention to the needs of women, girls and the provision of education.

Honourable senators, I cannot stress strongly enough the level of humanitarian crisis facing Rohingya refugees and also the Government of Bangladesh. The Government of Canada must continue its provision of assistance to the Government of Bangladesh through multilateral aid which seeks to address both the short- and long-term humanitarian needs of the Rohingya refugees.

I would like to thank Senator McPhedran for moving this important motion, which I support and I ask that you do as well. To quote Professors Akhavan and Packer:

There will always be political reasons not to do anything, to remain as bystanders rather than taking a risk to achieve justice. But what do we as Canadians want to remember when we commemorate the 25th anniversary of the Rohingya genocide? Can we enter the ranks of the good Samaritans like Raoul Wallenberg, who helped rescue Jews during the Holocaust, or General Roméo Dallaire, who rescued Tutsis in Rwandan in 1994? Surely Canada can and should be on the right side of history.

Thank you, honourable senators.

Some Hon. Senators: Hear, hear.

The Hon. the Speaker: On debate. Senator Ravalia, I remind you that at 3:30 I will have to interrupt you for Question Period.

Hon. Mohamed-Iqbal Ravalia: Honourable senators, I rise to speak to Senator McPhedran's motion which, amongst other issues, calls upon 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 a particular focus on the needs of women and children.

Honourable senators, we have all heard about the gut-wrenching accounts of the more than 730,000 Rohingya who fled to neighbouring Bangladesh to escape the violence in their homeland of Myanmar beginning in August 2017.

We have heard the eyewitness accounts of widespread torture, of women being brutally violated, of people who have had their loved ones killed before their eyes. We have heard the horror of burning villages, of men slaughtered en masse, lying face down, and of mothers, fathers, sisters and brothers being separated and lost. The Rohingya will forever be haunted by the atrocities they have endured. The majority of them reaching Bangladesh are women and children, including newborn babies and the elderly who require additional aid and protection. These brutalized people have endured dangerous sea voyages across the Bay of Bengal or walked for days through hostile jungles and mountains.

The scale of the crisis is now so large that it is estimated that there are now more than twice as many Rohingya living in exile than in Myanmar itself.

Let us not forget that this is not the first time that these people have had to flee from persecution to Bangladesh in the past 40 years. In 1978, a wave of violence forced 200,000 Rohingya to escape to safety with their neighbour. In 1992, the world witnessed another 250,000 flow into Bangladesh. The horrendous cycle continues unabated.

In an altruistic act of generosity and kindness, Bangladesh has once again taken in all these refugees in a short period of time to provide them with relative safety, but, honourable senators, the suffering is severe and much more international support is needed. The Rohingya need to feed their families. They need clean water and sanitation facilities to wash, cook and clean. They need a secure shelter to weather the monsoons and the heat and, importantly, their children need an education.

Although Bangladesh is a charitable country, they have limited resources. Just a few weeks ago, Bangladeshi officials informed the UN Security Council that refugees fleeing Myanmar can no longer be accepted. This reaction should not be unexpected. Bangladesh should not have to shoulder the responsibility of caring for these individuals alone. The international community, including Canada, should step up and provide sufficient humanitarian aid to meet the needs of refugees while at the same time working to ensure conditions in Myanmar are conducive to their return.

We should also provide financial support to those who have generously hosted them for the past year and a half. The Bangladeshi villagers living near the camp have very little to call their own, yet they have offered everything to help the Rohingya.

Honourable senators, time is running out for these individuals. In the past couple of months, an outbreak of chicken pox has infected thousands of the children and adults in the vast Kutupalong settlement. This and many other normally-low-risk pathogens pose serious threats to the refugees. It is only a matter of time before they face even more deadly diseases with catastrophic outcomes.

It is particularly perilous for the children in the camp because they are immune-compromised. Not only were they not vaccinated against these preventable illnesses, many of them are malnourished which makes them even more susceptible to disease.

My nephew, Dr. Munir Ravalia, a United-Kingdom-based dentist recently spent time at Cox's Bazar in Bangladesh where he personally witnessed the tragic health circumstances amongst these traumatized individuals.

Honourable senators, there is hope, however. In February, the United Nations aid agencies and NGO partners launched the 2019 Joint Response Plan to address this humanitarian crisis. They seek to raise \$920 million U.S. to meet the needs of these refugees.

Funding requested will be used for critical aid and services such as food, water, sanitation and shelter. It will also be used for health care, education, protection activities including child protection and for addressing sexual and gender-based violence. Finally, it will be used to assist Bangladesh in hosting communities whose quick action and subsequent generosity saved many lives.

Honourable senators, we have seen all of this before. In 1948, Canada made a promise to the brave survivors of the Nazi atrocities when we signed the UN's first human rights treaty, the Convention on the Prevention and Punishment of the Crime of Genocide. The horrors of the Holocaust were fresh in the minds of the entire planet at the time. By signing that treaty, we gave our word that we would never again allow a group to be singled out because of their race, religion or colour. We have promised never again.

Sadly, the horrors of Cambodia, Bosnia, Rwanda and Darfur have demonstrated how unsuccessful we have been in implementing "never again," but that does not mean we should abandon the rule of law and give up. Persecuted, helpless and defenseless, Rohingya refugees are in dire need of international assistance and, as Canadians, we should respond in an expeditious manner. We can no longer turn a blind eye to what has become a genuine humanitarian catastrophe.

• (1530)

MOTION IN AMENDMENT ADOPTED

Hon. Mohamed-Iqbal Ravalia: Therefore, honourable senators, in amendment, I move:

That the motion be not now adopted, but that it be amended in the second paragraph by deleting the words “to release the jailed Reuters journalists, and”.

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

Hon. Senators: Agreed.

(Motion in amendment of the Honourable Senator Ravalia agreed to.)

QUESTION PERIOD

Pursuant to the order adopted by the Senate on December 10, 2015, to receive a Minister of the Crown, the Honourable Bill Morneau, Minister of Finance, appeared before honourable senators during Question Period.

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, today we have with us for Question Period the Hon. Bill Morneau, P.C., M.P., Minister of Finance.

On behalf of all senators, welcome Minister Morneau.

MINISTRY OF FINANCE

TRANS MOUNTAIN PIPELINE

Hon. Larry W. Smith (Leader of the Opposition): Welcome, minister.

It has been almost one year since the government announced the purchase of Trans Mountain from Kinder Morgan with \$4.5 billion from Canadian taxpayers. Despite assurances otherwise, not one inch of this pipeline has been laid since the Government of Canada took ownership.

At the same time, the government has provided a quarter of a billion dollars from the Canadian taxpayers to the Asian Infrastructure Bank, which has at least two pipeline projects currently on its books. We have difficulty getting pipelines built in Canada yet we are sending hundreds of millions to help other countries build their pipeline capacity. We also have Bill C-69 before us in the Senate which could ensure that future pipeline development will never happen here again.

Minister, will the government approve the expansion of Trans Mountain by June 18 and will Canadians see physical work on the project under way during the summer construction season?

Hon. Bill Morneau, P.C., M.P., Minister of Finance: Thank you very much. I am happy to be here. It is great to be in this new home for the Senate. It's my first time here and it's spectacular. It makes me envious that I have to be in the House of Commons on a day-to-day basis. It is not only because there is a greater sense of decorum here than there is in the House of Commons.

It seems to me that you asked a number of questions, and there were a few things that you were suggesting so I think it might be best for me to address all three of them.

First of all, the main thrust of your question was about the Trans Mountain pipeline and the expansion. We are obviously in a situation where we've purchased the Trans Mountain pipeline and the potential expansion because we see that it's critically important for us to be able to get our resources to international markets. We think that's critically important for our resource sector. We think it helps the global environmental challenge by making sure our clean resources can get to other parts of the world. That challenge was presented when the Governments of British Columbia and Alberta couldn't agree on the ability to move forward with the Trans Mountain pipeline which is why now we — all Canadians — are the proud owners of this pipeline.

Our intent has been obviously to move that forward in a way that is consistent with an approach that would listen to those people who have concerns, both people who are looking at the environmental impacts and Indigenous peoples along the route in particular. We are in a process right now of considering the concerns of those people through a meaningful process of engagement. We've said that we need to go through that process to ensure we do this in the right way. We've also said that the government will take a decision on June 18, following that process.

I can't give you any further details other than to say that is the date we said we would take a decision after having gone through the meaningful engagement that we recognize is important and that the Federal Court of Appeal said we need to do. I'm looking forward to June 18 and the conclusions of that engagement.

On the other two issues you mentioned, we believe it is important that while we look at how we can get our resources to international markets, we are meaningfully engaged internationally. And the decision to be part of the Asian Infrastructure Investment Bank was part of that international engagement. We think that being part of multilateral development banks around the world is important for Canada's engagement and helping our world to develop. It helps our economy at home because Canadian companies can seek to be part of significant investments. It helps the global economy, which has a knock-on positive impact for the Canadian economy and, of course, it has a significant impact on development around the world which is good in and of itself if we find a way to ensure that we have more success around the world.

Finally, on Bill C-69, which you mentioned, we are looking forward to the conclusions that are going to come to the House of Commons from the Senate. We know that the process you have been going through in looking at how that bill has been put to you, the things that you have heard from people who have come to talk to you, is important. We expect that you will come back to us, likely with some ideas on how the bill can be improved. I think that will demonstrate the effectiveness of both Houses of Parliament in working together to get good things and big things done in our country.

BILL C-69 AMENDMENTS

Hon. Larry W. Smith (Leader of the Opposition): Thank you for the answer, sir. Of course, you would recognize that there is a lot of sensitivity around Bill C-69 and this question is really trying to address that issue in getting information so we can do our assessment also.

When your colleague, Minister McKenna, was here last month, we asked her about the involvement of your office specifically; I guess it's your former chief of staff, Ben Chin, who we saw on social media today, who has gone to the PMO. Ben Chin was potentially meeting with industry about amendments to Bill C-69 along with Senator Mitchell.

Could you please tell us if you, your office or any of your staff were involved with or had any input on the amendments to Bill C-69 recently brought forward by Senator Wetston?

Hon. Bill Morneau, P.C., M.P., Minister of Finance: Thank you again for the question. I think the best way to answer that question is to say that in the case of Bill C-69, as in the case of any other bills we're trying to work on that we think will improve our economy, our ability to get things done in our country, we need to work together. So absolutely my office has worked together with the office of Minister McKenna and her team trying to ensure that Bill C-69 is not only constituted in the right way but also to make sure we are listening to constituents who have ideas on how that could be improved.

I can't tell you that we have any ability to be involved in the amendments. That's your responsibility. We can make sure we're listening to constituents, whether they are from industry or environmentalists or anyone else concerned, so we have a good line of sight on how we can respond to what will come back to us from the Senate and make sure we move forward in a way that will ensure we have an approach to dealing with projects in this country that work, that we have considered all the issues in an appropriate fashion, so we don't just get things done temporarily but for the long term that will make a difference for our economy while considering our environmental issues.

FIRST-TIME HOME BUYER'S INCENTIVE

Hon. Elizabeth Marshall: Thank you, minister, for being here. Minister, one of the showcase initiatives in your Budget 2019 is the new billion-dollar home buyer's program, which proposes to provide up to 10 per cent of funding of mortgages for first-time home buyers.

The interest-free loans from CMHC are to be repaid when the homes are eventually resold. However, the plan is not without its critics. The plan will increase demand for houses and supply but while the new homes are being built, house prices will most likely increase. In markets where prices have stabilized or declined, it could reverse improved affordability.

However, the biggest and most visible threat is record-high household debt tilted heavily toward mortgages. In fact, Canadians have the highest debt load in the Group of Seven economies. This program will encourage more people on the margins to take on more debt while contributing to higher housing costs that got Canadians into their current debt problems. In fact, our own Bank of Canada says that Canada's high household debt is the central bank's top domestic financial vulnerability. In addition, the International Monetary Fund has warned Canada about its high debt levels and the pressure on Canadian households to pay down their debt.

Keeping Canada's household debt in check should be at the top of your priority list. Minister, why are you implementing a program which will increase the biggest threat to our economy?

Hon. Bill Morneau, P.C., M.P., Minister of Finance: Thank you for the question. First of all, I would like to say that I share Governor Poloz's point of view that a high household debt is critically important for us to be looking at as we consider economic risks. The challenge around debt in our country is real and it's most significant at the household level, where we see levels of household debt approaching 170 per cent of annual incomes.

• (1540)

That is one of the reasons we have been focused on the real estate sector since we have come into office. One of the first things I did as Minister of Finance was begin to deal with the challenge around the rising costs of housing, particularly in some of our heated-up markets in Toronto and Vancouver.

We have been on that since we have come into office, and it has been something on which I can say our approach has demonstrated some real success. We've seen a significant change in terms of the escalation in housing prices in both the Vancouver and Toronto markets, which were unsustainable and contributed to a potential lack of stability in those markets.

That has been a positive.

We want to make sure we continue with an approach that keeps that market stable while also recognizing that the challenge for first-time home buyers is real. In many parts of our country, it's hard for people to get into their first home purchase.

We have taken an approach that is targeted. Each year in Canada we have about 500,000 home purchases and about 100,000 of those are first-time home buyers. We believe this is targeted to increase the number of first-time home buyers to expand that universe from about 100,000 up to as many as 130,000 or so.

It's important to put that in context. That means we might expand by up to, say, 30,000 in a given year, and it's a three-year program, so think about that over three years.

In any situation, therefore, you're using a numerator of 30,000 on a denominator of 500,000, which gets to the size of the program. The analysis that we and the Bank of Canada have done suggested, in fact, the actual market impact is very minor. That's certainly also what the CEO of the Canada Mortgage and Housing Corporation has talked about over the last couple of weeks.

So we don't see this having an impact in terms of price that is in any way meaningful, nor do we see that the issue you have just suggested is valid at all. In fact, what we're doing here is saying that for families with up to \$120,000 of annual income, they can purchase a house of up to four times their annual income, so up to \$480,000. In that case, what we're doing is allowing them to take 5 to 10 per cent of the cost of that house, depending on whether it's existing or new supply, and put it into a shared equity mortgage. By doing so, they will actually reduce the amount of mortgage they are carrying.

In fact, that family will have a lower mortgage to carry because some of it will be on the books of the Canada Mortgage and Housing Corporation and household indebtedness for those families will decline.

We think this is a measured way to get at the challenge of first-time home buyers. It will not change the challenges around market prices in any meaningful way, and it will actually diminish the mortgage debt for those people to take on in this approach.

For that reason, we have decided to move forward with it and will have more details as soon as we can get through them, likely during the course of the summer.

MONEY LAUNDERING AND TAX HAVENS

Hon. Joseph A. Day (Leader of the Senate Liberals): Minister, my question also relates to housing.

We're seeing more and more articles in the newspaper and in the press about housing and how it has been transformed from a home or a shelter for families to a commodity for investors.

In a 2017 *Globe and Mail* article, it was noted that, in the past 30 years, housing prices in Toronto have increased by 425 per cent while family income has only grown by 133 per cent.

More and more families are finding it very difficult to acquire housing, especially in certain urban areas, as you have just discussed with my colleague. When housing is treated as a commodity, it is not only investors who reap the rewards; there are others who are attracted to investing and that's what I would like to direct your attention to.

Last week, the Government of British Columbia released two reports which estimated that the total amount of money laundered in Canada exceeded \$40 billion, and much of this was in the real estate market. Last week, the C.D. Howe Institute released a

report and said that money laundering in Canada could be as much as \$130 billion. It called on the federal government to create a publicly accessible registry of beneficial ownership, with serious penalties for making false declarations. British Columbia, I understand, has a similar type of legislation in place now, entitled the Land Owner Transparency Act.

Minister, do you agree that money laundering is a serious problem in Canada, particularly in relation to real estate matters? What steps should the federal government be taking in this regard?

Hon. Bill Morneau, P.C., M.P., Minister of Finance: Thank you, again, for the question.

Like others, I was obviously very concerned to see those reports. We have been looking at challenges around money laundering during the time that we have been in office. It is obviously something that we think is critically important for us to get at.

I can't speak for the numbers that were in either the B.C. report or the C.D. Howe Institute presentation, but I think it's fair to say that this is something we need to continue to focus on.

At the international level, there is a significant focus on money laundering and anti-terrorism financing, as there should be. It's a concern that actually fuels some of the worst parts of our society and those that might actually do us harm. It is an issue of significant concern.

In terms of what we should be doing, I think, first and foremost, we first need to be working together across the country to ensure we have the information that we require in order to get at this. Frankly, from my very first meeting with the provincial finance ministers in this role, I've been working on this issue around beneficial ownership information.

We need to know who owns companies in order to make sure we can actually track what's going on. The reality, however, is that only 7 per cent of companies are federally registered. Ninety-three per cent are registered in the provinces, so to have a beneficial ownership approach that works, we need to be working together with the provinces. That's why we have been pushing the provinces hard to get to an agreement on an approach to having that beneficial ownership information available.

We have made significant progress. The provinces are all on board. Some, like British Columbia, are ahead of the others in talking about not only having the beneficial ownership information but making it public, as is done in the United Kingdom, for example. That might be a place that we get to. We need to get to it together with the provinces because it's not an exclusive federal area of jurisdiction.

There is more, though, that the federal government needs to be doing and there's more that we've done. In the budget this year, we talked about the need to put more money into funding for federal agencies so we can actually deal with money laundering. We put together what we called an ace team of investigators from different parts of the government from FINTRAC, CRA and other parts of the government to ensure we're getting at this.

We need to put in place tools for prosecutors so they can best get at the people who are potentially doing the money laundering in whatever form that it might be going on. There are multiple things we need to be doing.

The one I was most directly involved with this year was putting more money in funding so we can get at this, and we will need to continue to work with the provinces to get at this issue.

ECONOMIC INDICATORS

Hon. Peter M. Boehm: Thank you for joining us today, minister.

My question relates to Budget 2019 and, in particular, the relationship between running deficits and the decreasing debt-to-GDP ratio. As we all know, national debt is one of many factors used in determining a country's economic health. Another is the debt-to-GDP ratio, and ours appears to be on a general trend toward decline.

Economists agree that a government that invests directly in its society and public infrastructure can lead to job creation, a higher standard of living and boosting economic growth. There are a few governments, including one in the G7 that I lived in for a while — Germany — where there is a constitutional debt brake and where economists and others are pushing to alleviate that so as to deal with crumbling infrastructure, a near zero interest rate and an economy that appears to be cooling.

My question is related to the decline in commodity prices and the turbulence in the global trading system. What is your prognostication? As you look ahead, what factors are you looking at as you try to determine the path of the Canadian economy?

• (1550)

Hon. Bill Morneau, P.C., M.P., Minister of Finance: That's the hardest question yet. Senator, in a sense, you're asking for a forecast. Maybe I can start by saying that the best I can do in terms of a topline forecast is to go back to what we did in our budget, which was to get a consensus view among private-sector economists. Of course, that isn't the whole picture. The consensus view of private sector economists is that we will continue to grow, and we will find ourselves in relatively good company in terms of G7 growth patterns because of an expectation that we will be growing at or near the top of the G7 countries, which is positive.

But I think it's incumbent upon us to ensure that continues to be the case. From our standpoint, what does that mean? It means we need to continue to make investments that will enable us to be successful and grow. We have been very clear that investing in Canadian success is important. We've focused on how we can ensure families are doing well, middle-class families in particular. The Canada child benefit has been an important measure that helped the overwhelming majority of families. That money going back into the economy was positive and helped us with the growth we saw in 2017.

[Mr. Morneau]

We also need to be thinking long term, about laying down the path for long-term success. Infrastructure growth, as you point out, is critically important. In this year just passed, we made significant investments in infrastructure. When you look at both the investments that were shown, plus the amount we put into the municipal infrastructure top-up, it's been around \$15 billion in infrastructure investments during the course of the 2018-19 calendar year. Those are significant investments that will have a long-term impact on our ability to grow.

In our budget in 2019, we also thought about how we take from those infrastructure investments and think about how to deal with long-term challenges that we're going to face. We thought about the infrastructure around high-speed Internet, as an example. We put together a plan where we can get all Canadians high-speed Internet between now and 2030.

We thought about how we can ensure Canadians continue to be successfully able to deal with a fast-changing economy. That involves long-term training approaches so people can train to have the skills required for a changing economy.

These are the things we think are the backbone of what will be a growing economy: infrastructure, the kind of things people need for digital economy and the way they build their skills for today and tomorrow. Put those things together, and we have a continuing ability to be successful for the long term.

We are also resilient enough to deal with what might be eventual challenges around the corner because of that low debt-to-GDP you mentioned. We are the country among the G7 countries with the lowest amount of debt to GDP. We continue to lower that amount of debt and invest it as a function of our economy each and every year. That makes us resilient in the face of challenges while we continue to invest in the things we think matter.

[*Translation*]

SMALL BUSINESS COOPERATIVES

Hon. Lucie Moncion: Welcome, minister. My question is about the small business deduction. Budget implementation bill, 2019, No. 1, proposes eliminating the requirement that sales be made to a farming or fishing cooperative in order to be excluded from corporate income. Since the proposed loosening of the tax rule is limited, many small businesses that are members of cooperatives, such as those in the forestry sector, for example, will be penalized because they must share the deductions with other members of the cooperative.

This is also a disincentive that makes it much less attractive to be a member of a cooperative, which is a soundly proven business model both in urban and rural areas.

My question is as follows: Why do all small businesses that are members of a cooperative not enjoy this same exemption, given that they have the same structure and satisfy the same criteria as Canadian-controlled private corporations?

Hon. Bill Morneau, P.C., M.P., Minister of Finance: Thank you for that question. In Budget 2019 we tried to ensure that businesses that are members of cooperatives are well-positioned, much like those businesses that are not.

We believe we have added a measure that will help businesses that are in situations similar to those of members of cooperatives and that are structured as such. However, if you think there is something else we should be looking at, I'm prepared to consider it.

Thank you.

[English]

NUNAVUT—CARBON TAX

Hon. Dennis Glen Patterson: Thanks for being here, Mr. Minister. Budget 2018 imposed a carbon price on Nunavut. The premier of the day told me that the Prime Minister assured Nunavut there would be accommodations to recognize the special circumstances of Nunavut: our total reliance on diesel, our very sky-high cost of living in the harshest climate in the world, no roads and relying on air travel for costly food imports.

What's happened since then? We still have no alternate energy; we have no wind, no solar and no hydro anywhere in Nunavut, despite your government's infrastructure and green funds.

Last year, you and Minister McKenna agreed to exempt airline fuel but only for flights inside the territory. So all the food and goods that come by air from the South will still bear the increased cost of a carbon tax. Still, we were grateful for that and for the exemption you granted for fuel used to generate electricity. Thank you for that.

But, Mr. Minister, if it was logical and fair to exempt some airline fuel and fuel used to generate electricity, why are our hunters and fishers, who depend on gasoline to provide precious country food for our citizens, and our fledgling growing middle class of private home owners, who heat their homes with diesel, also not exempt? Please also consider exempting home heating fuel and gasoline for hunters. We don't use dog teams anymore or build igloos. July is looming when this burden on our already sky-high cost of living will come. It's not fair to burden our struggling citizens with higher costs of living for hunting and fishing, and diesel for heating their homes, when they have no alternative energy options.

Hon. Bill Morneau, P.C., M.P., Minister of Finance: Perhaps I can address your question in a more general and then in a more specific way.

More generally, we see that we have a responsibility to deal with climate change. We see that the environmental challenges that we're facing are real. I can tell you that in my role as

Minister of Finance, I've had to deal with problems and emergencies. Every year that I've been in this job, I've been writing cheques for climate emergencies across the country.

Our approach to dealing with this has been to say that we need to put a price on pollution across the country. It has been one we have said can be done at a provincial or territorial level or it can be done with a federal backstop. Our approach is to say that we are going to enable provinces and territories to choose the approach that best works for their situation.

But in the situation where it's the federal backstop, we will return 100 per cent — not 99 per cent, not 99.9 per cent but 100 per cent — of the revenues we receive back to the province or territory in question.

We are now in the process of looking at how to administer that. We've done it in a way that makes sense across the country in those places where we are acting as the backstop by saying that 90 per cent of those proceeds will go directly back to individuals and families. As the Parliamentary Budget Officer has researched and reported upon, as I'm sure you've seen, that is going to make sure the overwhelming majority of families — 80 per cent plus — are better off and getting more than the price on pollution they are facing. The imposition, of course, is by province and by territory, so the revenues coming from Nunavut are going back to Nunavut. Then the other 10 per cent is going to the municipalities, universities, schools and hospital sector, as well as small businesses.

• (1600)

The important challenge that you present is how we can make sure that money is going back in a way that makes sense. I don't have the numbers off the top of my head in Nunavut. I have looked at the numbers across the country to see that, in fact, we are in a situation where more money is going back to people than they are actually spending in the overwhelming majority of cases. With this, we know that we will be able to encourage people to take up new technological approaches to dealing with our carbon emissions. It will have a long-term positive impact. We hope and expect to put Canada on the leading edge of that long-term trend to more sustainable forms of energy.

[Translation]

ASYLUM SEEKERS—FUNDING

Hon. Jean-Guy Dagenais: The latest report from the Auditor General of Canada confirmed that your government hid the truth from Canadians on our capacity to welcome immigrants and that the \$1.2 billion announced in your last budget does not even guarantee that wait times will be reduced for people who legally or illegally cross the border. What is worse, the Auditor General believes that some cases could take five years to process, even though the standard is two years. Even though your government doesn't seem too concerned about how it is managing Canadian taxpayers' money, considering the deficits you have accumulated, since you are responsible for the nation's finances, how much will it cost Canadians to manage the immigration file? I don't want to know how you'll pay for it. I want to know how

much it will cost. As the interim Minister of Intergovernmental Affairs, can you tell us where we stand in negotiations over Quebec's expenses on the immigration file?

Hon. Bill Morneau, P.C., M.P., Minister of Finance: Thank you. First of all, it is important that we have confidence in our immigration system and that our approach towards asylum seekers is working, so we can meet the challenges we face. We included funding in our budget to ensure that we have sufficient resources at the border and to create a system that will enable us to process asylum claims as quickly as possible. Thanks to those funds, we are adopting a more humane approach and we are processing claims faster.

We are currently engaged in negotiations with the Government of Quebec to come up with a solution to compensate for the shortfall. We are in talks with people in Quebec. I can assure you that we are pursuing our negotiations and I am confident that we will reach an agreement on an appropriate amount of money.

[English]

MONEY LAUNDERING AND TAX HAVENS

Hon. Serge Joyal: Minister, my question is supplementary to the question raised by Senator Day.

Minister, put yourself in the shoes of the average taxpayer who filed his or her tax return two weeks ago and at the same time was reading in the paper the study of the C.D. Howe Institute, which is not recognized as the most leftist group of thinkers in Canada, as you know. They were stating that Canada's legislation against money laundering and tax havens are "the weakest among the liberal democracies." The weakest. Not average. We are the last one.

When you read into your obligation to file your tax return and you see all those companies and citizens succeed in avoiding paying their taxes, they feel that they are the object of exploitation in a way. There is the principle of equity, which is at the bottom of our democratic system. Each one must pay his or her share. It is the foundation of democracy.

Here you are telling Senator Day that you are looking at B.C., which has done something to the registry of ownership for housing, at Quebec imposing GST on Netflix, and you are just trying to say that it's a question that action from federal and provincial governments is welcome. What are you waiting for in order to act on your own? I will have to vote just four months from now, and filing my tax return and looking at that, why should I vote for you in your capacity to address tax evasion and money laundering so that my part as a taxpayer is fair in this country? Why should I vote for you on those grounds? Convince me now, as you will have to convince average Canadians on this.

Hon. Bill Morneau, P.C., M.P., Minister of Finance: Thank you for your question. I'm looking forward to coming to your door. Perhaps you can give me your address.

[Senator Dagenais]

This is a really important question. It's something that we have been on since day one. There have been a number of really important things that have been achieved over the last three and a half years while we've been in office.

First of all, we've been part of an international approach to deal with what's called base erosion and profit shifting. That is trying to ensure that companies don't have the ability to move their profits from a high-tax environment to a low-tax environment. That's critically important as we work with other countries to deal with that. We've signed on to that. It's been an important progressive step for us to deal with this issue.

Second, it's critically important that we have a common reporting system around the world, which has come into play this year. It means having the ability to ensure we can see into bank accounts of Canadians in other countries around the world. It's challenging to have the ability to deal with money laundering if you don't actually have the ability to follow the money. That is something that has been worked on and signed through the OECD. I can tell you that our department, the Department of Finance, has been instrumental in getting that to conclusion.

Similarly, on the home front, we've been on this issue around beneficial ownership from the very first meeting I had with the Finance Ministers. This isn't something we came to lately. We had to convince the Finance Ministers across the country to come on board. I'm happy to say we've gotten there. What we have done is not just that, we have also put more money into this. I can tell you we have put significantly more money into the Canada Revenue Agency each and every year that I've been Finance Minister. Each year in our budget, we have put more money into the CRA and it has been successful in finding a way to ensure that we find returns from people who are evading or avoiding taxes.

This is an ongoing effort. The bad guys keep finding new approaches. We are working hard to make sure we are dealing with these issues. That will be a continuing challenge. It's one that I hope, when I come to your door, I can convince you that we are taking very seriously.

INTERNATIONAL DEVELOPMENT

Hon. Mary Coyle: Welcome back, minister. Canada's commitment to agenda 2030 and the associated sustainable development goals, as well as the government's Feminist International Assistance Policy are definitely worthy of praise.

The 2019 budget document states that Canada plays a leading role in the world by providing assistance to some of the world's most vulnerable citizens. In his article, *Budget 2019: Peanuts for International Development*, Professor Stephen Brown of the McLeod Group and the Centre for International Policy Studies

decries Canada's underwhelming level of commitment to overseas development assistance. He comments that our current government is:

. . . the least generous toward impoverished peoples in developing countries in over 50 years.

Ranked 16 out of 29 of our OECD peers, Canada's 0.26 per cent of its gross national income falls very short of the UN target, as you know, of 0.7 per cent for foreign assistance.

Minister, could you please let us know when Canada will join Sweden, Denmark, Norway, the U.K. and others to genuinely demonstrate our international leadership, which we talk about, by establishing a credible deadline to reach the 0.7 per cent UN target for our overseas development assistance and step up for the world's most vulnerable? Thank you.

Hon. Bill Morneau, P.C., M.P., Minister of Finance: Thank you for the question. We should all recognize how important it is that we're playing an important role in the globe.

• (1610)

I'm not familiar with the gentleman who wrote the report or the report. I am familiar with what we've done during the course of our budget. I would vehemently disagree with him in his characterization of how we have comported ourselves in terms of our contribution to international development.

Last year, Budget 2018 — people tend not to look back as far as they should, but it is not that many months ago — we made a significant increase in our international development budget. Again this year we added more money toward international development.

These are important steps. We think we need to continue on that path to being a contributor. The way we do it will be varied. The honourable senator was asking about our contribution to the Asian Infrastructure Investment Bank. That's a good example of an investment that will have a significant impact on development in Asian countries, countries that are significantly less developed than we are, and it will make a long-term difference.

I would acknowledge that there is always more to do. I would acknowledge that it is important for us to play a critical role.

Our approach of focusing on some of the least successful countries, to focus on the success of women and girls, is the right approach. Our approach of increasing our aid has been important. I'm sure we will have legitimate demands that we need to think about, and how we can continue to increase contributions over time.

One of the challenges of budgeting is we'll have to consider all of these issues in a way that makes the most sense to Canadians. I'll commit to doing that.

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, the time for Question Period has expired. I know all honourable senators want to join me in thanking Minister Morneau for being with us today. Thank you, minister.

Hon. Senators: Hear, hear!

ORDERS OF THE DAY

THE SENATE

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—DEBATE CONTINUED

On the Order:

Resuming debate on the motion, as amended, of the Honourable Senator McPhedran, seconded by the Honourable Senator Bellemare:

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 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.

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, I move adjournment of the debate.

(On motion of Senator Martin, debate adjourned.)

[Translation]

THE SENATE

POLICIES AND MECHANISMS FOR RESPONDING TO HARASSMENT COMPLAINTS AGAINST SENATORS—INQUIRY— DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator McPhedran, calling the attention of the Senate to the important opportunity we have to review our principles and procedures with a view to ensuring that the Senate has the strongest most effective policies and mechanisms possible to respond to complaints against senators of sexual or other kinds of harassment.

Hon. Julie Miville-Dechéne: Honourable senators, I rise today in support of Senator McPhedran's Inquiry No. 26, which calls on the Senate to deploy the strongest, most effective policies and mechanisms to respond to harassment complaints against senators.

This fall in the Senate, we took a mandatory workshop on sexual and psychological harassment. That's a good start, because there isn't always a clear line between the right to manage and psychological harassment. We have considerable power over our staff, and we need to be very mindful about not making them uncomfortable. Even more importantly, our employees also participated in those workshops, which could help them build a greater sense of solidarity. We need to put an end to the isolation of victims, the code of silence, the things that are left unsaid, the fear and sometimes the shame that allows harassment to continue or go unpunished.

A lot has been said about the relevance of this inquiry. I want to add a few more personal things that informed my understanding of these issues. In Quebec, the Act respecting Labour Standards has prohibited psychological and sexual harassment in the workplace for 15 years, since 2004. Quebec workers were the first in North America to benefit from this type of protection.

At the time, the new law was controversial. As a reporter, I investigated, and although this is just anecdotal, I listened to an office worker's eloquent account of her experience to the labour relations board that made me understand how badly psychological harassment can break a person. I spent a long time talking to her about what she went through. Her employer isolated her in her workplace, and constant disparaging remarks about her work and her personality eroded her self-esteem. She was broken, vulnerable and shaky. She couldn't sleep. She lost her self-confidence. She won her case, but she lost years of her life. In that case, the law worked.

The law came into force 10 years ago. To date, there have been 2,300 psychological harassment complaints per year. Sixty per cent of them are submitted by women, and 40 per cent of the complaints are rejected as inadmissible or unfounded. A lawyer by the name of Marie-Josée Sigouin theorized that this is not because people are acting in bad faith. It's because they

aren't clear on the distinction between psychological harassment and all kinds of other things. It's important to explain to people what constitutes harassment and what doesn't.

These lessons apply to the Senate. Fewer complaints were filed in workplaces that had provided training. Given that prevention plays a key role, all Quebec firms have had a harassment prevention policy in place since January 1, 2019. The time limit for filing a complaint has been increased from 90 days to two years.

There is one last lesson we can learn from. A harassment policy must not be tucked away in a drawer. The challenge is to make it come to life. This can be done by putting up codes of conduct in strategic places, having themed days with activities related to this subject or establishing a system of peer helpers, namely respected employees who can become resource people.

Workplaces are changing. They are less traditional than before and this makes it more difficult to file a complaint. Quebec was rocked by what is known as the Rozon affair, which involved allegations of sexual assault, sexual misconduct and harassment against Gilbert Rozon, the head of the Just for Laughs group, a show business institution. This powerful man employed hundreds of artists, technicians and directors.

This is unprecedented. The artists who filed a complaint against their producer joined efforts to file a class-action suit. They are known as "Les Courageuses" and several of them gave up their anonymity to seek justice. They brought their crusade to Ottawa and paid me a visit in January. We had a moving conversation about the challenges of being believed and heard by a court. None of them had at the time filed a complaint under Quebec labour standards law.

The following is an excerpt from the letter that "Les Courageuses" sent to Prime Minister Trudeau. They are calling for:

[S]exual harassment to be enshrined in the Criminal Code as an offence in the same way that other sexual assaults are, and for the six-month limitation period after which a victim can no longer file a complaint to be repealed. We know that for all sorts of reasons, harassment of a sexual nature can be much harder to report than other forms of harassment, especially when there is an employer-employee power relationship, and even harder to report in the case of a minor, which was the case for one of the complainants in our group.

Last fall, the Quebec National Assembly also moved into the age of zero tolerance with respect to harassment. It launched an awareness campaign and mandatory training for all MNAs on harassment and incivility in order to protect political staff. This came about following allegations of sexual misconduct made against an MNA. A policy on the prevention and handling of harassment was adopted in 2015. However, the policy was criticized for its lack of transparency, especially given that, at the same time, the Quebec government was asking universities to provide quantitative reports on the number of harassment complaints received, the average timeline for dealing with complaints and the penalties imposed. It was agreed that the Quebec National Assembly report would protect the identity of victims, but it would provide information on the sex of the

complainants and respondents, the outcome of the complaint, the number of complaints withdrawn or deemed unfounded or frivolous, informal settlements and investigations. I want to emphasize those promises regarding transparency, for the Senate must also ensure accountability in that regard in the form of public reports.

That being said, sexual assault is being reported more frequently, which is encouraging. In 2017, the year the #MeToo movement went viral, reports of sexual assault reached an all-time high across the country. In October 2017 alone, at the height of the #MeToo movement, the police received nearly 2,500 complaints of sexual assault. That is a sharp rise of 46 per cent over October 2016. Quebec saw the most significant increase for three reasons, according to Statistics Canada: media coverage of the movement, charges of sexual misconduct against public figures, and the introduction of help lines specializing in sexual assault reports at countless police stations.

Police practices evolved, which had an impact on the number of reports. Workplaces, such as the Senate, also have to be more sensitive to these difficult realities. In that spirit, I commend the recommendation to do a complete rewrite of our anti-harassment policy, a recommendation contained in the recent report of the Human Resources Sub-Committee. Among the new foundations of this policy we find prevention, better support for victims, and serious penalties for the offending parties.

• (1620)

I also think that we must not allow ourselves to be blinded by our much-valued privileges as parliamentarians. When it comes to psychological and sexual harassment, we must try to set an example, to listen, to admit when we are wrong and to be accountable for how we treat our employees. Thank you for listening.

Hon. Senators: Hear, hear!

(On motion of Senator Moodie, debate adjourned.)

[*English*]

MOTION TO URGE THE GOVERNMENT TO SUPPORT THE GENUINE AUTONOMY OF TIBET—DEBATE ADJOURNED

Hon. Thanh Hai Ngo, pursuant to notice of March 21, 2019, moved:

That the Senate urge the Government of Canada to actively support the genuine autonomy of Tibet and, consequently, to also call for the People's Republic of China to:

- (a) renew the Sino-Tibetan dialogue in good faith and based on the Middle Way Approach;
- (b) respect the linguistics rights, freedom of movement, thought, conscience and religion of the people in Tibet;
- (c) free all Tibetan political prisoners, and cease all arbitrary detention of dissidents; and

- (d) grant Canada reciprocal diplomatic access to Tibet without limitations;

That the Senate also urge the Government of Canada to acknowledge the Dalai Lama's appointment of Gedhun Choekyi Nyima as the official eleventh Panchen Lama; and

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

He said: Honourable senators, it's a pleasure to be granted this opportunity to present to you today a motion on Tibet.

Since I last spoke on this issue on November 23, 2017, I remain deeply distraught by the fact that the human rights situation in Tibet has not improved. The fundamental rights and freedoms that we have been granted and continue to protect here in Canada, including freedom of expression, religion, movement and conscience, are severely restricted and increasingly repressive in the Tibetan Autonomous Region, TAR, and in greater Tibet.

The Tibetan people are subjected to these restrictions at the hands of the Chinese Communist Party and continue to suffer because of this. We, as parliamentarians, cannot stand idle on this issue. The time has come for the Government of Canada to do more.

Today, I come stand before you with a motion to urge the Government of Canada to actively support the genuine autonomy of Tibet. Consequently, the motion would also require the Government of Canada to call upon the People's Republic of China to renew the Sino-Tibetan dialogue in good faith and based on the middle way approach: respect the linguistic rights; freedom and movement, thought, conscience and religion of the people of Tibet; free all Tibetan political prisoners and cease all arbitrary detention of dissidents; and grant Canada reciprocal diplomatic access to Tibet without limitations.

In addition, the motion would urge the Government of Canada to acknowledge the Dalai Lama's appointment of Gedhun Choekyi Nyima as the official eleventh Panchen Lama.

Honourable senators, I firmly believe that these concrete actions must be taken boldly and categorically if progress is to be made in resolving the plight of the Tibetan people.

If you would allow me, I would like to elaborate on each of these provisions.

First, renew the Sino-Tibetan dialogue.

[*Translation*]

On June 12, 2018, the Standing Senate Committee on Foreign Affairs and International Trade and the Standing Senate Committee on Human Rights held a special joint meeting with Dr. Lobsang Sangay, the first elected President of the Central Tibetan Administration, also known as the Tibetan government in exile.

At that meeting, Mr. Sangay indicated that, by adopting a motion on Tibet, the Government of Canada could actively support the initiation of a dialogue between China and Tibet,

without preconditions, in the spirit of the middle way approach proposed by the Dalai Lama. The middle way approach would provide for genuine autonomy for Tibet within the framework of China's constitution and laws.

I would like to clarify a few things in that regard. The Chinese government has long been calling for the integration of Tibet into its territory. As Mr. Lobsang explained, China occupies Tibet mainly to exercise its influence over neighbouring countries. In reality, the Tibet Autonomous Region is governed by the People's Republic of China. Under the Chinese constitution, autonomous territories have the power, in principle, to manage their own affairs, make their own rules and pass their own laws. In practice, however, the leaders of China's Communist Party are still pulling the strings.

[English]

It is imperative for Canada to stand with Tibetan communities and join the advocacy efforts in favour of the middle way approach as a pathway to peace that seeks genuine autonomy for Tibet within the Chinese state. Considering the underlying principles of this approach, I believe that encouraging the Sino-Tibetan dialogue is a sound and far-seeing policy for Canada. I therefore strongly urge Canadian parliamentarians and diplomats to promote Sino-Tibetan dialogue in good faith at every opportunity.

Second is the respect of rights and freedoms of the people of Tibet. This portion of the motion calls upon the Government of Canada to urge China to respect the linguistic rights and freedom of movement, thought, conscience and religion of the people of Tibet. In recent years, we have witnessed an increasing level of control and stringent regulations exerted by the Chinese Communist Party on the Tibetan people.

As Dr. Lobsang Sangay affirmed during his testimony, China has implemented highly intrusive surveillance systems within Tibet to restrict travel and track the movement of individuals in an effort to curb any form of dissent. For instance, Tibetans in their daily lives are searched and required to present their identification at numerous check points and are often denied a passport for international travel. Freedom House's *Freedom in the World 2017* report on Tibet not only outlines the restrictions on freedom but gave the Tibetan Autonomous Region the worst possible rating for both political rights and civil liberties — worse than even Syria.

Perhaps most alarming are the restrictions on freedom of religions and the ensuing targeting of Tibet's monasteries and nunneries. While, again, the Chinese Constitution protects freedom of religion for all citizens, the government impudently engages in widespread interference in religious practices. The Chinese authorities consider reverence for the Dalai Lama and adherence to the Tibetan's unique form of Buddhism to be a particular threat to Chinese authority in the region. As mentioned in my speech in November 2017, the Chinese authorities have set up committees of government officials within monasteries to oversee daily practices and enforce the party's doctrines.

[Senator Ngo]

There are deliberate aims at reeducation, which typically force monks and nuns to reject Tibetan independence and the Dalai Lama's legitimacy. In fact, numerous reports indicate that individuals have been arrested, unjustly detained, forced out of their home and have disappeared due to their religious practices.

• (1630)

In July 2016, Chinese officials demolished over 2,000 residences and expelled over 2,000 religious practitioners at the world's largest Tibetan Buddhist institute, Larung Gar.

Honourable senators, this is too high a cost for Tibetans to pay for the respect and preservation of their unique religious, cultural and linguistic heritage.

[Translation]

In 2015, in order to protect national security and combat terrorism, the Chinese Communist Party passed highly intrusive legislation. Since then, it has become much easier for the authorities to violate civilians' rights and incarcerate them in the name of national security.

We have learned from the latest Human Rights Watch report that UN human rights experts have unequivocally observed that the charges against dissidents were unfounded in many cases. Thus, thousands of innocent Tibetans have been arbitrarily detained, mistreated and tortured inside the Tibet Autonomous Region and elsewhere.

Some human rights observers have pointed to mounting evidence showing the alarming number of detentions, prosecutions and convictions of people who peacefully defend the rights of Tibetans to freedom of expression, association and religion.

[English]

It should be very concerning to Canadians that the Tibetan people are subject to these recurring human rights abuses at the hands of the Chinese Communist Party.

Given that the Chinese authorities tightly restrict all news media and enforce public surveillance tactics in Tibet, bloggers and those who disseminate dissenting views or share politically sensitive content online are especially at risk of arrest and other penalties. Among the most prominent cases in recent years has been that of language activist, Tashi Wangchuk.

I spoke to Senator Patterson's previous Senate inquiry on human rights issues in Tibet in 2017 by addressing Mr. Tashi's case. This cultural activist was detained in January 2016 in Jyekundo County on charges of "inciting separatism" for advocating for the rights of Tibetans to learn and study in their mother tongue, as it appeared in the *New York Times*.

In May 2018, he was sentenced to five years in prison, has no access to his family and remains at risk of torture while in detention. The injustice done to Mr. Tashi is a blatant example of the unthinkable conditions imposed on Tibetan political prisoners by the Chinese Communist authorities.

[Translation]

While the Dalai Lama and the Central Tibetan Administration continue to fight for the fundamental rights of the Tibetan people, I urge our government to demand that the People's Republic of China free all Tibetan political prisoners and all arbitrarily detained dissidents.

That would allow Canada to do its part in bringing China to begin respecting the fundamental rights and freedoms of the Tibetan people.

[English]

Fourth, the motion urges the Canadian government to call upon the People's Republic of China to grant Canada reciprocal diplomatic access to Tibet without limitations.

As it has been documented, foreign access to TAR is often denied or impeded with a strategic purpose to prevent our diplomatic efforts from advancing these universal freedoms. In 2016, the Foreign Affairs minister at the time, Mr. Stéphane Dion, stated that China was preventing Canadian delegations from visiting projects that had been funded by Canadian foreign aid and limiting contact with local government officials. This is entirely unacceptable at the most basic level of diplomatic relations.

During the joint special meeting in 2018, Dr. Lobsang recommended that Canada demand reciprocity in access to Tibet for Canadian government representatives and parliamentarians. This is precisely what Canada should and must do.

Last, this motion urges the Government of Canada to acknowledge the Dalai Lama's appointment of Gedhun Choekyi Nyima as the official eleventh Panchen Lama. As the Dalai Lama represents Tibetan Buddhist's most important spiritual leader, the Chinese Communist Party seeks to restrict his decision-making power and delegitimize his choice for Panchen Lama.

Canada's acknowledgment of the Dalai Lama's appointment of Gedhun Choekyi Nyima as the next Panchen Lama is therefore integral to the promotion of fundamental rights and freedoms in Tibet. Should Canada shy away from taking a clear position in favour of the Dalai Lama's appointment, there could be grave implications for the advancement of the Sino-Tibetan dialogue and for the prospect of China's appeasement of restrictions on the rights and freedoms of Tibetans.

Given that Canada encourages dialogue between the People's Republic of China and the Dalai Lama and his representatives, it is important that Canadian delegates reaffirm their support for the Dalai Lama's appointment of Gedhun Choekyi Nyima at every possible opportunity.

In closing, this motion serves to call upon parliamentarians to recognize the plight of the Tibetan people and urge the Government of Canada to raise Tibetan issues at every opportunity with China.

As the Government of Canada is increasingly —

[Translation]

The Hon. the Speaker pro tempore: Senator, would you like five more minutes?

[English]

Senator Ngo: Yes, thank you.

The Hon. the Speaker pro tempore: Are you in agreement, honourable senators?

Hon. Senators: Agreed.

Senator Ngo: As the Government of Canada is increasingly focused on strengthening trade and economic ties with China, it must remember to voice its concerns about violations of the fundamental rights and freedoms of Tibetans with the Chinese authorities at high-level meetings and in bilateral or multilateral statements.

Honourable colleagues, it is imperative that Canada raise the Tibetan issue as a means of bringing about a public discourse that could condemn China's mounting state-sponsored campaign against the Tibetan community in and outside the TAR.

As an example, I point to the case of Ms. Chemi Lhamo, a Canadian student of Tibetan descent who faced intense harassment after being elected president of University of Toronto's student union. An online petition was signed by 11,000 people demanding that Lhamo be removed from the position. The matter has become part of an investigation by the Toronto Police and has raised the possibility of China's interference in a Canadian educational institution.

Honourable colleagues, Canadian communities must feel that their government supports free speech without fear of reprisal from foreign authorities.

[Translation]

Canada is home to a vibrant Tibetan community with more than 8,000 members who arrived as refugees. They are now fighting for freedom and justice in Tibet. It is our duty as parliamentarians to urge the Government of Canada to actively support Tibet's full autonomy.

I sincerely hope that the chamber will support the motion before the summer break and upcoming elections. I am confident that we will take a principled stand on the situation in Tibet.

[English]

Thank you for your attention. I hope this motion is deserving of your support.

Hon. Senators: Hear, hear.

(On motion of Senator Mercer, for Senator Day, debate adjourned.)

• (1640)

MOTION PERTAINING TO THE CONDEMNATION
OF ANTI-SEMITIC INITIATIVES—
DEBATE ADJOURNED

Hon. Linda Frum, pursuant to notice of April 3, 2019,
moved:

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:

- (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.

She said: Honourable senators, to his credit, the Prime Minister of Canada, Justin Trudeau, has many times voiced his condemnation of the international anti-Semitic movement known as BDS, the boycott, divestment and sanctions of Israel, Israeli products, Israeli academics and Israeli services.

"Canada will continue to speak out in the most forceful way against movements like BDS," said Prime Minister Trudeau most recently during the state visit to Canada of Israeli President Reuven Rivlin.

In 2016, the Prime Minister, along with his Liberal Party colleagues, voted to support a Conservative Party motion which formally denounced BDS and which called on the Government of Canada to:

. . . condemn any and all attempts by Canadian organizations, groups or individuals to promote the BDS movement, both here at home and abroad.

The Prime Minister has also said he opposes the BDS movement as a whole because it is, ". . . an example of the new form of anti-Semitism in the world." And he is entirely right about that. While I applaud the Prime Minister for his words, are they matched by the actions of his government? In 2018, the Government of Canada, through Global Affairs Canada, began funding a project by the United Church of Canada under their

KAIROS Initiatives program. The purpose of the funding, which runs from March 2018 to March 2022, was to support a program that will:

. . . empower women to contribute to inclusive, equitable and sustainable “peace with justice” in conflict zones where women are at particular risk.

This KAIROS Initiative received over \$4.7 million of taxpayer money for work in South Sudan, the Democratic Republic of Congo, Colombia, the Philippines, the West Bank and Gaza. The West Bank and Gaza portion of the funds amount to virtually \$1 million or a quarter of the total grant.

To execute the West Bank and Gaza project, the United Church of Canada partnered on the ground with Wi’am, a Palestinian NGO with a very checkered history on matters of peace in the Middle East. Wi’am’s support for BDS is wide and varied. Wi’am actively and deliberately promotes BDS as a vehicle to attack the Jewish state and its supporters. They support it in their activities, official statements, on their website and on their social media. This is undeniable and it is on the public record for anyone to see.

When this misuse of Canadian funding was brought to the attention of Global Affairs Canada by the international group NGO Monitor, I am told that rather than pulling the funding and initiating an immediate internal review of their vetting process, the department decided to simply add a provision into the grant that no Canadian funds would be used to promote BDS.

Honourable colleagues, I ask you, is this a credible or coherent policy? Clearly it is not, which is why I have moved the motion that is before you today. The motion calls on the government to act now to cut funding to Wi’am, an organization unaligned with Canadian values. Global Affairs officially recognizes the IHRA definition of anti-Semitism, which includes BDS. Therefore any grant which supports BDS is in violation of Global Affairs’ own guidelines and must be rescinded. The motion also calls on the government to launch a review of how vetting takes place to ensure that such a mistake does not happen again.

The fact is Wi’am is using funds to promote BDS propaganda and the Government of Canada is supporting Wi’am even though it has pledged not to support organizations which support BDS. BDS is an expression of anti-Semitism. It is nothing less than that. Our government has no business funding anti-Semitism in any form.

I am calling on the members of this chamber to support this motion to ask the Government of Canada to rescind any funds which support BDS and for Global Affairs Canada to review its vetting process to avoid the awarding of taxpayer funds to any BDS organization in the future.

Thank you, colleagues. I hope you allow for a swift and speedy passage of this motion before you.

(On motion of Senator Omidvar, debate adjourned.)

CANADA REVENUE AGENCY ACT

BILL TO AMEND—MESSAGE TO COMMONS—
MOTION REQUESTING PASSAGE
OF BILL ADOPTED

Hon. Percy E. Downe, pursuant to notice of May 2, 2019, moved:

That, in the opinion of the Senate, Bill S-243, An Act to amend the Canada Revenue Agency Act (reporting on unpaid income tax), is a critical piece of legislation to fight overseas tax evasion and was duly passed by the Senate and has been in possession of Members of the House of Commons for many months, and the bill should be passed into law at the earliest opportunity; and

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

He said: Colleagues, the House of Commons, as we all know, was kind enough to send us a message with some suggestions a few weeks ago and in that spirit of cooperation using the same wording they used, with the change only being the bill under consideration, that I move the motion in my name.

An Hon. Senator: Question.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[Translation]

NATIONAL SECURITY AND DEFENCE

COMMITTEE AUTHORIZED TO MEET DURING
SITTING OF THE SENATE

Hon. Jean-Guy Dagenais, pursuant to notice of May 9, 2019, moved:

That the Standing Senate Committee on National Security and Defence have the power to meet on Tuesday, May 28, 2019, for the purpose of its study on Bill C-77, An Act to amend the National Defence Act and to make related and consequential amendments to other Acts, even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

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

Hon. Senators: Agreed.

(Motion agreed to.)

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

COMMITTEE AUTHORIZED TO MEET DURING
SITTING OF THE SENATE

Hon. Chantal Petitclerc, pursuant to notice of May 13, 2019, moved:

That the Standing Senate Committee on Social Affairs, Science and Technology have the power to meet on Wednesday, May 15, 2019, at 3:15 p.m., even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

She said: Honourable senators, I haven't prepared a speech. The Standing Senate Committee on Social Affairs, Science and Technology needs another hour to study Bill C-83.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[*English*]

• (1650)

CONFEDERATION BRIDGE AND BRIDGE TOLLS

INQUIRY—DEBATE ADJOURNED

Hon. Percy E. Downe rose pursuant to notice of March 20, 2019:

That he will call the attention of the Senate to:

- (a) The importance of the federally-owned Confederation Bridge to the economy and way of life of Prince Edward Island, providing a vital link for commerce, tourism and the necessities of daily life for the people of that province;
- (b) The heavy financial burden imposed by the toll on that Bridge, which amounted to \$35.00 when it was first opened in May of 1997, but now stands at \$47.75, an increase of 36 per cent, surely making the \$3.70 per kilometer drive one of the most costly in Canada;
- (c) The fact that while Prince Edward Islanders are grateful to have Confederation Bridge for the tremendous convenience and reduced transportation time for goods travelling to and from the Island, the reason Islanders initially agreed to a toll was the understanding that large scale federal transportation infrastructure programs required a "user pay" system in the form of tolls, and that was the only way they were going to get a bridge to replace the previous year-round ferry service;

(d) The change to that longstanding user pay policy when Justin Trudeau promised in the middle of the 2015 election campaign to cancel the toll on the replacement Champlain Bridge — like Confederation Bridge, also federally owned — being built in Montreal if he won;

(e) The Liberal victory in October of 2015 that resulted in the promised cancellation of the toll. However, keeping that impulsive election promise has pitted region against region and Canadians against Canadians. The feeling among many Prince Edward Islanders is that the federal government has favoured one part of the country by eliminating the toll on one bridge it owns and not on the other, and they wonder why Canadians are being treated differently depending on where they live;

(f) The repeated government justification for this unequal treatment — that the Champlain Bridge's status as a "replacement" bridge warrants such inequality — rings hollow among those on the losing end of this disparity, both because the original Champlain Bridge charged a toll for 28 years, until it was paid for, and because the idea that the new Champlain Bridge is a "replacement bridge" is a distinction without a difference. Every bridge is a replacement for what came before, be that an older bridge, a ferry, or an alternate route. The decision to treat "new" and "replacement" bridges differently is every bit as much a political decision as the decision to cancel the toll on the Champlain Bridge;

(g) The Prime Minister's statement, when asked in January 2017 about the unfairness of the toll on Confederation Bridge, that he would commit to, in his words "look at what can be done to make sure that people are able to travel freely and openly across this country at modest costs", is a two year old commitment to Prince Edward Islanders that remains unfulfilled and is a promise unkept;

(h) Therefore, the Senate Chamber should examine and discuss the strain on the unity of Canada caused by this inconsistency in how our fellow citizens are treated, depending on where they reside in Canada and recommend to the government possible solutions to this problem.

He said: Honourable senators, I would like to speak to my inquiry on bridge tolls, which some of you have heard me speak about before.

The fundamental basis of this inquiry is the inconsistency of a federal government policy that allows a \$47.75 toll per crossing on the Confederation Bridge in Prince Edward Island while cancelling the proposed toll on the new replacement Champlain Bridge in Montreal.

Although Prince Edward Islanders are grateful to have the Confederation Bridge for the tremendous convenience and reduced transportation time for goods travelling to and from the Island, the reason Islanders initially agreed to a toll was the understanding that large-scale federal transportation

infrastructure projects required a user pay system in the form of tolls, and that was the only way they were going to get a bridge to replace the previous year-round ferry service.

Beyond the problem of a \$47.75 toll for passenger cars and the serious effect that can have on both Islanders and on tourism is the significantly higher toll for many commercial vehicles and what that means for the Island economy in general.

In the course of my efforts to draw public attention to this inequality, I have heard from grain farmers and other exporters who cite the toll their shippers have to pay — \$72.50 for the typical tractor trailer — which can amount to many thousands of dollars a year. This has a serious impact on their ability to do business, effectively serving as a tariff on exports, particularly when it comes to agriculture and the fisheries, both of which are vital to the Prince Edward Island economy.

During the last federal election, then-Liberal Leader Justin Trudeau announced that, if elected, he would not proceed with the plan to charge tolls on Montreal's new Champlain Bridge, a \$4.2 billion project now nearing completion. A 2015 estimate prepared by the Parliamentary Budget Officer had calculated the loss to the federal treasury arising from Prime Minister Trudeau's promise to be \$4.3 billion over 30 years, or \$143.3 million per year in lost revenue.

However, there are also additional costs, because in contrast to the arrangements for the Confederation Bridge in Prince Edward Island with its \$47.75 toll, Ottawa is also paying all maintenance costs for the Champlain Bridge at an average of \$25 million per year. So the total annual cost of the Champlain Bridge in foregone tolls and maintenance is \$168.4 million.

In 2017, the Minister of Infrastructure and Communities stated that the new Gordie Howe International Bridge in Windsor, Ontario, will have a toll. Canada now has two major multi-billion-dollar bridge projects under way. However, where Windsor's Gordie Howe International Bridge — which is estimated to cost \$5.7 billion to build and maintain — will charge a toll, the replacement Champlain Bridge in Montreal will be toll-free. Meanwhile, Prince Edward Islanders continue to pay \$47.75 to use the Confederation Bridge, which cost slightly over \$1 billion to construct in the 1990s.

So the question is: Why are Canadian taxpayers paying the full construction and maintenance costs of the Champlain Bridge in Montreal while users of the other bridges pay a toll to cover those same expenses, when all three bridges are owned by the Government of Canada? To be specific, why is the federal government prepared to spend over \$168 million annually to remove the toll on the Champlain Bridge and cover the maintenance costs but not to spend much less to remove the toll on the Confederation Bridge? The subsidy to the Confederation Bridge operator plus the lost revenue from tolls would still be less money than the yearly cost of the subsidy to the Champlain Bridge.

The problem with this discrepancy goes beyond issues of simple fairness, important as those are. The government's commitment to a toll-free Champlain Bridge flies in the face of its plan to, in the words of its 2016 Fall Economic Statement:

. . . leverage its investments in infrastructure by bringing in private capital . . .

In other words, government will no longer be expected to foot the entire bill for large-scale infrastructure projects, but rather will partner with or leave the entire job to the private sector.

Of course, private investors aren't going to fund Canadian transportation infrastructure projects out of the goodness of their hearts. They expect to make their money back with more besides, and that means tolls.

All this begs the question: If toll revenue is so important to the sustainability of an infrastructure renewal program, why isn't there a toll on the Champlain Bridge?

The federal government is not being straightforward with Canadians on why it is not charging tolls on Montreal's new Champlain Bridge but is continuing a user-pay policy on the Confederation Bridge in Prince Edward Island and the future Gordie Howe International Bridge in Windsor. In fact, it is putting forth arguments that are, at best, flawed.

For example, government representatives keep repeating, as the Infrastructure Minister said in this chamber on May 10, 2016:

. . . related to the new toll-free Champlain Bridge in Montreal, the bridge that we are building is a replacement. It is not a new bridge. The bridge that already exists needs to be replaced. The reason we are committed to not having a toll on the new Champlain Bridge is that the current one does not have a toll.

In reality, colleagues, the current Champlain Bridge charged a toll for half of its existence, from 1962 until the toll was abolished on May 4, 1990, when the construction costs were paid; that took 28 years.

Furthermore, the view that there can't be a toll on the new Champlain Bridge because it is a "replacement" would also apply to the Confederation Bridge, replacing, as it did, a ferry service. Canada made a constitutional promise to Prince Edward Island as part of its entry into Confederation in 1873. The Terms of Union when Prince Edward Island joined Canada required:

That the Dominion Government shall assume and defray all the charges for the following services, viz: —

. . . Efficient Steam Service for the conveyance of mails and passengers, to be established and maintained between the Island and the mainland of the Dominion, Winter and Summer, thus placing the Island in continuous communication with the Intercolonial Railway and the railway system of the Dominion; —

In other words, a year-round connection between Prince Edward Island and Canada was a precondition for the colony's entry into Confederation. As time and technology advanced, "continuous communication" evolved from "steam service" and ice boats to car ferries and, now, to the permanent fixed link that is Confederation Bridge, a development acknowledged and, indeed, enabled by a 1993 amendment to the Constitution that clarified that:

. . . a fixed crossing joining the Island to the mainland may be substituted for the steam service

As busy and important as the Champlain Bridge, new or old, might be, it does not exist to meet a constitutional requirement. The Confederation Bridge does.

It also bears remembering that there is no requirement in law that the replacement for a toll-free bridge cannot itself charge a toll. In fact, the original plan for the replacement Champlain Bridge included tolls, as was mentioned in the 2014 federal budget.

If all Canadian taxpayers must collectively finance the cost of both construction and maintenance of the Champlain Bridge, and Montreal ends up getting a \$4 billion government-funded bridge with no tolls, then Canadians in the rest of the country have a right to receive equal treatment.

If we are going to discard the long-standing user-pay policy for transportation mega-projects in Canada, then Prince Edward Islanders can look forward to the removal of tolls on the Confederation Bridge and residents of southern Ontario should be able to cross their new bridge without paying both to build it and to use it.

• (1700)

Prime Minister Trudeau recognized the problem with the \$47.75 toll on the Confederation Bridge in his remarks during a Town Hall meeting on January 13, 2017. When he was asked a question about the outrageously high tolls on Confederation Bridge, he replied that the bridge was:

. . . an expensive bridge to build and it's an expensive bridge to cross.

At that same public meeting, he committed to:

. . . look at what can be done to make sure that people are able to travel freely, travel efficiently and openly across this country at modest costs.

Prince Edward Islanders are still waiting for the Prime Minister to deliver those modest costs.

In conclusion, the Government of Canada must answer two questions. Does the policy of a toll-free Champlain Bridge make any financial sense to anyone? And why are Canadians being treated differently depending upon where they live? Thank you.

The Hon. the Speaker pro tempore: Senator Downe, would you accept some questions?

Senator Downe: Yes.

Hon. André Pratte: Senator, I ask my question as someone in favour of the toll on the Champlain Bridge, which did not make me very popular in Montreal. You are aware, of course, of the particular situation of the Champlain Bridge. It's an urban bridge between the suburbs and the island of Montreal. One of the difficulties of imposing a toll — and as I said, I agree with a toll — is that if you impose too high a toll, people will simply go on the other four bridges making congestion worse and the bridge less profitable.

I was wondering, considering how you considered this issue in detail, how you would address the particular problem?

Senator Downe: Thank you, Senator Pratte, for your question and for your support for tolls.

The answer to your question was actually determined in the 2014 budget, which I think I quoted. They had determined what the toll would be on the bridge and it was quite low. The difference, of course, between the two bridges is the population base. Montreal would have a much higher usage than Prince Edward Island. Therefore, their toll was nowhere near \$47. As I recall, it was \$1.50 or \$1.80 per trip. The principle — as I can tell by your question you agree — either it is user pay everywhere or it is not user pay everywhere, and a toll is user pay. The toll would be lower. Federal officials told me that the toll on the Confederation Bridge was partly because of the volume of traffic. I indicated to them that if they lowered or eliminated the toll I could guarantee them the traffic would increase.

Hon. Carolyn Stewart Olsen: Would you take another question, senator? You did not mention in your speaking notes about the particular problems you have if you live on an island regarding medical appointments, which are at great cost. Even passport offices — I remember one of the senators brought that up. Islanders are not able to just stay on the island. They have to move back and forth, especially for medical appointments.

Would you agree with me that is an additional cost that many people can't afford?

Senator Downe: Absolutely. I'm glad you raised that. I didn't have time to put everything in the speech. We often hear we're a small province, but we have 10 provinces. We are equal to the others, we just have a smaller population base. That smaller population base means many medical services, particularly for children, are in Halifax or Moncton, and people travel there constantly. In fact, one of the groups I hear from on a regular basis are those in the nursing profession who contact me about the tremendous strain on family finances. Not only do they have to travel over, but back and forth constantly, particularly for childcare.

You mentioned passports. I mentioned before in this chamber that I was at my local neighbourhood store and we had no passport office. They come occasionally to P.E.I., but we don't have a passport office. The store owner wanted to go back to Lebanon. He filled out the passport application and drove to Halifax and everything was fine, but when he got back to Charlottetown there was a mistake and he needed to go back. That's \$47.75 times two before even paying for the passport. It's a tremendous inconvenience and cost for islanders.

The Hon. the Speaker pro tempore: There are other senators who want to ask you questions. Do you want five more minutes?

Senator Downe: Yes, five more minutes.

The Hon. the Speaker pro tempore: Is it agreed, honourable senators?

Hon. Senators: Agreed.

Hon. Leo Housakos: Thank you, Senator Downe, for bringing this issue to the forefront. It's an important issue in this chamber. Like Senator Pratte, I too, as a Montreal senator, am in favour of tolls on the Champlain Bridge. I'm also in favour of tolls for maintenance on the Cartier Bridge, for that matter. I believe paying for use is important. I believe Montreal taxpayers already pay a significantly higher tax rate for property taxes to maintain infrastructure costs. People who come in from off the island should be paying their fair share.

Having said that, you brought up some interesting points. Currently, the government is in negotiations to make up for changing this PPP to a non-toll bridge in Montreal. Neither chamber, not the House nor the Senate, has had any feedback from the government. There are negotiations going on between Transport Canada and lawyers for SNC-Lavalin, probably the same lawyers asking for a DPA from the government, as far as I know. The government says they will bring that information forward to Parliament as expeditiously as possible. Of course, you know we rise at the end of June.

Are you concerned about that negotiation? Is there a risk we might not get those figures until after the election? My ultimate question is, was this decision a fiscal or political one on the part of the Prime Minister in the last election?

Senator Downe: I cannot read the Prime Minister's mind, but many of us in this chamber have been involved in campaigns where we advocated for platform items thinking it would win votes and then had to live with the results afterwards. This may fall into one of those categories.

My concern about the first part of your question is when the contract was awarded for the construction of the Champlain Bridge, it was with the understanding there would be tolls. The infrastructure for the tolls would be built. There's a significant saving to the people building the bridge. SNC-Lavalin, I think, is 50 per cent owner of the company building it. There's a significant saving in the tens of millions of dollars because they don't have to do toll collection, which is an additional revenue stream for their bottom line.

Hon. Mohamed-Iqbal Ravalia: Senator Downe, if I may just extend the line of questioning with respect to what, in my mind, is a moral and ethical dilemma for Newfoundlanders. We are the only island, the only province, not directly connected to the mainland either by a bridge or a tunnel. We're highly dependent on the Marine Atlantic ferry, which incurs a significant cost upon Newfoundlanders who wish to get to the mainland. The majority of our produce comes across on a ferry service that is often dependent on inclement weather conditions. Would logic not afford the federal government to consider a no-charge cost for the ferry? Thank you.

Senator Downe: You make an excellent point because, as bad as it is for Prince Edward Island, it's even worse for Newfoundland and Labrador. It drives up your cost of living substantially because of incredibly high tolls. This is why, when you change a policy like this after the 2015 election, it has impacts and implications across the country. My concern is — and we're talking about Bill C-69 here. We're talking about Bill C-48, the pipeline and tanker ban. These are all issues that impact national unity in the sense of togetherness and everybody being treated the same.

This toll issue is a problem. Prince Edward Islanders are asking why this is happening. We pay taxes. Why are our taxes going to pay for a toll-free bridge in Montreal when part of our taxes go to the yearly subsidy on the Confederation Bridge, but we also pay for it? I think Newfoundland and Labrador has a very strong case that if this user pay policy is changing, you should be close to the front of the line to benefit from it.

(On motion of Senator Francis, debate adjourned.)

• (1710)

BUSINESS OF THE SENATE

The Hon. the Speaker: I will have to stop you at 5:15 for the ringing of the bells for the vote. We will then continue with your speech.

VACCINE HESITANCY

INQUIRY—DEBATE

Hon. Rosemary Moodie rose pursuant to notice of May 1, 2019:

That she will call the attention of the Senate to the issue of vaccine hesitancy and corresponding threats to public health in Canada.

She said: Honourable senators, today I rise to call the attention of the Senate to the concern of vaccine hesitancy and corresponding threats to public health here in Canada.

As this is my first speech in this place, I want to begin by thanking Senators Harder, Downe, Woo and Smith for their very kind words upon my introduction to the chamber in February. I would also be remiss if I did not recognize Senator Omidvar who was my sponsoring senator and a welcoming friend in this place.

Senators, I have spent my career working to improve health outcomes for children. As a new senator, I am privileged to have the opportunity to continue this fight for a sustainable, high-quality health care system that is grounded in evidence and the Canadian values of equity and solidarity here in the Senate.

Supporting the principles of the UN Convention on the Rights of the Child adopted in 1989, I will be a strong voice for children's rights here in the Senate of Canada. I will advocate and work to ensure that supporting legislation and policy be developed in this place along with many of you.

Senators, I have practised medicine in Canada for over 25 years, but I was not born in this country. Like many Canadians, and indeed many senators, I was welcomed and embraced by Canada and have benefited from the opportunities that have shaped who I have become.

I am privileged to call Canada my home, a home that is ethnoculturally diverse, rich in natural beauty and rooted in egalitarian ideals, a home where everyone is free to participate in our society and economy, and where everyone has equal access to health care. It is also a home where profound health inequities exist.

I realized early during my medical training that our women, girls and children right here in Canada face significant barriers to good health and well-being. This became the focus of my work in health care planning and advocacy, to improve health equity and to expand quality health care access for women and children.

I have had the privilege of working in many countries in health care planning and assessing health and social service organizations against standards of excellence as a national and international health care services surveyor. While working in this capacity to advance quality health care, I witnessed countries with low vaccine rates struggling to deal with preventable diseases, and I know the toll that these diseases can take. It is alarming to see that here in Canada, many of us have begun to take for granted the safety and protection that we have from these preventable diseases, protections afforded to us by vaccination.

Vaccination is one of the most successful public health interventions ever. Through widespread vaccination, we have eliminated many diseases that were once common in Canada. Up until recently, we would have said, with some confidence, that Canadian children, who once faced illness from infectious diseases, now face minimal endemic threat. Unfortunately, this assurance may be changing.

In 2003, federal, provincial and territorial Deputy Ministers of Health introduced a national immunization strategy, which set out five objectives; national vaccination goals, immunization program planning, vaccine safety, procurement, and the development of an immunization registry network.

Senators, we are more than 15 years out and we have not come far enough. We have not reached many of our national vaccination goals. We have failed to develop and implement consistent national vaccine schedules. And we have not been able to put interjurisdictional issues aside and create a national immunization registry network.

While we have succeeded in making vaccines safe and accessible, many Canadians are not convinced. Parents today are hesitant, worried about the risks of vaccinating their children, even when safe vaccines are readily available.

[Senator Moodie]

The Hon. the Speaker pro tempore: I am sorry to interrupt you. Honourable senators, it being 5:15, I must interrupt the proceedings pursuant to Rule 9-6. The bells will ring to call in the senators for the taking of the deferred vote at 5:30 p.m. on the amendment to Bill C-71, An Act to amend certain Acts and Regulations in relation to firearms.

We will continue with Senator Moodie's debate after the vote.

Call in the senators.

• (1730)

BILL TO AMEND CERTAIN ACTS AND REGULATIONS IN RELATION TO FIREARMS

THIRD READING—MOTION IN AMENDMENT NEGATIVED

On the Order:

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

And on the motion in amendment of the Honourable Senator McIntyre, seconded by the Honourable Senator McInnis:

That Bill C-71 be not now read a third time, but that it be amended on page 10, by adding the following after line 21:

“11.1 The Act is amended by adding the following after section 94:

94.1 (1) The Commissioner shall provide to the Minister, no later than February 1 of each year, a written report for the immediately preceding calendar year that sets out

(a) the decisions and recommendations made by the Commissioner regarding whether a firearm is a prohibited firearm, a restricted firearm or a non-restricted firearm; and

(b) the reasons for those decisions or recommendations.

(2) The federal Minister shall cause each report received under subsection (1) to be tabled before each House of Parliament on any of the first 15 days on which that House is sitting after the federal Minister receives it.”

The Hon. the Speaker: Honourable senators, the question is as follows: It was moved by the Honourable Senator McIntyre, seconded by the Honourable Senator McInnis:

That Bill C-71 be not now read a third time, but that it be amended on page 10, by adding the following after line 21 —

Shall I dispense, honourable senators?

Hon. Senators: Agreed.

The Hon. the Speaker: All those in favour of the motion will please rise.

Motion in amendment of the Honourable Senator McIntyre negatived on the following division:

Duncan
Forest
Francis
Gagné
Gold
Harder
Joyal

Ravalia
Ringuette
Saint-Germain
Simons
Sinclair
Wetston
Woo—50

YEAS

THE HONOURABLE SENATORS

Anderson	McInnis
Andreychuk	McIntyre
Ataullahjan	Mockler
Batters	Ngo
Black (<i>Ontario</i>)	Oh
Boisvenu	Patterson
Carignan	Plett
Dagenais	Poirier
Downe	Richards
Doyle	Seidman
Duffy	Smith
Eaton	Stewart Olsen
Frum	Tannas
Greene	Tkachuk
Griffin	Verner
Housakos	Wallin
MacDonald	Wells
Marshall	White—37
Martin	

NAYS

THE HONOURABLE SENATORS

Bellemare	Kutcher
Bernard	LaBoucane-Benson
Black (<i>Alberta</i>)	Lovelace Nicholas
Bovey	Marwah
Boyer	Massicotte
Busson	McCallum
Campbell	McPhedran
Christmas	Mégie
Cordy	Mercer
Cormier	Mitchell
Coyle	Miville-Dechêne
Dalphond	Moncion
Dasko	Moodie
Dawson	Munson
Day	Omidvar
Deacon (<i>Nova Scotia</i>)	Pate
Deacon (<i>Ontario</i>)	Petitclerc
Dean	Pratte

ABSTENTION

THE HONOURABLE SENATOR

Galvez—1

[*Translation*]

CANADA-MADAGASCAR TAX CONVENTION BILL, 2018

MESSAGE FROM COMMONS

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons returning Bill S-6, An Act to implement the Convention between Canada and the Republic of Madagascar for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, and acquainting the Senate that they had passed this bill without amendment.

[*English*]

BILL TO AMEND CERTAIN ACTS AND REGULATIONS IN RELATION TO FIREARMS

THIRD READING—DEBATE

On the Order:

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

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

After a study in the Standing Senate Committee on National Security and Defence where a broad cross-section of witnesses and amendments were proposed, this chamber chose to reject the amendments we voted on. I would like to focus on one of the amendments lost as a result of this vote.

This particular amendment addressed the new requirement in Bill C-71 to require every holder of a restricted or prohibited firearm licence to obtain a separate Authorization to Transport each time they transport their firearms for a lawful purpose.

Senators should be aware that under the current law, it is only possible to transport restricted or prohibited firearms for very specific legal purposes. These purposes, laid out in legislation, include transportation to a gun range within the licence holder's home province, transportation to a gun show, transportation to a border point of the province, transportation to a gun show, transportation to a border point in the province, transportation to the police for either verification or disposal and transportation to a gunsmith for the purpose of repair or maintenance. No other transport that is not specifically approved of in the act is ever authorized. And transportation, when it occurs, must always involve the firearm being unloaded and double-locked.

What the government has proposed in Bill C-71 is that these licenced firearms owners should be required to call the firearms centre each and every time they want to transport their firearms for any one of these lawful transport activities. The only exception that has been made is the transport of a firearm to a gun range. Officials have confirmed that about 95 or 96 per cent of all legal transports were, in fact, to a gun range.

For some reason, the government has decided that in the remaining 4 or 5 per cent of circumstances, a special call to the firearms centre should now be required. It is even now a new requirement to obtain special permission to transport a firearm to the police for disposal or verification.

Under Bill C-71, firearms licence holders will now need to call the firearms centre to get special permission to do this. In other words, one will have to obtain the approval of the police at a firearms centre to transport a firearm to the police. The public safety benefit has never been adequately explained here.

• (1740)

Second, Bill C-71 requires licensed firearms owners to obtain special authorization to transport their firearm to a gun show. Again, what exactly is the public safety benefit? Local police know when there is a gun show in the community, and they know exactly how long it will run. They are usually at the gun show themselves. The gun show has been approved through local permits. Yet every firearms owner who is displaying a firearm at that same show will now have to call the firearms centre to get approval to transport his or her firearms to that very show. Once again, what is the value-added public safety measure here? This has simply never been explained.

Third, the legislation requires that approval be obtained to transport a firearm to the border of a licensed firearm owner's province. Again, what is the public safety benefit? It is also unclear.

If one is planning to export one's firearm to the United States, major paperwork is required from U.S. authorities, in particular from the Bureau of Alcohol, Tobacco and Firearms, the ATF. Anyone who does not have this paperwork is not taking their firearm across the border. Requiring a separate and special phone call to the firearms centre in order to undertake such a transport is only adding a box-checking exercise that serves no valuable purpose.

[Senator Richards]

Last, we have the most counterproductive provision of all: the requirement to call the firearms centre every time a licensed firearms owner takes their firearm to a gunsmith. Many witnesses argued that this provision, in particular, will not only make transport to a gunsmith needlessly more difficult, it also has public safety implications. For example, competitive shots often take place on weekends. Should a firearm be in need of repair, it may not be legally possible to transport the firearm for repair if the firearms centre is unable to be reached on a timely basis. If the firearms centre cannot be reached, then they will be left with a firearm that can neither be transported nor repaired.

Allocating resources to these unnecessary tasks will mean that fewer resources will be available elsewhere, such as to support background checks, for example. Enabling licensed firearms owners to transport their firearms for lawful purposes outlined in the act — to a gunsmith, a gun show, the police for verification and the border of their province — without requiring special permission each and every time one undertakes such tasks is only what is reasonable. Incorporating a new box-checking exercise to undertake these routine tasks is inherently unreasonable. This will not stop a single offence nor a single crime.

MOTION IN AMENDMENT

Hon. David Richards: Therefore, honourable senators, in amendment, I move:

That Bill C-71 be not now read a third time, but that it be amended in clause 4, on page 7, by adding the following after line 31:

“(2.4) An individual who holds a licence authorizing the individual to possess restricted firearms or handguns referred to in subsection 12(6.1) must, if the licence is renewed, be authorized to transport them within the individual's province of residence

(a) to and from any place a peace officer, firearms officer or chief firearms officer is located, for registration, verification or disposal in accordance with this Act or Part III of the *Criminal Code*;

(b) to and from a business that holds a licence authorizing it to repair or appraise prohibited firearms or restricted firearms;

(c) to and from a gun show; and

(d) to a port of exit in order to take them outside Canada, and from a port of entry.”

The Hon. the Speaker: On debate, Senator Plett.

Hon. Donald Neil Plett: I would like to add my voice to the debate and thank Senator Richards for this amendment. It's a great amendment, and it's probably no surprise to anyone here that I support it.

Changing the authorizations to transport is probably the most ludicrous part of this legislation, because it is completely unnecessary. If you bear with me, I would like to briefly explain

why it is unnecessary. Senator Richards already touched on some of these areas, but I would like to expand upon his comments a bit for further clarification.

First of all, this issue has been very misrepresented by the government. In their election platform, the Liberal Party of Canada made the following promise:

We will take pragmatic action to make it harder for criminals to get, and use, handguns and assault weapons. We will:

repeal changes made by Bill C-42 that allow restricted and prohibited weapons to be freely transported without a permit

Colleagues, this is very misleading, because under the existing law, the transportation of restricted and prohibited weapons already requires a permit. It is already illegal to transport a restricted firearm without a permit to do so. So the government's suggestion that it will "repeal changes made by Bill C-42 that allow restricted and prohibited weapons to be freely transported without a permit" is complete nonsense. It misrepresents what is in place right now.

What the government is actually doing is quite different. Currently, there are two classifications of permits for transporting a restricted firearm: a long-term authorization to transport and a short-term authorization to transport. Some destinations require a short-term authorization, and some destinations require a long-term authorization.

Let me repeat: You cannot now transport your restricted firearm without one of these permits. When someone receives their licence for a restricted firearm, that licence carries with it an authorization to transport that firearm to six destinations as long as the licence is valid. Those six destinations, as noted by Senator Richards, are: a home or shooting range in the same province; a police station or Chief Firearms Officer for verification, registration or disposal; a gunsmith for repair or a gun store for the purposes of appraisal or sale; a gun show; a border point, such as border crossing or international airport; and from a place where you purchase a firearm to the home.

The firearm cannot be carried around in the trunk of a car wherever the owner goes. It can only be transported to one of those authorized destinations. Any destination other than those six requires the gun owner to contact their firearms officer in order to obtain a short-term authorization to transport.

Bill C-71 removes four of those six destinations from the long-term ATT and transfer them to the short-term ATT. It does not, as the Liberals claim, "repeal changes made by Bill C-42 that allow restricted and prohibited weapons to be freely transported without a permit," because there were no such changes in Bill C-42.

A restricted weapon already requires an authorization to transport in order to transport it anywhere.

Second, not only has this issue been misrepresented by the government, it has been very misunderstood by the public. Let me give you an example of this. Last month, a survey released by Leger asked the following question:

The Senate is currently studying a new piece of legislation, Bill C-71, which would modify the current legislation on firearms in Canada. Please tell me if you are in favour or opposed to the following proposed changes. . . .

Making it mandatory for owners of restricted firearms (handguns for example) to obtain an Authorization to Transport before they travel or transport their restricted firearm.

Eighty-one per cent of respondents said they were "strongly" or "somewhat" in favour. But how many of those respondents knew that authorizations to transport are already required in order to transport a restricted firearm? And how many of those respondents understood that in order to transport a restricted firearm you not only need a permit to do so, but you also must meet the following eight conditions?

• (1750)

The firearm can only be transported by the owner; the owner must have a valid, unexpired firearms licence for a restricted firearm; they must have the licence with them at all times when they are transporting the firearm; the firearm must be transported unloaded; it must be trigger-locked; it must be in a locked case; the owner must be travelling to an authorized destination as defined by the act; and the owner must be travelling by a reasonably direct route.

I suspect that if the poll question had been asked in a manner that represented these facts about the transportation of restricted firearms, the answers would have been substantially different.

It is very difficult to imagine how a person could believe that after a firearms owner jumps through all these hoops mentioned, requiring a short-term ATT rather than a long-term one will somehow increase public safety. Holding that position requires a lot of faith because there is absolutely no evidence to support it.

Thirdly, this issue has been previously addressed by the courts. In 2012, licenced gun owner Daniel Balofsky took the Ontario Chief Firearms Officer — CFO — to court because he was denied a long-term authorization to transport. Under section 74(1) of the Firearms Act, anyone who is refused an authorization to transport can refer the matter to a provincial court judge for a decision.

During the hearing, the CFO indicated that he was prepared to grant a long-term authorization to transport to Mr. Balofsky for travel to a gun club, but this would exclude travel to a gunsmith. He could take it to a gun club but he could not take it to a gunsmith, not unlike what the government is proposing today in Bill C-71.

Mr. Balofsky won the case. In his decision, Justice R. Khawly said the following:

. . . the authorization [to transport] should include the transport to gunsmiths or verifiers. Logically, it is in the public interest in terms of safety that firearms are in proper working order. It is nonsensical to deny such authorization on the basis of infrequency as the CFO has done.

Colleagues, this was in 2012, and I am told that it was partly due to this court case that the government extended long-term ATTs to cover trips to the gunsmith in Bill C-42 of 2015. Reversing this decision does seem to be nonsensical, to use the word chosen by Justice Khawly.

In closing, let me just sum up by noting the following. Gun control advocates and some senators in this chamber repeatedly suggest that firearms owners should be prepared to accept a few more public safety measures in the interests of flushing out rogue or criminal elements.

Last week, Senator Deacon used the example of increased security screening at airports to illustrate this point. The problem with this is that unlike airport security screening, the steps gun owners are being asked to take are completely meaningless from a public safety standpoint. If they had some public safety value, believe me, gun owners would be more than willing to adopt them, but they do not. All they do is cast a shadow of suspicion over all gun owners, and gun owners resent this.

Revoking long-term authorizations to transport is the very worst part of Bill C-71, and I encourage all senators to vote in favour of Senator Richards' amendment.

Thank you.

Hon. André Pratte: Well done, Senator Plett. I have five minutes left, and I would like to clarify a couple of points that I think are important.

First, when we are discussing authorizations to transport, we're talking about restricted and prohibited firearms. Hunting rifles are not covered. You can transport your hunting rifle, so the vast majority of guns in the country are not affected at all by this authorization to transport regime.

The previous situation, before Bill C-42 was adopted in 2015, was that you needed a single-use authorization to transport for transporting your gun to any destination within your province of residence. Bill C-42 brought forward a change, which is that when you get your licence, you also get what is called an automatic authorization to transport to take your gun to a series of destinations, which are the most frequent ones, such as the gun range, border stations, gun shows and gunsmiths.

That created a situation where it was extremely difficult for police officers to challenge someone they suspected was transporting a restricted or prohibited firearm somewhere for illegitimate purposes. That was for the simple reason that if you're on the road, you can simply say, "I'm going to the gun show over there," and if the police officer is not satisfied, you could say, "I'm going to the gun store over here," and if the police officer is still not satisfied, you can say, "I'm going to the

border station over there." You can always find one of these destinations somewhere in the way of the person transporting the firearm.

This is how Adam Palmer, President of the Canadian Association of Chiefs of Police, described the situation. The current ATT regime is so broad that it would include people basically throwing their locked gun in a vehicle and travelling to the border, a gun show, a range or to someone who will do repairs. There are so many different locations.

This creates a situation where a firearm is being transported in a vehicle, for some people, on a very regular basis, where we might be able to reduce the number of times we're transporting firearms in vehicles and do it under strict circumstances.

What Bill C-71 does is maintain the automatic ATT regime for the most frequent destinations, which is from the gun store to your home, and especially for gun ranges. That covers 95 per cent of the transport needs of gun owners.

So when people say that this will be a terrible burden for gun owners, the automatic ATT will still be issued for 95 per cent of their transportation needs.

[*Translation*]

Earlier, Senator Richards said this would require people to make a phone call. People can also go online to get an ATT for the remaining 5 per cent of their transportation needs, such as transporting a firearm to a gun show, to a gunsmith or across a border. With ATTs available online, the burden on gun owners will be minor.

If this amendment were adopted, it would be contrary to one of the fundamental aspects of the bill: preventing gun owners from freely transporting firearms anywhere in their home province.

This unreasonable measure was adopted in Bill C-42. Bill C-71 is different because it proposes a reasonable, pragmatic measure that does not require gun owners to obtain a separate ATT for 95 per cent of their needs. The impact on gun owners will be minimal, but the impact on safety and the ability of police officers to do their job will be considerable. Thank you.

[*English*]

Senator Gold: Senator Pratte, thank you very much. Could you share your understanding of the specificity of the campaign electoral promise the Liberals made on this issue in their electoral platform of 2015?

Senator Pratte: I don't have it in front of me. Do you have it there? Why don't you pass it on?

Senator Housakos: It was in the independent logbook.

Senator Pratte: I won't look at it.

Bill C-71 corresponds perfectly with the Liberals' election platform as far as firearms legislation is concerned. This is exactly what they had committed to, this is what's in the bill, and this is why the amendment is unacceptable, in my view.

Senator Plett: Thank you, Senator Gold.

• (1800)

The Hon. the Speaker: Honourable senators, it being 6 p.m., pursuant to rule 3-3(1) I'm required to leave the chair unless there is agreement that we not see the clock. Is it agreed, honourable senators?

Some Hon. Senators: Yes.

Some Hon. Senators: No.

The Hon. the Speaker: I hear a "no." The sitting is suspended until 8 p.m.

(The sitting of the Senate was suspended.)

• (2000)

(The sitting of the Senate was resumed.)

BILL TO AMEND CERTAIN ACTS AND REGULATIONS IN RELATION TO FIREARMS

THIRD READING—MOTION IN AMENDMENT— VOTE DEFERRED

On the Order:

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

And on the motion in amendment of the Honourable Senator Richards, seconded by the Honourable Senator Seidman:

That Bill C-71 be not now read a third time, but that it be amended in clause 4, on page 7, by adding the following after line 31:

“(2.4) An individual who holds a licence authorizing the individual to possess restricted firearms or handguns referred to in subsection 12(6.1) must, if the licence is renewed, be authorized to transport them within the individual's province of residence

(a) to and from any place a peace officer, firearms officer or chief firearms officer is located, for registration, verification or disposal in accordance with this Act or Part III of the *Criminal Code*;

(b) to and from a business that holds a licence authorizing it to repair or appraise prohibited firearms or restricted firearms;

(c) to and from a gun show; and

(d) to a port of exit in order to take them outside Canada, and from a port of entry.”.

The Hon. the Speaker: Resuming debate on Bill C-71.

Some Hon. Senators: Question.

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?

Some Hon. Senators: Yes.

Some Hon. Senators: No.

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

Some Hon. Senators: Yea.

The Hon. the Speaker: All those opposed to the motion 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: Do we have agreement on a bell?

Senator Plett: We will defer the vote to the next sitting.

The Hon. the Speaker: The vote will be deferred to 5:30 p.m. tomorrow.

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, we are now on item No. 61 on the Notice Paper and Senator Moodie is not here. May I have the agreement of the Senate that the matter be adjourned in the name of Senator Moodie for the balance of her time?

Hon. Senators: Agreed.

(At 8:03 p.m., the Senate was continued until tomorrow at 2 p.m.)

CONTENTS

Tuesday, May 14, 2019

	PAGE		PAGE
SENATORS' STATEMENTS			
Asian Heritage Month			
Hon. Victor Oh	8102		
Decriminalization of Homosexuality			
Fiftieth Anniversary			
Hon. René Cormier	8102		
Symposium on the One Hundred and Fiftieth Anniversary of Canadian Confederation			
Compilation of Conference Proceedings			
Hon. Serge Joyal	8103		
Visitors in the Gallery			
Hon. the Speaker	8103		
Canadian Agricultural Hall of Fame			
Congratulations to 2018 Inductees			
Hon. Robert Black	8104		
Visitors in the Gallery			
Hon. the Speaker	8104		
<hr/>			
ROUTINE PROCEEDINGS			
Legal and Constitutional Affairs			
Committee Authorized to Meet During Sitting of the Senate			
Hon. Serge Joyal	8104		
Fisheries and Oceans			
Committee Authorized to Meet During Sitting of the Senate			
Hon. Marc Gold	8104		
Canada-United States Inter-Parliamentary Group			
Pacific NorthWest Economic Region Annual Summit, July 23-26, 2018—Report Tabled			
Hon. Michael L. MacDonald	8105		
Annual Meeting and Regional Policy Forum of the Council of State Governments' Eastern Regional Conference, August 5-8, 2018—Report Tabled			
Hon. Michael L. MacDonald	8105		
Annual National Conference of the Council of State Governments, December 6-8, 2018—Report Tabled			
Hon. Michael L. MacDonald	8105		
Business of the Senate	8105		
ORDERS OF THE DAY			
Criminal Code			
Immigration and Refugee Protection Act (Bill S-240)			
Bill to Amend—Message from Commons—Motion for Concurrence in Commons Amendments—Debate Adjourned			
Hon. Salma Ataullahjan	8105		
		Criminal Code (Bill S-250)	
		Bill to Amend—Second Reading—Debate Continued	
		Hon. Paul E. McIntyre	8106
		The Senate	
		Motion to Strike Special Committee on Prosecutorial Independence—Debate Continued	
		Hon. Julie Miville-Dechéne	8108
		Hon. Denise Batters	8109
		Hon. Donald Neil Plett	8112
		Motion in Amendment	
		Hon. Donald Neil Plett	8112
		Hon. Ratna Omidvar	8112
		Oceans Act	
		Canada Petroleum Resources Act (Bill C-55)	
		Bill to Amend—Message from Commons—Amendment	8113
		The Senate	
		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—Debate	
		Hon. Ratna Omidvar	8113
		Hon. Salma Ataullahjan	8114
		Hon. Mohamed-Iqbal Ravalia	8116
		Motion in Amendment Adopted	
		Hon. Mohamed-Iqbal Ravalia	8117
		<hr/>	
		QUESTION PERIOD	
		Business of the Senate	8117
		Ministry of Finance	
		Trans Mountain Pipeline	
		Hon. Larry W. Smith	8117
		Hon. Bill Morneau, P.C., M.P., Minister of Finance	8117
		Bill C-69 Amendments	
		Hon. Larry W. Smith	8118
		Hon. Bill Morneau, P.C., M.P., Minister of Finance	8118
		First-Time Home Buyer's Incentive	
		Hon. Elizabeth Marshall	8118
		Hon. Bill Morneau, P.C., M.P., Minister of Finance	8118
		Money Laundering and Tax Havens	
		Hon. Joseph A. Day	8119
		Hon. Bill Morneau, P.C., M.P., Minister of Finance	8119
		Economic Indicators	
		Hon. Peter M. Boehm	8120
		Hon. Bill Morneau, P.C., M.P., Minister of Finance	8120
		Small Business Cooperatives	
		Hon. Lucie Moncion	8120
		Hon. Bill Morneau, P.C., M.P., Minister of Finance	8121
		Nunavut—Carbon Tax	
		Hon. Dennis Glen Patterson	8121
		Hon. Bill Morneau, P.C., M.P., Minister of Finance	8121

CONTENTS

Tuesday, May 14, 2019

	PAGE		PAGE
Asylum Seekers—Funding		Social Affairs, Science and Technology	
Hon. Jean-Guy Dagenais	8121	Committee Authorized to Meet During Sitting of the Senate	
Hon. Bill Morneau, P.C., M.P., Minister of Finance.	8122	Hon. Chantal Petitclerc	8130
Money Laundering and Tax Havens		Confederation Bridge and Bridge Tolls	
Hon. Serge Joyal.	8122	Inquiry—Debate Adjourned	
Hon. Bill Morneau, P.C., M.P., Minister of Finance.	8122	Hon. Percy E. Downe	8130
International Development		Hon. André Pratte	8132
Hon. Mary Coyle	8122	Hon. Carolyn Stewart Olsen	8132
Hon. Bill Morneau, P.C., M.P., Minister of Finance.	8123	Hon. Leo Housakos	8133
Business of the Senate	8123	Hon. Mohamed-Iqbal Ravalia	8133
<hr/>		Business of the Senate	8133
ORDERS OF THE DAY		Vaccine Hesitancy	
The Senate		Inquiry—Debate	
Motion to Urge the Government to Invoke the Genocide		Hon. Rosemary Moodie.	8133
Convention to Hold Myanmar to its Obligations and to		Bill to Amend Certain Acts and Regulations in Relation to	
Seek Provisional Measures and Reparations for the		Firearms (Bill C-71)	
Rohingya People—Debate Continued		Third Reading—Motion in Amendment Negatived	8134
Hon. Yonah Martin	8123	Canada-Madagascar Tax Convention Bill, 2018 (Bill S-6)	
The Senate		Message from Commons	8135
Policies and Mechanisms for Responding to Harassment		Bill to Amend Certain Acts and Regulations in Relation to	
Complaints against Senators—Inquiry—Debate Continued		Firearms (Bill C-71)	
Hon. Julie Miville-Dechéne	8124	Third Reading—Debate	
Motion to Urge the Government to Support the Genuine		Hon. David Richards	8135
Autonomy of Tibet—Debate Adjourned		Motion in Amendment	
Hon. Thanh Hai Ngo	8125	Hon. David Richards	8136
Motion Pertaining to the Condemnation of Anti-Semitic		Hon. Donald Neil Plett	8136
Initiatives—Debate Adjourned		Hon. André Pratte	8138
Hon. Linda Frum	8128	Hon. Marc Gold	8138
Canada Revenue Agency Act		Bill to Amend Certain Acts and Regulations in Relation to	
Bill to Amend—Message to Commons—Motion Requesting		Firearms (Bill C-71)	
Passage of Bill Adopted		Third Reading—Motion in Amendment—Vote Deferred	8139
Hon. Percy E. Downe	8129	Business of the Senate	8139
National Security and Defence			
Committee Authorized to Meet During Sitting of the Senate			
Hon. Jean-Guy Dagenais	8129		