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Oilpatch woes impacting Canadian economy, central banks says

Tony Seskus

The Bank of Canada acknowledged Wednesday the struggles of the oilpatch are weighing on the broader economy, adding that investment in the sector is "projected to weaken further."

The central bank, which announced it will keep its key interest rate unchanged at 1.75 per cent, said global benchmark oil prices have been about 25 per cent lower than expected since October.

"Here in Canada, lower oil prices have reached the point where they will have material consequences for our macroeconomic outlook," Bank of Canada governor Stephen Poloz said.

Worries about oversupply and slowing global demand for oil are also reflected in the bond and equity markets, the bank said. It also directed attention to a costly gap between Canadian and U.S. benchmark oil prices.

"While price differentials have narrowed in recent weeks following announced mandatory production cuts in Alberta, investment in Canada's oil sector is projected to weaken further," the bank said in a statement.

However, overall, the bank expects the impact of the oil price decline to be about one-quarter the size of that during the oil price plunge that hit in 2014 and continued through 2016.

Concern over oil prices came to a head last fall in Alberta as the price gap between Canadian crude and U.S. benchmarks hit new records, topping $50 US a barrel in October, due to rising oil production, export bottlenecks and American refinery maintenance.

A number of oil executives and politicians warned of a broader impact on the economy.

This month, Alberta began enforcing mandatory production cuts on its largest oil producers in a bid to clear the oil glut. Todd Hirsch, chief economist at ATB Financial, called it "encouraging" that the Bank of Canada is taking note of the issues in the oilpatch and their broader impact.

"I know it's really fashionable right now in Alberta to feel that nobody outside the province cares about us," Hirsch said. "Well, the Bank of Canada certainly does understand the energy economy and they understand that this is a national problem, not just an Alberta problem."

Hirsch said Poloz's remarks sounded "more dovish," leading to speculation "they may not raise rates at all in 2019."

And that should help Albertans as many expected rates to go up, he said.

"It makes it more comfortable for all those people who are either carrying debt or wanting to take on some mortgage debt," Hirsch said.

"There's not a lot of welcomed news these days ... but, in Alberta, we'll take whatever breaks we can get. And holding steady on interest rates is one break I think we need right now."

Robert Mark, portfolio manager at Raymond James in Toronto, said Poloz's remarks on the struggles of the oilpatch were appropriate. He thinks the issue, which he called a "crisis" for the economy, has deserved to get more attention than it has.

Mark said the energy industry is a big part of the Canadian economy and so, in light of the current challenges, there's some reason to be less aggressive in monetary policy.

"You can't have that kind of bloodshed - in terms of prices and differentials and job losses and all the things that come with it - without having negative ramifications," Mark said.

The Canadian economy has been performing well overall, the bank said Wednesday.

"Growth has been running close to potential, employment growth has been strong and unemployment is at a 40-year low," said the Bank of Canada release.

It said exports and non-energy investment are projected to grow solidly.

However, the bank said, household spending will be dampened further by slow growth in oil-producing provinces.

La Banque du Canada se met sur la touche

Éric Desrosiers

La Banque du Canada attendra d'y voir plus clair dans l'actuel passage à vide de l'économie canadienne avant de reprendre la hausse de ses taux d'intérêt.

La banque centrale n'a étonné personne, mercredi, en laissant son taux directeur inchangé à 1,75 %. Prenant acte de l'impact beaucoup plus important que prévu des conflits commerciaux, de la chute des prix du pétrole et du ralentissement du marché immobilier au Canada, elle en a profité pour réviser à la baisse ses dernières projections économiques à l'automne. Elle a assuré qu'elle avait toujours l'intention de poursuivre le relèvement du loyer de l'argent au pays, avant d'ajouter qu'elle entendait auparavant s'accorder du temps pour étudier l'évolution de tous ces facteurs.
" Il ne fait pas de doute, selon nous, que l'économie repose sur des bases solides, a déclaré en conférence de presse le gouverneur de la Banque du Canada, Stephen Poloz. À mesure que la neige fondera, nous serons plus à même de voir si l'économie a retrouvé son allant. "

La Banque du Canada a relevé trois fois son taux directeur de 0,25 point de pourcentage l'an dernier. Mercredi, elle a indiqué son intention d'augmenter " avec le temps " ses taux d'intérêt jusqu'à un niveau neutre, c'est-à-dire qui ne stimule ni ne freine la croissance et qu'elle situe quelque part entre 2,5 % et 3,5 %, " Avec le temps", c'est assez vague, a admis Stephen Poloz. Et c'est assez vague pour une raison. Cela veut dire que le rythme de cette augmentation n'est pas prédéterminé, qu'il dépendra des données. Aussi, je ne peux pas vous dire combien de temps cela va prendre. "

L'économie depuis cet automne

Il faut dire que depuis son dernier portrait d'ensemble de la situation au mois d'octobre, " bien des choses se sont passées ", a-t-il noté. La guerre commerciale menée par les États-Unis, notamment contre la Chine, a commencé à se faire sentir concrètement, forçant la Banque du Canada à réduire légèrement ses prévisions de croissance de l'économie mondiale pour 2018 de 3,8 % à 3,7 %, et la confortant dans sa prédiction de 3,4 % en 2019 et en 2020.

En plus de semer la commotion dans les marchés financiers de la planète, le ralentissement de la croissance mondiale a plombé la demande et donc le prix des ressources, dont celui du pétrole. Au Canada, cela n'a contribué qu'à aggraver les problèmes des provinces pétrolières déjà obligées de vendre moins cher leur or noir, faute de moyens suffisants pour l'expédier vers les marchés étrangers, ainsi que de réduire leur production. Cette situation devrait provoquer cette année un recul des investissements dans le secteur pétrolier et gazier non pas de 1,5 %, comme la Banque du Canada le prévoyait cet automne, mais de 12 %, et retrancher environ 0,5 % au produit intérieur brut (PIB) canadien d'ici la fin de 2020.

Force est également d'admettre que " la croissance des salaires demeure médiocre " en dépit d'un taux de chômage à un plancher record et que, dans le marché immobilier, on " met plus de temps que prévu " à se faire non seulement au relèvement des taux d'intérêt, mais aussi aux resserrements des règles hypothécaires et aux mesures prises par les gouvernements pour freiner la spéculation à Vancouver et à Toronto.

Un mauvais moment à passer

Conséquemment, la Banque du Canada s'attend désormais à ce que la croissance économique, qui était encore de 3 % en 2017, se soit tassée à 2 % en 2018 (contre une prévision de 2,1 % en octobre) et ne soit plus que de 1,7 % cette année, soit 0,4 point de pourcentage de moins qu'elle ne le pensait cet automne.

Ce recul devrait essentiellement être le fait du dernier trimestre de 2018 et du premier de cette année, où l'on prévoit des taux de croissance annualisés de seulement 1,3 % et 0,8 %. Après, on prévoit un rebond à 2,1 % en 2020, plutôt que le 1,9 % annoncé en octobre, à la faveur notamment d'une hausse des exportations et des investissements hors énergie stimulés par la demande étrangère, la conclusion cet automne du nouvel Accord Canada-États-Unis-Mexique (ACEUM), la faiblesse du dollar canadien et les dernières mesures fiscales fédérales sur l'investissement. À moins, évidemment, que la guerre commerciale entre les États-Unis et la Chine continue de se dégrader.

Dans ce contexte, il ne faut probablement pas attendre la prochaine hausse des taux d'intérêt de la Banque du Canada avant le mois de juillet, pense l'économiste du Mouvement Desjardins, Benoit P. Durocher. Son confrère de la Banque TD, Brian DePratto, continue, de son côté, de penser qu'elle pourrait venir ce printemps. " À condition, évidemment, que l'économie évolue comme prévu. "

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Trudeau toutts controversial pipeline project in speech to supporters in B.C.

KAMLOOPS, B.C. _ Prime Minister Justin Trudeau touted the benefits of a liquefied natural gas project that's at the centre of an impasse with First Nations in a speech to supporters in Kamloops, B.C., on Wednesday.

RCMP arrested 14 people Monday in northwestern British Columbia over a protest against construction of a natural gas pipeline by Coastal GasLink, a key part of the $40-billion LNG Canada project.

In a campaign-style speech at the Liberal fundraiser, Trudeau did not address the arrests but heralded the massive project as one of his government's key achievements over the past year.

"We moved forward on the LNG Canada project, which is the largest private sector investment in Canada's history, $40 billion, which is going to produce Canadian LNG that will supplant coal in Asia as a power source and do much for the environment," he said.

The RCMP enforced an injunction Monday from the B.C. Supreme Court that ordered the removal of any obstructions to the pipeline project in and around the Morice River Bridge on a remote forest service road southwest of Houston.

The pipeline company says it has signed agreements with all First Nations along the route but demonstrators say Wet'suwet'en house chiefs, who are hereditary rather than elected, have not given their consent.
Later Wednesday, Trudeau told Radio NL that "we're going to have to do a better job" of dealing with First Nations rights and title.

"There's still work to be done right across the country in terms of having the opportunity for Indigenous communities to strengthen their governance models," he said.

"The federal government is not the one who should be deciding who speaks for which Indigenous community. Our responsibility is to support communities as they develop models that make sense. That's what we're in the middle of right now."

The prime minister was scheduled to speak at a town hall gathering at Thompson Rivers University on Wednesday, where hundreds of people waited in a long line in frigid weather.

Small groups of protesters gathered as well. About a dozen Indigenous protesters chanted "Protect the Water" and beat drums, while a handful of yellow-vest demonstrators stood nearby with "No Carbon Tax" signs.

Tsi7i, a Secwepemc protestor, said she opposes the arrests in northwest B.C. and Trudeau's "push for pipelines." She challenged Trudeau's comment earlier Wednesday that the demonstrators at the pipeline blockade must respect the law.

"He needs to respect Indigenous law ... pertaining to the hereditary structure," she said.

She said her group of protesters has been getting along amicably with the pro-pipeline yellow-vest demonstrators.

"We can agree on one thing and that's no Justin Trudeau," she laughed.

The prime minister told supporters at the fundraiser that he expected to hear 'strong voices' at the town hall with very clear ideas about what his government should be doing.

"The challenge we have to have as Canadians is to be open to listening to people, to understand their concerns and their fears, and to work together to try and allay them," he said.

"We will always have in this country perspectives that vary widely."

Dozens of protesters on both sides of the pipeline debate gathered outside the hotel where Trudeau spoke at the fundraiser.

Protesters wearing yellow vests carried signs that read "Carbon Tax Cash Grab" and "Trudeau for Treason" while taking part in a chant opposing a United Nations pact on migration signed by Canada. Conservative critics argue it threatens Canada's sovereignty.

Keith LaRiviere, who is Cree and participated in the yellow-vest protest, said he knows some of the people involved in the pipeline blockade.

He said he supports their right to protest but he believes those building the pipeline also have the right to do their work.

"I go to sweat lodges with some of those people so I really know them intimately, and I do support their cause. I do support their right to their land. I don't support the aggressive way they were forced out of their position," said LaRiviere, who travelled from Prince George.

On the other side of the hotel parking lot, a group of Indigenous protesters opposed to the pipeline sang, drummed and held a banner reading "PM Trudeau: Canada needs climate action now."

Janice Billy said she supports the Wet'suwet'en because her First Nation, the Secwepemc, are also losing control of their lands.

"The people ... had no reason to be arrested. They are peaceful people. They were there protecting the land and water," she said.

The federal riding of Kamloops-Thompson-Cariboo is held by Conservative MP Cathy McLeod and the Liberals see B.C. as a key battleground for the election in October.

Trudeau's visit to Kamloops marks the start of an outreach tour that will expand across the country.

Before meeting Kamloops Mayor Ken Christian on Wednesday afternoon, Trudeau highlighted the importance of Ottawa working with cities.

"There are lots of opportunities for us to work together, on infrastructure, on supporting our young people. The federal government really believes in partnership with our cities."

Protests, not Moe, expected to greet Trudeau

Prime minister to hold town hall

D.C. Fraser

Prime Minister Justin Trudeau will be in Regina on Thursday for a town-hall meeting.

Like most stops along his tour schedule, he can expect to be greeted by protesters. However, he won't be greeted by Saskatchewan Premier Scott Moe.

Moe told reporters earlier this week he had scheduled time off to spend with his wife, and will stay committed to those plans over meeting Trudeau - despite the two continuing to have ongoing differences over the federal carbon tax and pipeline approvals.

It's expected Trudeau will be greeted by pro-pipeline people protesting the federal Liberal government's carbon tax, as well as anti-pipeline protesters supporting an Indigenous blockade in a remote area of northern British Columbia.
B.C. Premier Horgan sees 'no quick fix' to questions of nationhood as support grows for Wet'suwet'en

Alastair Sharp

Premier John Horgan of British Columbia said on Wednesday that he sees "no quick fix" to the surging Canadian question about territorial rights as a First Nations group and law enforcement clashed in a remote northern part of the province this week.

Horgan, in his first public comments since Royal Canadian Mounted Police moved against an Indigenous blockade of a pipeline project earlier this week, said there are just not straightforward answers to be had as Canada wrestles with a question touching energy policy, historical record, and national identities.

He also said he saw in the broader solidarity movement coalescing behind the blockaders those who had out-of-jurisdiction fights to pick.

"There were those talking about diluted bitumen. There were those talking about eradicating capitalism," he told reporters at a news conference in Victoria, in reference to a string of solidarity actions in cities across the country and elsewhere in the world.

Support for the Wet'suwet'en caused Prime Minister Justin Trudeau to delay a speech and change its venue after a long column of protesters charged into the original venue on Tuesday, where he eventually addressed Indigenous leaders without referencing the breached blockade or taking questions from reporters.

Horgan, the New Democrat premier of the coastal province, said that his government believed it had met its obligations to consult with Indigenous nations in approving TransCanada's Coastal Gaslink project by receiving the "free, prior, and informed" consent that is referenced in United Nations declarations on indigenous rights to which has Canada committed.

The premier said that he had spoken with the prime minister and they had agreed that the province was unique in the federation because of the amount of unceded territory it contained.

Unceded territory refers to land upon which inhabitants lived when colonial visitors arrived who never came to a formal agreement with them. Horgan has also been described as the premier of "so-called" British Columbia in some tightly-edited video montages that have been posted in recent days.

He sought to draw a balance between extending an olive branch of honest negotiation with the hereditary chiefs of the clans of the Wet'suwet'en First Nation which are not in agreement with their nation's elected chiefs in consenting to the project and stressing his government believed it had done all it needed to do to approve the project in good faith.

All the nations "from well-head to waterline" had agreed, he said.

But within those 20 First Nations whose traditional territory the Coastal Gaslink pipeline snakes there are also 13 houses and five clans, and the hereditary chiefs - those whose authority is passed down generationally rather than granted at the end of some form of selection or election process - don't always agree with the elected officials. The different groups and systems have brought varying levels of authority to the
Manifestations anti-gazoduc : il faut éviter une crise d'Oka, prévient le chef Simon

Le grand chef Serge Otsi Simon de la communauté mohawk de Kanesatake, près de Montréal, est inquiet des arrestations de manifestants autochtones anti-gazoduc en Colombie-Britannique. Une situation qui, dit-il, est non sans rappeler la crise d'Oka, qui a profondément marqué les relations entre Autochtones et non-Autochtones au Québec comme ailleurs au pays.

« Je viens de la région d'Oka. Il n'y a personne qui comprend plus que moi comment une situation comme celle-ci peut dégénérer. On l'a vu en 1990 quand le manque de respect, de discorde, s'est produit, ça amène à ce genre de choses », affirme le grand chef de Kanestake en entrevue à Espaces autochtones.

En 1990, l'armée canadienne était intervenue pour mettre fin à un litige territorial entre Oka et les Mohawks de Kanesatake, qui s'opposaient à l'agrandissement d'un golf sur des terrains ancestraux. La crise - qui s'est soldée par un mort - a eu des répercussions partout au pays et a laissé des cicatrices très profondes de part et d'autre.

Plusieurs ont fait le parallèle avec cette crise quand, cette semaine, la GRC a arrêté 14 membres la Première Nation Wet'suwet'en dans le nord de la Colombie-Britannique. Ceux-ci protestaient contre le projet de pipeline Coastal GasLink de TransCanada sur leur terre. Le corps policier est intervenu afin de faire respecter une injonction de la Cour suprême de la province pour permettre à TransCanada de commencer les travaux de construction du gazoduc.

« Je trouve que la GRC est allée trop loin », s'indigne le grand chef Simon, estimant que les autorités doivent empêcher que la situation devienne « incontrôlable ». « Il y aurait pu y avoir des blessures, un mort ou deux, on ne sait pas jusqu'où ça aurait pu aller », ajoute-t-il.

Les manifestants en Colombie-Britannique soutiennent que la compagnie n'a pas obtenu le consentement des chefs héritataires de la Nation Wet'suwet'en pour aller de l'avant avec le projet. De son côté, TransCanada affirme avoir signé des ententes avec toutes les communautés autochtones le long du tracé du pipeline.

« C'est une question interne, et le gouvernement fédéral ne doit pas s'en mêler », a estimé le grand chef, lui-même contesté par les traditionalistes mohawks qui ne reconnaissent pas l'autorité fédérale ou celle du conseil de bande. Une « extension » du gouvernement, selon eux.

Le grand chef Simon rappelle par ailleurs que la Première Nation Wet'suwet'en a le pouvoir d'autoriser ou non l'accès à son territoire, n'ayant jamais signé de traité cédant ces terres au gouvernement du Canada.

Méfiance à l'égard d'Ottawa

Farouche opposant aux pipelines, le grand chef Simon avait signé en 2016, avec d'autres Premières Nations du Canada et des États-Unis, un traité pour faire front commun contre l'exploitation des sables bitumineux. Depuis, il a notamment dénoncé publiquement l'expansion du pipeline de sables bitumineux Trans Mountain de Kinder Morgan.

Le projet Coastal GasLink prévoit transporter du gaz naturel liquéfié - et non pas du pétrole - de Dawson Creek, jusqu'au terminal de LNG Canada à Kitimat, sur la côte de la province. Serge Otsi Simon reconnaît qu'il s'agit « d'un tout autre enjeu » sur lequel il ne veut pas se prononcer, mais condamne néanmoins l'ingérence du gouvernement.

« Le premier ministre Trudeau nous a fait des promesses, notamment celle d'implanter la Déclaration des Nations unies [sur les droits des peuples autochtones]. On a toutes sortes de raisons de se méfier de ce que fait le gouvernement fédéral en ce moment », souligne le grand chef.

Le premier ministre s'est pour la première fois prononcé sur les arrestations des manifestants mercredi, à la radio de CBC, reconnaissant qu'il ne s'agissait pas d'un dénouement « idéal ». M. Trudeau a soutenu qu'il était important de « laisser les gens exprimer leurs préoccupations », mais il a rappelé du même souffle que le Canada est un pays où règne l'État de droit, et que les jugements des tribunaux doivent être respectés.

Les arrestations effectuées par la GRC en Colombie-Britannique ont été condamnées par des Autochtones d'un océan à l'autre, à commencer par le chef de l'Assemblée des Premières Nations, Perry Bellegarde, qui a dénoncé « une violation des droits de la personne et des droits des Premières Nations ».
When pipeline companies want to build on Indigenous lands, with whom do they consult?

Angela Sterritt

The tensions unfolding over a natural gas pipeline project in northern B.C. have raised questions about who a resource company should consult among Indigenous leaders when pursuing a major project: hereditary chiefs or elected band councils?

Hereditary chiefs are standing in opposition to the project, despite a court injunction. But several Wet'suwet'en elected band councils have signed agreements with Coastal GasLink, a subsidiary of TransCanada Corp., for a pipeline to carry natural gas from northern B.C. to the coast, where a liquefied natural gas project is scheduled.

Here's a look at what we know about the situation:

Who is trying to stop the pipeline in Wet'suwet'en territory?

All the First Nations bands, except the Hagwilget Nation Village Council, signed agreements with Coastal Gaslink. This includes the Skin Tyee First Nation, Wet'suwet'en First Nation, Witset First Nation, and Nee Tah Buhn Band.

However, hereditary leaders say those agreements don't apply to the traditional territories.

"All of the 13 house chiefs of the five Wet'suwet'en clans have said 'no' to all oil and gas pipelines in our territories," says Carla Lewis, a spokesperson with the Gitdimt'en clan, who has a master's degree in Indigenous governance.

Lewis says those clans ratified their opposition to all oil and gas expansion within their territory through a potlatch three years ago after weighing the cultural, environmental, and economic impacts.

Why are there two sets of authority within Wet'suwet'en territory?

The band council leadership has reached agreements with Coastal GasLink but the hereditary leadership is opposed to the project.

How does band leadership work?

A First Nations community has an election for chief and council - based on the number of members they have - every two years. Band council leadership is not a traditional form of government. Rather, they are creations of the Indian Act.

While people in the community elect a band council, it is accountable to the federal government.

Bands were introduced by the federal government in 1876, as part of a post-Confederation assimilation policy.

"The federal government thought the way communities were governing themselves was backwards," says Bob Joseph, the founder of Indigenous Corporate Training, which helps companies and organizations work better with First Nations.

"It was a direct imposition on already self-governing Indigenous communities," Joseph said.

How does hereditary leadership work?

Hereditary leadership is based on a clan and house-based system and it differs from community to community. A Wet'suwet'en hereditary chief inherits his or her role through their matrilineal line through the potlatch system, which is their governing structure.

In the case of the Wet'suwet'en, if a hereditary chief is not taking a leadership role seriously or not living up to expectations, that person can be stripped of their hereditary role, and another person may be appointed by other clan chiefs in a potlatch.

The different levels of decision making and authority have created tensions between the hereditary chiefs, provincial and federal governments, and band councils.

How does a community decide who is in charge?

Every community is different, but Joseph says, for the most part, band councils sort out responsibilities normally taken care of by the federal government, like health care and education.

Wet'suwet'en hereditary Chief Na'mocks, one of the leaders protesting the pipeline, describes his authority as taking care of the land and rights and title to it.

"Elected chiefs and councils only have jurisdiction within the boundaries of the reserve that they're elected to serve and they are supporting the pipeline," Chief Na'Moks said.

"We have 22,000 square kilometres that we are accountable for," he added.

How does that authority hold up in court?

Lawyers point to the 1997 Supreme Court of Canada Delgamuukw decision to describe how authority in Wet'suwet'en territories is circumscribed.

That decision found that Indigenous land rights and title were not extinguished at the time of colonization. The case was framed around traditional, hereditary leadership, according to lawyers.

"Band councils are inherently a creation of the federal government and the Indian Act, so in many cases those don't line up with pre-existing Indigenous legal orders," said Kate Gunn, a lawyer at First People's Law in Vancouver.
She says the Delgamuukw decision found that the Wet'suwet'en nation is organized and governed through the hereditary system.

"Whether the Indian Act bans have signed on to the agreements or not the support of the nation and the process to get that support hasn't been fulfilled," she said.

**If you're a company like TransCanada, with whom do you consult?**

Bob Joseph says when TransCanada started the consultation process six years ago, the federal government at the time may have directed companies to talk to the chief and council for input or approval.

Today though, Joseph says Prime Minister Justin Trudeau is trying to push through rapid changes, such as dismantling the Indian Act - where band councils derive their power. Trudeau has also talked at length about treating Indigenous groups as nation-to-nation rather than as underneath the federal government.

Joseph says this may mean companies like TransCanada should consult an entire community, rather than specific leadership. In turn, he says communities may have to hold referendums for the entire community before making decisions that not everyone favours.

On Tuesday, Trudeau told a group of Indigenous leaders in Ottawa that "a great deal of work remains to be done to fix the relationship between the federal government and First Nations".

**Coastal GasLink pipeline could face federal regulatory review**

Jorge Barrera

In addition to opposition from the hereditary chiefs of Wet'suwet'en Nation, the proposed Coastal GasLink natural gas pipeline faces another battle that it says could put the project at risk.

The National Energy Board (NEB) launched a multi-step process last fall to determine whether the $4.8-billion pipeline should fall under federal jurisdiction and perhaps undergo further regulatory review - potentially delaying the project for months.

A hearing has not yet been scheduled, but the NEB has listed several filing deadlines between January and March.

The 675-kilometre pipeline, which would move natural gas from Groundbirch, B.C., to Kitimat, B.C., for international export was cleared by provincial officials by April 2016. It is owned by TransCanada Corp, now officially known as TC Energy.

But members of the Wet'suwet'en Nation in northern B.C. who don't support the pipeline crossing their territory established camps with fortified checkpoints, barring workers from a road and bridge they need to cross for construction activities. This week, RCMP enforced an injunction allowing workers access to the area.

The NEB case was triggered by Smithers, B.C., resident Michael Sawyer, an environmental consultant with over two decades of experience in Alberta's energy sector, who believes the project should fall under federal jurisdiction.

TransCanada Corp. said in filings from an earlier phase in the process that if the NEB even entertained the jurisdictional question it would have grave implications.

"It would create regulatory uncertainty and inefficiency at a time when these issues are jeopardizing Canada's global competitiveness," said TransCanada.

"It would put real, tangible benefits to people in B.C., including First Nations, at risk."

The company said in an emailed statement that it was "disappointed" with the NEB's October 2018 decision to review jurisdictional arguments.

It said the project underwent a "robust two-year environmental and technical review" through B.C.'s regulatory system.

**Intervener status awarded**

The NEB granted the federal government, B.C., Alberta and Saskatchewan intervener status on the case last December.

Several energy companies involved in the project, like Shell Canada and PetroChina Canada, which are part of the joint venture behind the LNG terminal in Kitimat, have also been granted intervener status.

The Wet'suwet'en hereditary leadership, along with 11 other First Nations, requested intervener status in the first round of the process but were rejected by the NEB.

The B.C. Ministry of Energy and Mines did not provide comment, but in filings the province said the project was its responsibility.

Natural Resources Canada spokeswoman Vanessa Adams said in an emailed statement the issue was up to the NEB.

The Alberta government did not respond to a request for comment.

**Visit to Gidimt'en camp**

Sawyer said the B.C. judge who issued the injunction ordering people at the camps to stop preventing workers from accessing the area did not have all the facts of the project before making the decision.

"The crazy thing is that the government knows of my challenge and TransCanada, but no mention of it was made in the injunction application," said Sawyer.
"It is very peculiar that they would take these dramatic steps on a project that has a high risk of being deemed illegal."

Sawyer said he supports the resistance by Wet’suwet’en hereditary chiefs to the natural gas project.

He visited the Gidimt’en camp last week and dropped off hundreds of pounds of potatoes, carrots and onions, along with coffee.

RCMP entered the Gidimt’en camp on Monday to enforce the injunction, arresting 14 people.

"Nothing makes better friends than a common enemy and that is what we have," said Sawyer.

A link to Alberta?

A Supreme Court decision, known as Westcoast, created two tests to determine whether a pipeline that begins and ends within the same province should fall under federal jurisdiction.

Sawyer's argument hinges on the first test which rests on whether the project is "functionally integrated and subject to common management, control and direction," according to the 1998 ruling.

"This Coastal GasLink pipeline is intended to be part of of an inter-provincial pipeline system that would bring gas from Alberta and northern B.C. out of Kitimat for export," said Sawyer's North Vancouver, B.C., lawyer William Andrew.

TransCanada disputes this.

In its filings, the firm states that while the project will eventually connect with the Nova Gas Transmission system, which spans Alberta and B.C., the two would operate independently. The firm also said there is currently no application on the regulatory books to connect the two systems.

When the company originally submitted the Coastal GasLink project for a federal environmental assessment in 2012, it said there would be "an interconnection with the existing [Nova Gas Transmission] System at Groundbirch."

After the Stephen Harper Conservative government changed the regulatory process, narrowing the types of projects covered by federal review, the assessment was stopped, leaving B.C. to approve it on its own.

Sawyer believes political machinations between Harper and the previous B.C. Liberal government of Christy Clark greased the gears for this to happen.

Federal Green Party Leader Elizabeth May has the same suspicions.

"It's certainly a convoluted path that the Kitimat LNG project benefited from," said May, who failed to get intervener status with the NEB for the jurisdictional case.

"I sure would like to see it properly analyzed; I would like to see it challenged."

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TransCanada to drop 'Canada' from name as it focuses on U.S., Mexico

Shawn Mccarthy

TransCanada Corp. is planning to drop "Canada" from its name to reflect its growing focus on the United States and Mexico, a move that is raising concerns in Alberta about its long-term commitment to Calgary as a head office.

The pipeline company - which now earns more than half of its profits from its U.S. operations said that it will rename itself TC Energy, given its expanded footprint after a US$13-billion acquisition of Columbia Pipeline Group Inc. in the United States and major investments in Mexico. TransCanada chief executive Russ Girling announced the proposed name change - which is subject to shareholder approval - while visiting Mexico City to meet with company employees there.

"While our strategy and priorities remain the same, we believe the new name will help to further unite our employees and enable us to better connect with our diverse stakeholders," Mr. Girling said in a news release.

The name-change announcement comes as industry executives in Calgary express frustration over the investment climate in Canada - ranging from the ability of opponents to block pipeline projects, to the imposition of carbon taxes, to federal legislation that they argue will make it far more difficult to get resource projects approved. The lack of sufficient pipeline capacity led the Alberta government to impose production cuts on oil companies in the province in order to reduce the glut of crude that was driving down the price that producers could fetch.

TransCanada spokesman Grady Semmens said the name change does not signal a lessening of the company's commitment to Canada, but merely an attempt to reflect its expanded mandate. The company had floated the possibility of making the change after acquiring Columbia.

Dennis McConaghy, a former TransCanada executive vice-president of pipeline strategy and development, said the company's name change and its expanded footprint suggests "an inevitable relocation to Houston [is] an entirely logical inference" given the often negative attitude toward pipeline projects in Canada. However, TransCanada has also faced political backlash in the United States over its Canadian status, most notably with its stalled Keystone XL project where opponents in Nebraska criticized efforts by a foreign company to seize land along the pipeline route through the use of eminent domain.

The company was created by a special act of Parliament in 1951 to bring Western Canadian gas to Ontario and Quebec.
markets. TransCanada has experienced strong growth in recent years with the boom in oil and gas production across North America. After the 2016 acquisition of U.S.-based Columbia, it now has nearly as many employees in the United States as it has in Canada. It makes 52 per cent of its earnings in the United States and only 40 per cent in Canada, with the rest from Mexico.

The industry's loss of faith in Canada will result in the loss of investment, head offices and activity in support industries such as finance and law offices in Calgary, said Martha Hall Findlay, president of the Canada West Foundation, a Calgary-based think tank.

"There is no question that TransCanada has been increasingly investing further abroad, and we're seeing this at all levels of the industry," Ms. Findlay said. "TransCanada changing its name - to me it's just one more symptom about a lack of enthusiasm about investment in Canada."

TransCanada is currently facing Indigenous protests from members of the Wet'suwet'en First Nation over its plan to build the Coastal GasLink natural-gas pipeline through northern British Columbia to serve planned liquified-natural-gas plants on the coast. The RCMP is now enforcing a court order to remove the blockade and allow the project which has support from elected First Nations councils along its route - to proceed.

The company suffered a major setback 15 months ago when it cancelled its proposed $15-billion Energy East pipeline that would have carried more than a million barrels a day of crude to eastern Canadian refineries and export terminals. While industry and political critics blame the Liberal government, the industry and political critics blame the Liberal government, the company has faced similar problems in the United States. Its planned Keystone XL pipeline remains stalled over court challenges in Nebraska, while the state of Maryland last week denied the company a permit to build a pipeline under the Potomac River in the northwestern part of the state.

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Le Canada se comporte comme un "suprémaciste blanc", selon l'ambassadeur chinois

OTTAWA _ L'ambassadeur chinois à Ottawa soutient que le Canada et ses alliés occidentaux se comportent comme des "suprémacistes blancs" lorsqu'ils exigent la libération de deux Canadiens emprisonnés depuis le mois dernier par Pékin.

Des observateurs estiment que l'accusation de l'ambassadeur Lu Shaye témoigne de la corde sensible que le gouvernement Trudeau a touchée au sein du gouvernement communiste en ralliant à sa cause d'importants alliés internationaux. Le département d'État américain a demandé la libération de Michael Kovrig et Michael Spavor, tandis que l'Allemagne, la France, le Royaume-Uni, l'Union européenne et l'Australie ont également publié des déclarations de soutien.

Dans un article d'opinion publié mercredi par le respecté "Hill Times", qui se consacre à la politique fédérale, l'ambassadeur chinois se demande si des pays comme les États-Unis et le Royaume-Uni sont vraiment représentatifs de la communauté internationale. Il reprend par ailleurs la rhétorique de son gouvernement selon laquelle les pays occidentaux appliquent à la Chine un "double standard" lorsqu'ils portent un jugement sur ce pays.

"La raison pour laquelle certaines personnes sont habituées à adopter avec arrogance le double standard est due à l'égo-centrisme occidental et à la suprématie blanche", écrit M. Lu. "Il s'agit d'une pratique en retardant son propre développement "

Le député conservateur Michael Cooper, qui fait partie d'une délégation de parlementaires canadiens en visite en Chine cette semaine, a estimé que les propos de l'ambassadeur Lu ne justifiaient pas de réplique, "parce que c'est absurde". Dans un entretien téléphonique depuis le sud de la Chine, M. Cooper a soutenu mercredi que lors de leurs entretiens avec des responsables chinois, cette semaine, les membres de la délégation avaient "insisté sur les faits", pour bien marquer ce qui distingue l'arrestation de Mme Meng et celles de MM. Kovrig et Spavor.

"Les droits de Mme Meng ont été protégés, elle a été libérée sous caution, elle a accès aux services consulaires, à un avocat tout le contraire de MM. Spavor et Kovrig", a rappelé le député albertain.

"Déni de justice"

L'ambassade de Chine à Ottawa n'a pas répondu à une demande de commentaire, mercredi; elle a plusieurs fois refusé les demandes d'entrevues de La Presse canadienne au cours des dernières semaines. Le mois dernier, le quotidien "The Globe and Mail" avait lui aussi publié une lettre d'opinion de M. Lu, dans laquelle il qualifiait l'arrestation au Canada de Mme Meng de "déni de justice", qui "refroidissait" les sentiments du peuple chinois à l'égard du Canada. Selon M. Lu, Ottawa se fait le complice de "l'affaire Meng".

"L'ambassadeur a visiblement été chargé de répliquer, signe que les critiques adressées à la Chine commencent à se rendre là-bas", estime David Mulroney, ambassadeur du Canada à
Pékin de 2009 à 2012. M. Lu "lance un tas de choses sur le mur dans l'espoir que quelque chose adhère", croit-il.

N’empêche que les Chinois ont durci considérablement le ton en évoquant l’”égocentrisme occidental et la suprématie blanche”, selon Fen Hampson, responsable du programme de sécurité mondiale au Centre pour l’innovation dans la gouvernance internationale, de Waterloo, en Ontario.

"Ils minent leur propre position _ ou, pour paraphraser la reine Gertrude dans "Hamlet": "la Chine fait trop de protestations, ce me semble", estime M. Hampson. Les Chinois se plaindront invariablement du double standard, mais s'agissant de l'État de droit et des droits de la personne, il est parfaitement clair qu'ils ont un standard et que les démocraties occidentales en ont un autre."

La ministre des Affaires étrangères, Chrystia Freeland, et le premier ministre Justin Trudeau ont souligné à plusieurs reprises que le Canada respectait l'État de droit en arrêtant Mme Meng, puisqu'il existe depuis longtemps un traité d'extradition avec les États-Unis. Ils ont souvent répété que les politiciens ne pouvaient se mêler d'une affaire éminemment judiciaire.

**CONCERN FOR DETAINED CANADIANS IN CHINA**

Vassy Kapelos

Participants: ERIN O’TOOLE

VASSY KAPELOS(NEWSCASTER):

> THE CONSERVATIVES SAY THE PRIME MINISTER IS FAILING TO DEESCALATE TENSIONS WITH CHINA. SO WHAT WOULD THEY DO TO RESOLVE THE SITUATION? WE WILL HAVE FOREIGN AFFAIRS CRITIC ERIN O’TOOLE RIGHT AFTER THIS QUICK BREAK.

THE PRIME MINISTER ONCE AGAIN SHOWED A PROFOUNDLY NAIVE APPROACH TO DIPLOMACY WHEN HE REFUSED TO GET INVOLVED DIRECTLY AND COMPARED THE ARREST OF THESE CANADIANS TO CONSULAR CASES LIKE THAT OF Mr. FHOMY.

Vassy: THE OFFICIAL OPPOSITION IS CALLING OUT THE PRIME MINISTER TODAY OVER HIS RESPONSE TO CHINA. THE CONSERVATIVES SAY JUSTIN TRUDEAU HAS FAILED THE TWO CANADIAN MEN DETAINED IN CHINA FOR NEARLY A MONTH NOW, AND HE’S FAILED TO PROTECT OTHER CANADIANS AT RISK IN CHINA. SO WHAT WOULD THE CONSERVATIVES DO TO RESOLVE THIS DIPLOMATIC DISPUTE? ERIN O’TOOLE IS THE CONSERVATIVE FOREIGN AFFAIRS CRITIC AND HE JOINS ME NOW. HI, IN O’TOOLE, THANK YOU FOR COMING IN, I APPRECIATE IT. YOU AND YOUR COLLEAGUE STEPHANIE GAVE A PRESS CONFERENCE IN WHICH YOU OUTLINED WHAT SHOULD HAPPEN. DURING THAT PRESS CONFERENCE SHE SAID SHE HAD WORKED IN FOREIGN AFFAIRS IN THE PAST EXTENSIVELY AND SOME OF HER OLD CO-WORKERS OR FORMER CO-WORKERS HAD GOT IN TOUCH WITH HER TO COMPLAIN ABOUT A LACK OF POLITICAL RESPONSE BY POLITICAL LEADERSHIP IN CANADA. BUT SHE ALSO ADMITTED THAT THEY -- THOSE PEOPLE WEREN'T IN CHINA WHEN -- WHEN THIS ISSUE WAS TO HAPPEN OR WHEN THESE EVENTS WERE UNFOLDING. HOW DO YOU KNOW THAT THERE HAS BEEN A LACK OF POLITICAL RESPONSES?

WELL, WE CERTAINLY TAKE IT TWO WAYS. ONE, WHAT THE GOVERNMENT IS SAYING, THE PRIME MINISTER HAS COMPARED THIS SITUATION TO ANY CONSULAR CASE. YOU MENTIONED THE FAHMY CASE WHICH SHOWS THAT HE DOESN'T REALIZE THAT THESE DETENTIONS WERE RETALIATORY DETENTION FOR THE ARREST OF A HUAWEI EXECUTIVE IN CANADA. SO THE PRIME MINISTER LASS TRIED TO SAY THIS IS JUST A REGULAR SITUATION, WHEN THIS IS REALLY A TIT FOR TAT SITUATION WE HAVE WITH A BIT OF A DISPUTE WITH CHINA. BUT TWO CANADIAN CITIZENS ARE DRAGGED INTO IT. MISS QC HAS WORKED ON CONSULAR ISSUES AS A DIPLOMAT AND SHE'S HEARD CONCERNS FROM MANY OF THEM IN THE APPROACH THE GOVERNMENT HAS HERE. WHAT WE FIND IRONIC IS YESTERDAY THE PRIME MINISTER CALLED PRESIDENT TRUMP ABOUT THE ARREST OF THE CHINESE CITIZEN IN CANADA, BUT HE WON’T CALL PRESIDENT XI ABOUT THE ARREST -- THE IMPROPER ARREST, IN OUR VIEW, OF TWO CANADIANS IN CHINA. SO HE NEEDS TO STEP UP, AND SHOW THAT HE SEES PERSONALLY WITH THE MATTER.

Vass: WHY IS THAT IRONIC? WOULD YOU NOT BE TRYING TO GARNER SUPPORT FROM ALLIES WHO COULDN’T IN A CONCERTED WAY APPLY PRESSURE ON CHINA? WE HAD GORDON HOULDEN, WHO'S A FORMER DIPLOMAT IN CHINA, AND I ASKED HIM ABOUT THE PREVIOUS INVOLVEMENT, AND HE SAID YES, FOR SURE, BUT WHEN YOU PLAY THAT CARD, THE CARD IS PLAYED AND THERE'S NOWHERE ELSE TO GO. SO YOU HAVE TO BE VERY SPECIFIC AND VERY THOUGHTFUL ABOUT WHEN YOU END UP PLAYING IT.

AND I DISAGREE WITH THAT. AND IN FACT THAT RUNS CONTRARY TO SOME OF THE COMMENTARY
FROM FORMER AMBASSADORS TO CHINA. IN FACT CHINA WANTS TO SEE A STRONG RESPONSE FROM THE STATE. THE CASE OF THE HUAWEI EXECUTIVE, THEY VIEW THAT AS A STATE OFFICIAL BECAUSE THESE ARE STATE AND STATE CONTROLLED ENTERPRISES. SO THE PRIME MINISTER SUGGESTING THAT THIS CAN BE TREATED LIKE A CONSULAR CASE, LIKE MR. FAHMY WHO WAS ARRESTED AS A DUAL CITIZEN IN EGYPT, THEY DIDN'T WANT TO BRING THAT TO THE PRIME MINISTER'S LEVEL, AND THAT'S NORMAL FOR A CONSULAR CASE. BUT IN THIS CASE, TWO CANADIANS WERE DETAINED BECAUSE OF CANADA'S ACTION. PRIME MINISTER TRUDEAU WAS BRIEFED ABOUT THE ARREST OF MISS MENG WHO BEFORE IT HAPPENED. SO THIS WAS A RESPONSE BY CHINA TO THAT ARREST, NOW WE SEE VISAS BEING CALLED IN, WE SEE AT LEAST A DOZEN OR MORE CANADIANS DETAINED ON ADMINISTRATIVE GROUNDS. SO THERE'S NO --

Vassy: SINCE THEN?

THE REPORTS WE HAVE FROM THE FAMILY IS -- THE FAMILY I DEALT WITH BEFORE CHRISTMAS WAS THAT THERE WAS NO EXPLANATION OTHER THAN THE CURRENT DISPUTE WITH CHINA.

Vassy: FROM WHOM?

IN CHINA?

IN CHINA FROM THE SCHOOL THAT WAS INVOLVED WHERE THE ONE TEACHER TAUGHT THAT, THAT THERE WERE NO ISSUES FROM THE SCHOOL'S POINT OF VIEW WITH HER VISMA. BUT ADMINISTRATIVE DETENTION FOR A DOZEN OR MORE SECURITY DETENTION FOR MR. SPAVOR AND MR. KOVRIG, THE PRIME MINISTER HAS TO TAKE SOME RESPONSIBILITY HERE BECAUSE THIS IS NOT A REGULAR CONSULAR SITUATION, THIS IS A CURRENT IMPASSE WE HAVE WITH CHINA, AND IF HE'S CALLING ALL OF OUR ALLIES TO HELP SOLVE IT, WHY WON'T HE PICK UP THE PHONE AND CALL THE ONE LEADER THAT ACTUALLY IS RESPONSIBLE?

Vassy: HOW DO YOU DEFINE, I GUESS, A REGULAR CONSULAR ISSUE? AND I ASK BECAUSE THE COMPARISON TO MUHAMMAD FAHMY WAS MADE BECAUSE THE CALLS ON THEN PRIME MINISTER HARPER AT THE TIME WERE FAST AND FURIOUS IN THE HOUSE OF COMMONS AND OUTSIDE. WHY HAVE YOU NOT PICKED UP THE PHONE AND CALLED THE PRESIDENT OF EGYPT ON THIS? WHY HAVE YOU NOT PERSONALLY INVOLVED YOURSELF TO TRY AND SECURE MR. FAHMY'S RELEASE? AND THE PRIME MINISTER, PRIME MINISTER TRUDEAU, THIS TIME AND, WAS SAYING, YOU KNOW, I -- BASICALLY, HE REALIZED THE ERR OF HIS WAYS IN CALLING ON PRIME MINISTER HARPER AT THE TIME, AND REALIZING THAT NOT -- IT WOULDN'T NECESSARILY HAVE LED TO THE BEST OUTCOME.

THE ERR IN HIS WAYS HERE IS COMPARING IT TO THE FAHMY CASE. MR. FAHMY WAS A JOURNALIST FOR AL-JAZEERA, WAS SENT UP INTO SOME ARRESTS IN EGYPT, HE WAS A DUAL CITIZEN SO HE WAS A CANADIAN IN A VERY CHALLENGING CONSULAR CASE, BUT, VASSY, THAT'S A NORMAL ONE. IN THIS CASE WE HAVE TWO CANADIANS WHOSE ARREST OF RETALIATION FOR CANADA ARRESTING A BUSINESS EXECUTIVE CHINESE CITIZEN IN VANCOUVER. THIS IS A STATE RESPONSE TO A STATE ACTION BY CANADA. SO THE PRIME MINISTER WAS INVOLVED BEFORE MR. KOVRIG WAS ARRESTED, FOR EXAMPLE. SO WE CAN'T VIEW THIS UNDER NORMAL LENS, AS WELL, WITH CHINA, CHINA WANTS TO SEE THAT THE PRIME MINISTER IS SEIZED WITH THIS, AND THAT HE HAS A PERSONAL INTEREST IN MAKING SURE THAT RELATIONS GET BACK TO NORMAL, AND AT THE BARE MINIMUM TODAY, WE WOULD LIKE TO SEE MORE PROPER CONSULAR ACCESS TO THE TWO CANADIANS. RIGHT NOW THEY GET A VISIT A MONTH. THAT'S INAPPROPRIATE.

SO WHAT DOES THE PRIME MINISTER SAY WHEN HE PICKS UP THE PHONE? AND I ASK BECAUSE WE HAD PETER MACKAY, YOUR FORMER COLLEAGUE, YOUR FORMER FOREIGN AFFAIRS MINISTER ON SAYING WHEN HE DEALT WITH ISSUES LIKE THIS, HE WOULD GET COMMENTS FROM CHINESE OFFICIALS LIKE WE'LL JUST GO TALK TO THE JUDGE. AND OBVIOUSLY, THAT WILL LIKELY BE SOMETHING THAT THE PRIME MINISTER GOT. SO IF THE PRESIDENT CONVEYS TO THE PRIME MINISTER OF CANADA, JUST GET MISS MENG OUT OF JAIL, GET HER OUT OF EXTRADITION, DON'T EXTRADITE HER TO THE U.S, AND THE PRIME MINISTER CAN'T COMPLY WITH THAT, DOESN'T THAT ESCALATE THINGS AND MAKE IT EVEN HARDER TO SOLVE IN THE LONG RUN?

THE PRIME MINISTER COULD GIVE ASSURANCES TO THE CHINESE PRESIDENT OF THE FULLEST COMPLIANCE WITH DUE PROCESS, REMIND HIM OF JUST HOW EFFECTIVE OUR RULE OF LAW AND OUR JUDICIAL PROCESS IS. THE TWO CANADIANS ARE DETAINED AND CAN'T EVEN GET VISITORS, VASSY. THE CHINESE CITIZEN IN VANCOUVER IS LIVING IN A MULTI MILLION DOLLAR HOME ON BAIL. WHAT IF IT DOESN'T GET THROUGH?

THIS IS WHERE THE PRIME MINISTER HAS TO TAKE SOME OWNERSHIP. MY CONCERN AND THE CONCERN WE EXPRESSED TODAY AND THE LACK OF
CONFIDENCE THAT SOME IN THE FOREIGN SERVICE HAS IS THAT THE PRIME MINISTER'S PERSONAL STAKE IN HIS GOAL TO HAVE A FREE TRADE AGREEMENT WITH CHINA AND TO SHOWCASE HIS APPROACH TO CHINA AS A FOREIGN POLICY ACHIEVEMENT BEFORE THE NEXT ELECTION HAS FALLEN INTO DISREPAIR. THERE'S NOT ONLY THIS SITUATION, HE HAD A BAD TRIP THERE, THIS MEANS HE NEEDS TO INVEST SOME OF HIS POLITICAL CAPITAL TO NOT JUST WORK ON THE RELEASE OR BETTER TREATMENT OF THESE CANADIANS, THEY HAVE TO UPDATE THEIR TRAVEL ADVISORY, VASSY. THEY HAVEN'T TOUCHED IT SINCE OCTOBER. OTHER COUNTRIES HAVE UPDATED THEIR TRAVEL ADVISORY. WE ARE HEARING FROM HUNDREDS OF CANADIANS, MPS ARE AT LARGE, SHOULD I TRAVEL THERE, SHOULD MY SON OR DAUGHTER WHO'S TEACHING THERE --

Vassy: HAVE YOU HEARD FROM --
I HAVE PERSONALLY.

Vassy: HOW MANY?
SEVERAL. SEVERAL. SOME ASKING ME WHETHER TRAVEL ADVISORY CAN COME BECAUSE THEY CAN ACCESS TRAVEL INSURANCE IF THEY CANCEL THEIR PLANS, IF A TRAVEL ADVISORY CHANGES, SO THERE'S A LOT OF CANADIANS WONDERING WITH THIS SITUATION IF WE ARE CALLING OUR ALLIES THERE'S A LOT OF CANADIANS WONDERING WITH THIS SITUATION IF WE ARE CALLING OUR ALLIES THERE, SHOULD MY SON OR DAUGHTER WHO'S TEACHING THERE --

Vassy: ALL RIGHT, THANK YOU Mr. O'TOOLE, APPRECIATE YOUR TIME.
THANK YOU.

Vassy: WE'RE GOING TO TAKE A QUICK BREAK BUT WE'LL BE BACK WITH MORE POWER AND POLITICS RIGHT AFTER THIS.

Des élections partielles périlleuses
Joël-denis Bellavance
Profitant de son passage à Kamloops, en Colombie-Britannique, hier, le premier ministre Justin Trudeau a finalement exaucé le souhait de tous ses adversaires politiques en déclenchant des élections partielles dans trois circonscriptions jugées cruciales au pays.

Les électeurs des circonscriptions d'Outremont, au Québec, de York-Simcoe, en Ontario, et de Burnaby-Sud, en Colombie-Britannique, iront aux urnes le lundi 25 février, a confirmé hier le bureau du premier ministre dans un bref communiqué de presse. La durée de la campagne pour ces partielles sera assez longue - 47 jours en tout -, alors qu'elle était limitée à 36 jours dans le passé, soit le minimum requis par la Loi électorale du Canada.

À l'unanimité, le chef du Parti conservateur, Andrew Scheer, le chef du Nouveau Parti démocratique (NPD), Jagmeet Singh, la leader du Parti vert, Elizabeth May, et le chef intérimaire du Bloc québécois, Mario Beaulieu, avaient réclamé en octobre le déclenchement de ces élections partielles dans les plus brefs délais dans une lettre qu'ils avaient fait parvenir à Justin Trudeau, jugeant inacceptable le temps qu'il s'accordait pour donner une voix à Ottawa aux électeurs de ces circonscriptions.

À moins de 10 mois des élections générales, ces élections partielles constituent un test de la plus haute importance pour l'ensemble des chefs et de leurs troupes. Dans les coulisses, les stratégies des principales formations politiques soutiennent qu'elles donneront le ton aux échanges - déjà acrimonieux à la Chambre des communes - qui meuleront les prochains mois d'ici la tenue du scrutin fédéral, le 21 octobre.

« S'il perd, il est cuit »
Sans siège aux Communes depuis qu'il a été élu à la tête du NPD, en octobre 2017, Jagmeet Singh joue essentiellement sa carrière le 25 février, lui qui brigue les suffrages dans la circonscription de Burnaby-Sud.

D'aucuns croient qu'une défaite pourrait le forcer à démissionner de son poste de chef du parti. Un sondage publié en novembre et mené par la firme Mainstreet Research démontrait qu'il arrivait troisième dans les intentions de vote avec seulement 27,2 % des voix, derrière le parti libéral (35,9 %) et le Parti conservateur (29,3 %). Dans une entrevue de fin d'année accordée à La Presse, en décembre, Jagmeet Singh a promis de faire mentir les sondages et les prophètes de malheur - qui lui prédissent un cuisant revers.

Même s'il a réitéré cette semaine son intention de rester à la tête du NPD en cas de défaite, peu de néo-démocrates croient que Jagmeet Singh pourrait s'accrocher.

« S'il perd, il est cuit », a résumé hier un stratège néo-démocrate. Dans les coulisses, on a déjà pensé à un plan B pour lui désigner un successeur. Les coffres du NPD étant loin d'être garnis et le parti ne pouvant se permettre une course au chef, les coffres du NPD étant loin d'être garnis et le parti ne pouvant se permettre une course au chef, les principaux chefs politiques croient que Jagmeet Singh pourrait s'accrocher.

Dans les coulisses, les stratèges des principales formations politiques soutiennent qu'elles donneront le ton aux échanges - déjà acrimonieux - qui lui prédissent un cuisant revers. Dans les coulisses, les stratèges des principales formations politiques soutiennent qu'elles donneront le ton aux échanges - déjà acrimonieux - qui lui prédissent un cuisant revers.
Perdre pour gagner ?
L'arrivée d'un nouveau chef au NPD capable de mobiliser les troupes à l'approche des élections pourrait modifier considérablement la donne politique. Le NPD pourrait-il reconquérir une partie du terrain perdu au cours des dernières années au profit des libéraux de Justin Trudeau et grappiller suffisamment de votes sur le flanc gauche pour mettre en péril un deuxième mandat majoritaire ?
Cette possibilité n'est pas écartée par les stratèges libéraux, qui voient en Jagmeet Singh un allié objectif en raison de la faiblesse de son leadership. D'ailleurs, ces mêmes stratégies libéraux ont longtemps jonglé avec l'idée de ne pas présenter de candidat dans Burnaby-Sud. Les libéraux auraient pu ainsi emboîter le pas à la leader du Parti vert Elizabeth May, qui a choisi de ne pas présenter de candidat en signe de courtoise.
« Si le NPD peut remonter un peu au cours des prochains mois, ce serait une bonne nouvelle pour nous », a affirmé hier une source conservatrice, qui s'exprimait sous le couvert de l'anonymat.
La source conservatrice s'est dite convaincue qu'une remontée du NPD pourrait donner de sérieux maux de tête aux libéraux de Justin Trudeau et chambouler leur stratégie électorale visant à obtenir un deuxième mandat.
Ayant claqué la porte du Parti conservateur en août avant de fonder son propre parti, le Parti populaire du Canada, Maxime Bernier joue aussi gros durant ces élections partielles. Son parti présentera des candidats dans les trois circonscriptions. Lundi, Maxime Bernier a annoncé que Laura-Lynn Tyler Thompson, qui milite ouvertement contre l'avortement, porterait la bannière de son parti dans Burnaby-Sud. Le député de Beauce qui milite ouvertement contre l'avortement, porte les couleurs du NPD pour la coopération internationale, porte les couleurs du NPD.
Dans les coulisses, les stratèges néo-démocrates estiment de manière efficace cette circonscription ontarienne qu'à représentée à la Chambre des communes l'ex-ministre Peter Van Loan de 2004 jusqu'à sa démission, le 30 septembre dernier.
2019 La Presse+

PM
Federal byelection to wait until after provincial vote
Lindsay Kines
Prime Minister Justin Trudeau plans to wait until after the provincial byelection in Nanaimo before taking steps to fill the federal Nanaimo-Ladysmith riding vacated by NDP MP Sheila Malcolmson.
"There will be no overlap with the provincial byelection," a federal Liberal official said Wednesday.
Malcolmson officially resigned Jan. 2 to run for the B.C. NDP in the Nanaimo byelection on Jan. 30.
Elections Canada said chief electoral officer Stéphane Perrault received official notice from House of Commons Speaker Geoff Regan on Monday that the Nanaimo-Ladysmith seat is vacant.
The legislated timelines mean that a byelection must be announced between Jan. 18 and July 6.
Malcolmson said in an interview that she left her resignation as late as possible so that it would be unlikely to trigger a costly byelection before the next general election, to be held on Oct. 21.
She acknowledged, however, that the final decision on calling a byelection belongs to Trudeau.
The prime minister on Wednesday announced byelections will be held Feb. 25 in B.C.'s Burnaby South riding, York-Simcoe in Ontario and Outremont in Montreal.

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Federal NDP Leader Jagmeet Singh is running in Burnaby South, which was previously held by NDP MP Kennedy Stewart before he became mayor of Vancouver in October. Outremont was left vacant when Tom Mulcair, the former NDP leader, resigned, while York-Simcoe came open with the resignation of Conservative MP Peter Van Loan. If a by-election is held in Nanaimo-Ladysmith, John Hirst, branch manager of Sun Life Financial in Nanaimo, will carry the Conservative Party's colours. The 32-year-old father of two won the nomination race in November, defeating Jennifer Clarke.

Clarke was subsequently nominated by the new People's Party of Canada under Maxime Bernier, the Quebec MP who lost the Conservative Party leadership to Andrew Scheer and then broke away from the Tories last summer to form his own party. The other parties have yet to announce their candidates. Malcolmson hopes to win the provincial Nanaimo riding previously held by former NDP MLA Leonard Krog, who was elected mayor of Nanaimo in October. The seat is considered crucial for the provincial NDP government. Premier John Horgan has been relying on the support of three Green MLAs to maintain a slim 44-42 seat majority over the B.C. Liberals.

Guy Caron ferme la porte

La proposition a été rejetée sur-le-champ par le principal intéressé. Guy Caron trouve décourageante l'analyse du maire. En 15 ans de vie politique, le député néo-démocrate dit avoir souvent entendu cet argumentaire.

Ce n'est pas vrai qu'aujourd'hui, on téléphone à un ou 2 ministres et on a 3 millions qui nous viennent comme cela des nuages.

Guy Caron, député de Rimouski-Neigette-Témiscouata-Les Basques

Il va y avoir certains éléments anecdotiques contre lesquels il faut se battre et s'assurer que ça ne se répète pas. Mais lorsqu'on veut avoir des subventions, des sommes fédérales pour différents programmes, il faut faire le travail, [...] faut faire la demande, réplique le député.

Guy Caron vante aussi la liberté de parole d'un député d'opposition. Il évoque à cet égard le silence des députés libéraux fédéraux au sujet de la gestion de l'offre, du contrat de VIA Rail qui a échappé à Bombardier et de la question du bois d'œuvre.

Il promet donc de se présenter aux élections du 21 octobre prochain, sous la bannière du NPD.
"Like money, they can be used to make purchases from businesses that choose to accept them. But unlike money, they cannot be placed directly into a bank account. Instead cryptocurrencies can be sold for traditional currencies that can be placed into a bank account."

According to Elections Canada, that makes cryptocurrencies "more like stocks or bonds," which, it notes, "are a form of 'property' and fall under the definition of a non-monetary contribution."

As the note points out, that's similar to the positions taken by both Elections Ontario and the U.S. Federal Election Commission, as well as the Canada Revenue Agency, which treats it as a commodity. Elections BC, though, considers such transactions to be no different from a contribution made by cheque or credit card.

Under that designation, parties would be free to accept these offerings, but would have to follow the same rules that apply to all non-monetary contributions, which are subject to virtually all the same rules and limitations as monetary contributions, including the annual cap, but aren't eligible for tax receipts.

It would also be up to the party to keep a running tally of the equivalent value of all cybercurrency donations to ensure that no single donor exceeds the annual limit - which, the note suggests, would use either the exchange rate used during the initial transaction, or a "reasonable rate on a major exchange platform" to estimate the price at the time of the donation.

Perhaps more crucially, the onus would also be on the party to establish - and confirm - the identity of anyone who donates more than $20, and comply with all relevant requirements for reporting that information to Elections Canada. The agency warns the parties that this could be trickier than it sounds, given that a "salient feature" of cryptocurrency is anonymity.

"Cryptocurrencies are generally sent and received between digital wallets using public keys, which are translated ("hashed") into addresses and appear on the blockchain ledger as a string of letters and numbers," reads the note. 

"While all transactions are recorded publicly, there would be no way to tell if the same person was contributing multiple times to the same or affiliated entities, since the addresses could change every time."

It also points out that "most cryptocurrencies are received passively," which means that a party or candidate "cannot stop someone from transferring coins to their wallet," despite the current laws barring anonymous donations of more than $20.

"Anonymous contributions of cryptocurrency over $20 have to be remitted to Elections Canada without delay, by sending a cheque payable to the Receiver General for Canada for the commercial value of the contribution at the time it was received."

Finally, the note states that Elections Canada "may ask a political entity to submit the transaction history of its digital wallet as a supporting document, in the same way that it might request a bank statement."

So, how are Canada's political parties reacting to the agency's bid to establish new protocols for managing their virtual coffers?

A quick check of their respective websites suggests that, at the moment, it's still very much a hypothetical question: Not one of the major parties currently offers supporters the option to donate via cryptocurrency.

Even so, Liberal spokesman Braeden Caley told iPolitics that the party is "closely following" Elections Canada's consultations.

"Our focus is on ensuring that political contributions are transparent and fully compliant with the Canada Elections Act," he noted.

"It's important to the Liberal Party (and for compliance with Elections Canada rules and regulations) that the name and address of each donor is clearly indicated for political contributions."

That, he added, is why they also require contributors to affirm that they're either a Canadian citizen or permanent resident - and, as such, eligible to donate - whose contribution is being made from their own personal funds, and not a corporate or business account, with no reimbursement expected.

As yet, none of the other parties have responded to iPolitics' query - if and when they do, this post will be updated, and once the consultations wrap up, we can also look forward to perusing the full archive of written submissions received by Elections Canada.

2019 ipolitics.ca

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Politics Page:

Liberal Party to pay Speaker's office $500 for use of PM's office for fundraising video

Peter Zimonjic

The Liberal Party of Canada says it will pay the Speaker's office $500 in rent for the use of the prime minister's Parliament Hill office to film a fundraising video with Prime Minister Justin Trudeau.

The party also said it would offer to return any donations made to the party that were a direct result of the video.

"Out of respect for full compliance with the House of Commons' rules, we have determined it would be appropriate to reimburse the House of Commons for that brief use of the..."

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space," said Azam Ishmael, the Liberal Party's national director, in a letter to the Speaker's office.

According to House of Commons rules, politicians cannot use parliamentary premises for partisan purposes, such as fundraising.

But last month, the Liberal Party used Trudeau's Centre Block office as the backdrop for a fundraising video that asked supporters to make donations to the party.

Earlier this week, NDP MP Charlie Angus wrote to Speaker Geoff Regan asking him to review the incident and suggest "appropriate recommendations or seek appropriate penalties." Regan is chair of the Board of Internal Economy, the committee that manages spending for House of Commons.

"The prime minister's staff has said that he used the parliamentary office because he was pressed for time by his schedule," Angus said in the letter. "While I respect the fact the prime minister of this country does have many duties to attend to, this cannot be used as a reason to breach the rules.

Counter-accusations

"I am also concerned that if the prime minister were not held accountable for his misuse of his office it would set a bad precedent for other parliamentarians." Angus said he's still not satisfied with the Liberal Party's effort to make amends, calling the move to reimburse the House of Commons "wrong."

"This shows the complete disregard Justin Trudeau and his Liberal government have for their obligations to respect Parliament," Angus said in a statement to CBC.

"They think the rules just don't apply to them. When they get caught breaking the rules, they think they can just write a check and make it go away. It's wrong."

Ishmael's letter to Regan's office also takes shots at Angus, saying his party "still has not repaid the entire $2.7 million they owe back to the House of Commons for using public funds for partisan purposes."

In early 2015, then-Speaker Andrew Scheer ruled that 68 NDP MPs had to reimburse the Commons $2,749,362 for expenses related to the establishment of party offices outside Ottawa. Ishmael goes on to say that the Conservative Party has used the parliamentary precinct in fundraising videos on several occasions.

Lobby groups hit pause on fall events, with election set for October

Marco Vigliotti

National lobby groups are postponing fall meetings and receptions on the Hill because of the upcoming federal election, which could pause action in Parliament from the summer break until 2020.

Prime Minister Justin Trudeau has repeatedly said Canadians will head to the polls in October 2019, as stipulated under federal fixed-date legislation, refuting rumours he will call a snap election in the spring.

In preparation for the upcoming vote, lobbyists and industry associations are delaying scheduling major events - like receptions and lobby days - beyond the spring, or postponing annual events typically held in the fall.

These sorts of planned gatherings offer lobbyists and advocates an opportunity to directly appeal to MPs and other policy makers. They often require costly investments and considerable advanced planning. Scheduling is also bound to get more difficult with the closure of Centre Block late last year limiting access to meeting rooms and reception areas on the Hill.

Canadian Manufacturers and Exporters (CME) is delaying its annual Manufacturing Day on the Hill and reception because of the election, according to Matthew Wilson, the group's senior vice president for national policy.

The networking event, typically held each October, will be moved to the winter or spring, ideally before the 2020 federal budget, he said, pointing to February or March as likely landing spots.

"We'll have to move those types of activities out," he told iPolitics, noting the group usually draws about one-third of MPs for the event.

"Depending on the changeover with the election, it will impact the ease or difficulty of getting those MPs [out], depending on how many offices need to be reestablished," he said.

HealthCareCAN, which represents hospitals and healthcare organizations, is also shelving plans to hold an event on the Hill in October because of the election.

Steve Wharry, the group's director of communications and member services, said it would likely put on a different event once the election concludes, probably a "welcome back to Parliament" function.

He said knowing the exact date of the election allowed the organization to avoid making any unnecessary preparations.
"We knew it [the election] was coming, so it wasn't really a surprise or anything," Wharry said.

After resuming later this month, the House of Commons is scheduled to sit until mid-June, where it will rise for the traditional summer break. Recent history suggests it won't resume sitting until at least a month or so after the election. Given the timing, it's possible the new government, whether led by the Liberals or one of the opposition parties, could wait until early 2020 to call the House back.

In 2015, the newly elected Liberal government officially assumed office in early November after the party won a majority of seats in the Oct. 19 vote. However, Trudeau only called the House back for two weeks at the start of December, largely to pass legislation that brought in a planned tax cut, before allowing MPs to head back home for the holiday break. The House resumed sitting in late January 2016.

Given the uncertainty, lobby groups are opting to hold off on making any arrangements.

The Canadian Nurses Association said it hasn't planned any receptions on the Hill for the fall, but will instead host a series of town hall-style panels during the election campaign touting its key priorities, similar to what the group did in 2015, when it focused on seniors care and healthy aging.

Eve Johnston, the CNA's media and communications coordinator, said the organization's next Hill event will be a breakfast reception in mid-March.

Similarly, the Canadian Electricity Association told iPolitics it has not scheduled any events or receptions for the fall. Its next event, a reception celebrating innovation in the sector, will be held in May at the Sir John A. Macdonald building.

Meanwhile, the Canadian Construction Association is working on training its members on how to meet with MPs on their home turf. The new initiative, dubbed Hill at Home, will likely take place over the summer, according to CCA president Mary Van Buren.

"Because we don't what will happen in the fall, we thought we could engage our members in their own communities and arm them with the key messages," she said in an interview, noting the CCA will still arrange the meetings with members and parliamentarians.

Post-election plans "remain flexible," she added.

2019 ipolitics.ca

Quinzé suicides dans les Forces canadiennes en 2018 malgré la prévention

OTTAWA — Plus d'une douzaine de militaires se sont enlevé la vie dans les Forces armées canadiennes l'année dernière, alors même que l'armée mettait en place de nouveaux services et programmes pour prévenir de telles tragédies.

De nouvelles données du ministère de la Défense nationale indiquent que 15 membres de l'armée canadienne se sont suicidés en 2018, soit un de moins que l'année précédente.

Les décès les plus récents ont d'ailleurs coïncidé avec les efforts déployés par les forces armées et Anciens Combattants Canada pour appliquer une nouvelle stratégie de prévention du suicide qui avait été dévoilée à la fin de 2017.

La stratégie comprend des promesses visant à améliorer les services et le soutien disponibles pour les militaires. Elle avait été mise en place à la suite de préoccupations concernant le nombre de militaires et d'anciens combattants qui s'étaient suicidés ces dernières années.

En réponse aux nouvelles statistiques, le ministre de la Défense nationale, Harjit Sajjan, a déclaré que l'armée et le gouvernement étaient déterminés à améliorer leur stratégie afin de garantir les meilleurs soins et le meilleur soutien possibles aux militaires.

Le ministre Sajjan a admis mercredi qu’un suicide, c’est un suicide de trop”.

"Bien qu’il n’y ait pas de solution simple ni de réponse facile, nous continuons de faire évoluer et d’améliorer la stratégie à mesure que nous approfondirons notre compréhension du suicide et de la santé mentale, et que nous avancerons dans la mise en ?uvre de solutions", a-t-il déclaré dans un communiqué.

Plus de risque chez les jeunes et les femmes

Parmi les 15 militaires morts par suicide l’an dernier, 13 étaient des membres à temps plein, tandis que les deux autres étaient des réservistes. Les statistiques ne précisent pas combien étaient des hommes ou des femmes.

Pendant des années, les Forces canadiennes ont refusé d'admettre que leurs membres couraient un plus grand risque de suicide que le grand public. Une étude réalisée par Anciens Combattants Canada l'an dernier suggère le contraire.

Les résultats, fondés sur un examen exhaustif des archives de 1976 à 2012, ont montré que le risque de s'enlever la vie chez les anciens combattants de tous âges était 36 pour cent plus élevé que chez les hommes qui n'avaient jamais servi dans l'armée canadienne.

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"I knew there was a chance that (Sanchez) could be refused, but there seemed to be a new willingness on the part of Immigration, Refugee and Citizenship Canada to give preferential treatment to people who would otherwise do an irregular (border) entry, but were clearly trying to comply with the regulations and do it through legal pathways."

Routley had had success with another client, who also was living in the U.S. undocumented. He was able to use his unofficial work history in the U.S. to support his application for a temporary work visa in Canada. She said she has heard of other similar cases from 2017 from other lawyers.

The Immigration Department said there has been no official change in the requirements for temporary Canadian visas and would not comment on individual cases, citing privacy laws. The department did say each application is considered on the specific facts presented by the applicant. As long as they show the applicant is not criminally inadmissible, is in good health, can financially support him- or herself and has all the required paperwork, and he or she agrees to leave the country when the visa expires, the applicant can be granted access to Canada.

In other words, nothing precludes an undocumented migrant from being granted a temporary visa as long as he or she meets all other requirements of the Immigration and Refugee Protection Act.

Routley says she believes Canada may be trying to reward those who are legally trying to enter Canada, given the spike in irregular border-crossers coming to Canada from the U.S. via non-official ports of entry. That has led to a two-year backlog of refugee claims and public and political concerns raised about Canada's border system.

She wants more undocumented migrants to know this could be an option for them, but understands there could be reasons why the government might not be making any change with a lot of fanfare.

"With the political atmosphere between the Canadian and U.S. government, I don't think the federal government wants to be perceived as rolling out the welcome mat for people who were essentially illegal workers in the U.S.A.," she said. "It might also be a bit of a floodgates rationale in that... it could start a stampede."

In her application, Sanchez was honest about her undocumented status, explaining she had crossed into the U.S. from Mexico at the age of 17, making the dangerous journey across the Rio Grande under a false belief she could eventually normalize her status in the United States.

But living undocumented in the U.S. was instead a lifelong hardship.

"Just the frustration and the nightmares and the inability to even be able to get a regular driver's license _ my driver's license was a different colour and I couldn't even buy liquor with it because it said in big letters 'Not valid' ... I spent half of my life not being able to move forward."
That's why, when she was granted legal status in Canada this summer to pursue a master's degree, it was life-altering. "It was kind of like a dream. It didn't hit me until woke up in my hotel the next day in Toronto," she said. "I haven't had nightmares since I arrived in Canada, which is pretty amazing."

_Follow ?ReporterTeresa on Twitter._

PNP immigrants used P.E.I. as 'bridge' to rest of country, accused told investigator

Kerry Campbell

One of two siblings accused in an immigration fraud case told a Canada Border Services Agency investigator that "everybody knows" immigrants using P.E.I.'s provincial nominee program were using the program as a "bridge" to reach destinations outside the province.

Ping Zhong and her brother Yi were charged in May 2018 with aiding and abetting misrepresentation under the federal Immigration and Refugee Protection Act. But their trial was suspended on Dec. 14, 2018, after just four of ten days set aside for testimony when the Crown called for a stay of proceedings.

The Crown has one year from that date to resume the case. After that, the Crown would have to lay new charges if it wanted to pursue the case.

CBC News argued for and obtained hundreds of pages of court documents filed by the Crown.

Among those documents is a transcript from a marathon, seven-hour interview involving Ping Zhong and CBSA's lead investigator in the case, Lana Hicks. The interview took place Feb. 17, 2016, the day a search warrant was executed at the Sherwood Motel, co-owned by the Zhong siblings.

At one point during the interview Hicks told Zhong that a lot of immigrants coming through P.E.I.'s PNP were not actually living on Prince Edward Island.

**Abuse of PNP 'not a secret'**

Zhong replied that she had told an official with the PNP the same thing at a Chinese New Year's party.

"I said that so many people, they used it as a bridge to come here because the money is not too expensive and then they go some other places," Zhong told Hicks. "Everybody knows it, right? It's not a secret."

Zhong told Hicks the response from the official was that the province had no control over that.

"We know that some people are not living here, not staying here, but we have no control because of the charter, the charter right or something," Zhong recalled having been told.

P.E.I.'s retention rate for PNP immigrants has long been well-below rates in the rest of the country. That's provided a financial windfall for the province, as program participants have walked away from financial deposits they made rather than live and operate a business in P.E.I. From 2007 to 2018 those defaulted deposits contributed $122 million to provincial coffers.

The Zhongs were accused by CBSA of allowing PNP immigrants to use the address of the Sherwood Motel, along with Ping Zhong's home address, to make it look as if they were living in P.E.I. when they were not.

**Charter defence**

As the Crown pointed out during the trial, all PNP participants have to declare their intention to live in the province that nominated them.

But defence lawyers argued the immigrants were always free to leave, pointing to section six of the Canadian Charter of Rights and Freedoms, which provides permanent residents the right "to move to and take up residence in any province."

Until recently P.E.I. was one of only two remaining provinces whose provincial nominee programs provided permanent resident status to immigrants immediately upon arrival in Canada.

That type of program has drawn criticism from immigration experts and even officials with the federal government, who concluded such programs are "vulnerable to misuse" by participants who "simply see the forfeiture of a deposit as a cost to obtain permanent residence."

In September, the P.E.I. government announced it was taking the lead of most other provinces by requiring PNP participants to live and operate a business in the province for one year before becoming permanent residents.

**No contact info**

Documents from the Zhong trial also convey the impression P.E.I. was not able to keep track of the whereabouts of immigrants the province had sponsored.

Eleven emails from six different case files were sent by the province to a PNP intermediary to advise that a program participant's deposit was about to be forfeited. The emails were sent after the immigrants had been in Canada for one year, and each email contained the exact same statement:

"Please note that this client has never been into our office for a landing therefore, we do not have any contact information on file."

In some cases other documents provided by the provincial government contradicted those emails, showing the immigrants in question had in fact landed on P.E.I. and attended a meeting...
The principle was adopted by the House of Commons in 2007 for it.

**Gateway closed, says province**
The P.E.I. Department of Economic Development provided CBC with a statement acknowledging the province had previously been unable to "prevent immigrants from using [the PNP] as a gateway to other locations within the country because they received their permanent residency up front."
The statement said changes to the program announced in September now prevent that from happening.
The province also said it has asked for a meeting with CBSA to be debriefed on recent proceedings.

**Canadian Human Rights Tribunal facing loaded question of First Nations identity**
Jorge Barrera

The Canadian Human Rights Tribunal is facing the complex and historically loaded question of defining First Nations identity over a motion concerning Jordan's Principle.
The issue surfaced during a tribunal hearing Wednesday. The First Nations Child and Family Caring Society is seeking an interim order forcing Ottawa to cover non-status First Nations children living off-reserve who require urgent health care under Jordan's Principle.

Under Jordan's Principle, the needs of a First Nations child requiring a government service take precedence over jurisdictional issues around which level of government pays for it.
The principle was adopted by the House of Commons in 2007.
The hearing is part of the sprawling and ongoing case following the 2014 ruling by the tribunal which found Ottawa discriminated against First Nations children by underfunding on-reserve child welfare services and by failing to apply Jordan's Principle.

Cindy Blackstock, head of the First Nations Child and Family Caring Society, who launched the human rights complaint that led to the ruling, brought Wednesday's motion before the tribunal.
The society argued that Ottawa was rejecting claims from First Nations children based on their lack of status.
"This motion is also about Canada's refusal to give the benefit of the doubt to children who do not have Indian status, who do not live on reserve," said David Taylor, the lawyer for the society.
"Canada is relying on colonial concepts of the Indian Act."

**Dispute over 'urgent'**
At issue was Indigenous Services Canada's decision - through the Non-Insured Health Benefits Program - to deny funding for a 20-month-old Toronto girl to travel to Edmonton and undergo a diagnostic scan available in only three places in the world.
The girl, identified as M.J. in tribunal filings, has congenital hyperinsulism - her pancreas creates too much insulin - and the scan was needed to help doctors determine whether part or all of the pancreas needed to be removed in surgery.
The girl's mother and grandmother have Indian status, but the girl does not. The society ended up paying about $6,000 for the family's travel and accommodation in Edmonton.
Ottawa argued during the hearing that the procedure did not qualify as "urgent" medical care.
Taylor said Ottawa was failing to follow the tribunal's ruling which made no distinction between status and non-status First Nations children.
Taylor also said that, according to the Supreme Court, Ottawa has a fiduciary duty to status and non-status First Nations people.
Taylor said the society wants the interim order to last until the tribunal makes a final determination on the definition of a First Nations child.

**AFN has concerns**
Hearings on the issue are scheduled to begin Feb. 6.
The Assembly of First Nations, which backed Blackstock with her human rights complaint, expressed concern that the society was pushing too broad a definition of a First Nations child in its motion.
"We do have some concern with a definition that is so broad that anyone can jump in," said the AFN's lawyer Stuart Wutke, during the hearing.

In a separate interview, Wutke said the concern stems from the society's inclusion of "self-declared" First Nations children.
Blackstock said in an interview that if a child is self-declared and is recognized by a First Nation, then they should qualify.
However, Blackstock said there needed to be a mechanism for the children of those who can't link up to a First Nation because of separation caused by residential schools and the Sixties Scoop to also qualify.
"Some of those kids were just wrongfully removed, their names were changed," said Blackstock.
"In urgent situations, I am saying, always side on the side of the child."
Ottawa's lawyer Jonathan Tarlton said Jordan's Principle has now been expanded to include non-status First Nations children living on reserve and non-status First Nations children who could become status under recent changes in the law.
"It's not about money, there is no evidence to suggest that, it's about an important principle," said Tarlton, senior counsel with Justice Canada. "It's about an important issue such as Indigenous identity and who determines it."

The tribunal panel reserved its decision on the motion.

**New water pump house ends 25 years of boil water advisories at Enoch Cree Nation**

Andrea Ross

Lorraine Makokis took her first sip from a small silver water pail, like the kind her family used when she was young to collect snow to melt for drinking water.

It tasted exactly as it should.

"It tastes like water," the elder said, smiling.

The clear and cool water flowing from a new water pump house marked the end of 25 years of boil water advisories at Enoch Cree Nation. The new facility opened Wednesday at the First Nation, which borders Edmonton to the west.

Built with $13.6 million from the federal government, the facility connects Enoch to the city of Edmonton's water system. It provides clean drinking water to 500 homes at Enoch - up to 4,000 people.

For the first time, the school, which is right beside the pump house, will have clean tap water. So will a new school, which is expected to open this year.

Until now, community members bought bottled drinking water, boiled tap water, or had fresh water trucked to their homes.

Makokis remembers drawing water from a well at Enoch with her family when she was four years old. In the winter, they'd melt snow and sometimes get their water from a lake.

She was one of several women invited to bless the water from the taps during a ceremony at the new pump house. In attendance were Chief Billy Morin, Carolyn Bennett, minister of Crown-Indigenous relations, and members of the community and council.

I'm really proud to see this happen today. - Lorraine Makokis

"It's overwhelming to be part of this today," she said.

"To be here for all the women on our nation to help our men, and to help all our people who will continue to move forward and continue to have good, healthy, safe drinking water. "I'm really proud to see this happen today."

"A foundation of life"

Enoch's previous water system was built in the 1970s, and wasn't adequate for the growing nation, Chief Billy Morin said. Boil water advisories have been issued on and off ever since.

Aside from not being able to drink what came from the taps, Morin said poor water quality affected almost every aspect of life, from bathing to cooking and cleaning. Construction on the new facility began in 2017. It has a storage capacity of 46,000 cubic metres and includes a new water supply line, water reservoir and pump house. Enoch provided equipment rental and 38 members contributed more than 18,000 hours of labour. Many will remain on as staff.

Enoch's old water treatment plant will stay in service to provide non-drinkable water for other uses, like fighting grass fires.

Some last-minute adjustments and cleanings still need to be completed on the new system. That includes cleaning the old pipes.

The boil water advisory will be officially lifted in the coming days once those tasks are completed.

"This means the families in our townsite get to go home really soon and drink a clean glass of water," Morin said.

**Feds roll out tightened drone regulations**

Charlie Pinkerton

The federal government on Monday introduced stiff new regulations on drone flying in Canada, barring operators from drinking or using drugs and increasing height and proximity restrictions.

Ottawa will also rollout mandatory licensing for the remote controlled aircrafts, with all operators required to register with the government, fill out a 10-question application form and pass an online exam. Operators must be Canadian citizens or permanent residents, and need to be at least 14 years old.

Transport Minister Marc Garneau announced the new regulations Monday in Montreal, mere weeks after drone sights near U.K.'s Gatwick Airport forced hundreds of flight cancellations.

"Our new regulations will create new opportunities for Canadians by establishing a safe and predictable regulatory environment where the industry can innovate and where recreational and non-recreational drone pilots can safely access Canadian airspace," he said at a press conference.

Garneau claimed the new regulations are "very similar" to those that other countries have in place and that Canada tried to harmonize its rules with those in the U.S. They have since been
Under the rules, pilots of drones will be barred from flying aircrafts less than 12 hours after consuming an alcoholic beverage or while impaired by alcohol or drugs. They also won’t be permitted to fly a drone if they’re tired or deemed as "likely to suffer from fatigue." These rules also apply to "crew members," which the new regulations describe as anyone assigned to a duty, while an aircraft is flying.

Taking the online exam and registering a drone with the government cost $5 each. Garneau said they were imposed to offset the administrative costs associated with licensing. Those under 14 years old can only fly a drone under the direct supervision of someone older than 14 who is properly licensed.

The new restriction on flight height will be 122 metres (400 feet), 30 metres (100 feet) above a building or structure, and 61 metres (200 feet) from a building or structure horizontally. Drones also have to be flown at least 30 metres (100 feet) from other people. There are less strict rules that apply to advanced operators, which are people over 16 years old who have completed more extensive testing.

To fly a drone at night, pilots have to equip their aircraft with special lights that allow them to remain in sight and for the pilot to be able to visually track the aircraft, which is another requirement during all basic operations.

The rules will apply to drones between 250 grams and 25 kilograms. Any other remotely piloted aircraft systems (RPAS) that are larger than 25 kilograms will need to be approved by Transport Canada.

Under the new rules, operators will have to pass an in-person flight review to receive a certificate for advanced operations, and will still have to complete training to apply for a special operations certificate. The Government of Canada lists 60 schools that offer these types of courses. Most are centred in urban locations but say they serve larger areas.

Penalties for not abiding by the new rules range from $1,000 to $3,000 for individuals, and up to $15,000 for companies. The government warns that drone pilots must abide by other laws on the books, including those related to air and maritime safety; breaking and entering; mischief; trespassing and voyeurism; and privacy.

The regulations, though, maintained existing restrictions on drones flying near airports, emergency spaces and other areas. Those rules restrict pilots from flying drones within 5.6 kilometres (three nautical miles) of the centre of an airport and 1.9 kilometres (one nautical mile) from the centre of a heliport. Flying in a controlled airspace is restricted, except for specially approved flights, and drones are banned from flying within nine kilometres (five nautical miles) of a natural hazard or disaster area.
2017, from 2.74 million tonnes in 2015 - a five per cent increase.

It also identified "more recent, significant and sharp" increases in the first quarter of 2018, when overall imports of the products spiked 30 per cent compared to the same period a year earlier.

"Both the increased import quantities and price effects of imported products have had a direct impact on domestic producers' market share, domestic prices and overall profitability," Canada's notification states.

Morneau's decision to apply temporary safeguards was based on a confidential report by the Ministry of Finance.

It found that a delay in imposing safeguards would cause damage to the domestic industry that was "difficult to repair."

However the small size of the Canadian industry made it "impossible" to disclose the detailed figures included in the report without compromising proprietary information, the government said in its WTO notification in October. In its filing, Russia says the public data that Canada does share fails to show sufficient increases in imports to justify the safeguard measures.

As for the 30 per cent increase in imports in the first quarter of 2018: "this is likely to be a spike," Russia says. "We are sure that such a short period of time as insufficient for proving that the trend might cause serious injury to the domestic industry."

Canada also identifies overcapacity in global steel production as a factor behind rising imports - a point that drew objections from Turkey and Brazil.

The Global Forum on Steel Excess Capacity, of which Canada is a member, states the problem has existed since the 1970s, Turkey argues.

"Overcapacity is a major source of concern," it states.

"We believe, however, that this problem will not be solved by protectionist measures and countermeasures, particularly when these are not in conformity with the multilateral trade rules."

Both Russia and Brazil say their exports can't be blamed for damaging Canada's domestic industry.

In Russia's case, imports have been decreasing over the past few years, it says, while Brazil says the range of products it sells to the U.S. is largely different from what it sends to Canada, making diversion unlikely.

Safeguards are politically sensitive because they apply to all countries, and to both fairly and unfairly traded goods. Canada has rarely applied these measures in the past and never ahead of an investigation by the CITT.

The current safeguards allow specific exemptions for the U.S. (already subject to retaliatory tariffs), most products imported from Mexico and for a list of developing countries.

The UAE, Brazil and Turkey say their low level of shipments to Canada combined with their country profiles should entitle them to similar reprieves.

The CITT is expected to issue a recommendation to the government in April.

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plus this new money for Algoma, will take up just under half of the $250 million made available from the Strategic Innovation Fund in the overall federal assistance package.

Algoma 'commercially viable'


"There's a belief by our government that Algoma Steel is and will continue to be commercially viable, and in fact, it's commercially viable even with the tariffs," Rickford said in an interview with CBC News before the announcement. "As a commodity we remain concerned that if the price point for steel drops, that will increase the risk."

Government financing, like Ontario's repayable loan for Algoma and the financing made available to steel producers from the Business Development Bank of Canada or Export Development Canada, helps manage risks beyond what private sector financing would tolerate.

But Rickford said the federal government could be doing more to help the industry in the face of U.S. tariffs.

"They've let (tariffs) go on for far too long," the Ontario Progressive Conservative minister said. "In the absence of that tariff, our steel industry would be robust, given the current demand and the (high) market price" - both of which helped Algoma get out of bankruptcy and made it look like a safe bet again.

New costs imposed by the federal government, like the federal carbon tax applied after the government of Ontario Premier Doug Ford ended its cap-and-trade scheme for reducing carbon emissions last year, also has a big impact on the competitiveness of a steel mill, Rickford said.

The provincial minister said he'll be pointing this out to Bains when he sees him, adding that a carbon tax can be relatively more expensive in Northern Ontario due to longer transportation distances and greater heating needs.

Algoma continues to be vulnerable: union

"There's a whole lot of improvements that need to be made (at Algoma)," said Mark Rowlinson of the United Steelworkers, which has two union locals at the Sault Ste. Marie plant.

"They continue to be vulnerable as a producer, and they sold a lot of products to the United States, so they're quite adversely affected by the tariffs. They're definitely a producer that needs support and needs investment."

Negotiating renewed collective agreements was difficult during Algoma's restructuring, the union representative said, as labour leaders tried to avoid concessionary bargaining.

Rowlinson said he wishes the federal government had imposed its tariffs on foreign steel faster; Morneau began consulting in the summer, but didn't apply Canada's surtaxes on foreign steel until October.

Testimony at the CITT hearings Wednesday said foreign steel imports rose in the third-quarter of 2018, suggesting foreign steel was displaced from the newly-tariffed U.S. market into Canada before Canada's tariff shield was in place.

Rowlinson also said he thinks the federal strategy of lobbying American governors and legislators is yielding few results.

"The only language that a bully (Trump) understands is drawing a line in the sand," Rowlinson said, adding Canada should have refused to sign the new NAFTA until the tariffs were lifted.

The Steelworkers union is participating in this week's trade remedy hearings thanks to regulatory changes made by the federal Liberal government last spring - part of the government's progressive trade agenda.

Previously, tribunal hearings were dominated by business perspectives, as opposed to the domestic worker and community concerns the USW articulates. Canada's large steel producers are all foreign-owned, so their interests may not always line up with the national interest, Rowlinson said.

A Steelworkers contingent has been present at the Canadian International Trade Tribunal hearings for the presentation of evidence on steel plate and hot-rolled steel this week, as were representatives from foreign embassies representing the places producing the tariffed foreign steel, such as South Korea.

"There's no industry more exposed to trade, and unfair trade in particular, than the steel industry," Rowlinson said. While the U.S. continues to skirt established international trade practices - by claiming "national security" as a justification for its steel tariffs, for example - "you're going to need to keep those safeguards in place ... for much longer than the 200 day interim period," he said.

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Les réseaux publics d'électricité ne seraient pas toujours financés par la BIC

OTTAWA _ L'agence fédérale créée pour financer de nouvelles infrastructures ne soutiendrait pas les projets d'amélioration des réseaux publics d'électricité qui existent déjà, selon des documents rendus publics récemment.

Plusieurs provinces veulent moderniser leur système de transport d'énergie dans le but de répondre aux projets d'énergie verte _ et elles ont désespérément besoin d'argent pour le faire. Or, les documents obtenus indiquent que la Banque de l'infrastructure du Canada (BIC) ne participerait qu'aux projets de réseaux "structurés comme une entité"
distincte", ce qui signifie que les travaux d'infrastructure devraient être "séparés du réseau public existant".

La note d'information destinée à un haut fonctionnaire d'Infrastructure Canada, et obtenue par La Presse canadienne en vertu de la Loi sur l'accès à l'information, indique également la nécessité de trouver un commanditaire privé qui jouera le rôle de "partenaire financier et copropriétaire" de la nouvelle infrastructure construite.

Les documents avaient été rédigés pour une réunion de hauts fonctionnaires fédéraux avant le lancement de la BIC, à la fin de 2017. Ottawa planchait alors sur la façon dont l'argent serait versé aux provinces et territoires pour améliorer le réseau électrique au Canada.

La BIC précise maintenant que les projets de transport d'électricité seront admissibles à du financement, notamment les projets de raccordement de réseaux existants par ce que l'on appelle des "interconnexions" _ généralement des lignes à haute tension entre les provinces.

En vertu de son mandat, la BIC soutient, de façon générale, des projets susceptibles d'attirer des investissements privés parce que les nouvelles infrastructures vont générer ensuite des revenus. La banque dispose d'au moins 5 milliards $ afin de mobiliser des milliards supplémentaires auprès du secteur privé pour de tels projets générateurs de revenus _ qui pourraient notamment inclure des réseaux de distribution d'électricité financés par les contribuables.

Ces investissements doivent compléter les 9,2 milliards $ de financement fédéral traditionnel au cours de la prochaine décennie pour des projets d'infrastructure verte, "qui pourraient inclure des systèmes électriques mieux connectés", indique la note d'information aux sous-ministres.

Connexions interprovinciales
"Un réseau (électrique) intelligent serait probablement l'un des plus importants moteurs de réduction de nos émissions de gaz à effet de serre", déclarait récemment en entrevue le ministre de l'Infrastructure, François-Philippe Champagne. "C'est que nos réseaux ont été créés au cours de l'histoire de ce pays sur une base provinciale, un peu plus nord-sud qu'est-ouest. J'ai demandé comment mieux "connecter le Canada" pour réduire, par exemple, les coûts d'électricité, ou augmenter l'énergie renouvelable."

Le ministre Champagne a également indiqué qu'il cherchait des façons de financer les connexions interprovinciales, considérées comme un moyen essentiel de réduire les émissions de gaz à effet de serre dans le secteur de l'énergie _ par exemple en utilisant l'hydroélectricité du Québec pour alimenter les industries énergivores en Ontario.

Selon un exposé présenté à la fin de 2017, "le système énergétique canadien devra être transformé au cours des 35 prochaines années" si le gouvernement veut atteindre ses objectifs de réduction des émissions.

Selon l'Association canadienne de l'électricité, plus de 80 pour cent de toute l'électricité au Canada ne génère pas de gaz à effet de serre. Le regroupement soutient que les émissions de ce secteur ont diminué de 30 pour cent par rapport aux niveaux de 2000 et devraient encore baisser de 30 pour cent d'ici 2030.

Le Conference Board estime que d'ici 2050, le Canada devrait dépenser 1700 milliards $ pour améliorer son réseau électrique. Selon l'Association canadienne de l'électricité, ce chiffre pourrait encore augmenter en raison de la demande exercée sur les réseaux par de nouveaux projets d'infrastructure _ dont certains financés par la BIC. On cite par exemple le Réseau express métropolitain (REM), le projet de train électrique montréalais de 6,3 milliards $ piloté par la Caisse de dépôt et placement du Québec; la BIC a consenti au projet un prêt de 1,28 milliard $.

Les investissements dans d'autres secteurs de l'économie "se traduiront par une électrification accrue et, au bout du compte, par une demande accrue d'électricité et d'investissements dans ce secteur", a déclaré Francis Bradley, chef de l'exploitation à l'association.

M. Bradley a indiqué que des réunions sont prévues avec des responsables de la BIC et du gouvernement fédéral plus tard ce mois-ci pour obtenir des précisions sur les modalités de financement de cette nouvelle banque.

Les mises en chantier d'habitations ont ralenti en décembre, dit la SCHL

OTTAWA _ La cadence annuelle des mises en chantier d'habitations a ralenti le mois dernier, a indiqué mercredi la Société canadienne d'hypothèses et de logement. Le taux annuel désaisonnalisé des mises en chantier au Canada s'est établi à 213 419 unités en décembre, en baisse par rapport à 224 349 unités en novembre.

Les économistes s'attendaient en moyenne à un taux annuel de 205 000, selon les prévisions recueillies par Thomson Reuters Eikon.

Le rythme annuel des mises en chantier dans les centres urbains a diminué de 5,8 pour cent pour s'établir à 194 594 unités en décembre. Dans ces centres, le taux annuel des logements collectifs tels que pngs, les appartements et les maisons en rangée a reculé de 6,8 pour cent pour s'établir à 144 728 unités.

La cadence des mises en chantier de maisons individuelles dans les centres urbains a diminué de 2,5 pour cent pour atteindre 49 866 unités.

Les mises en chantier en milieu rural ont été estimées à un taux annuel corrigé des variations saisonnières de 18 825 unités.
Ontario business bankruptcies up 39 per cent

Jackie Sharkey

There has been a 39 per cent increase in the number of corporate bankruptcies in Ontario, according to the latest numbers from the Office of the Superintendent of Bankruptcy Canada.

The numbers show 64 businesses filed for bankruptcy in November 2018, up from 46 in the same month the previous year.

Consumer debt proposals - a formal agreement with creditors to settle debts under special terms - also increased from 24 in November 2017 to 35 in November 2018.

Insolvency numbers are an imperfect measure of the economy, experts told CBC Kitchener-Waterloo, but they do show a snapshot of how businesses surviving on thin margins are affected by changes in national and provincial policy.

"In a lot of cases there are businesses that are closed down that aren't bankrupt. So it's difficult to look at those bankruptcy numbers and make a really strong determination on the economy based on the bankruptcy filings alone," said Art Sinclair, from the Greater Kitchener Waterloo Chamber of Commerce.

Businesses failing stress test

Madhu Kalimipalli, professor of finance at Wilfrid Laurier University's Lazaridis School of Business and Economics, agreed with Sinclair but said nevertheless, the numbers point toward a possible trend.

"The higher cost of borrowing could be part of the story here, for these marginal firms," said Kalimipalli.

"A lot of these businesses ... are the ones who had a tough time servicing their bank loans, typically," he said. "There's a lot of stress-testing happening post-Doug [Ford], and also post-Bank of Canada rules now, about mortgage loans and so on."

The Bank of Canada kept the interest rate steady on Wednesday, at 1.75 per cent, but had increased the key rate five times since the summer of 2017 - which means higher borrowing costs for corporations.

Kalimipalli told The Morning Edition host Craig Norris on Wednesday other factors that could have contributed to the bankruptcy numbers include the real estate slowdown in the GTA, "which is like the bellwether market for the rest of Ontario," and the new NAFTA agreement between Canada, the United States and Mexico (CUSMA) - which still has yet to be signed.

"The NAFTA uncertainty took a big toll on the corporate invest sentiment, and hence corporate investment," said Kalimipalli.

The higher minimum wage would have also had a negative effect, he said.

Spillover to suppliers, customers - even competitors

Spillover effect may also have contributed to the increase in bankruptcy filings, said Kalimipalli's colleague Jin Wang, an associate professor at the Lazaridis School of Business.

It's a well-documented economic phenomenon, said Wang: if one company goes bankrupt, it normally also affects related companies - suppliers, customers and even competitors.

"There might be some economy-wide shock to all companies similar," said Wang, but impact could also spread to seemingly unrelated companies.

"Those firms usually use certain assets as collateral when they borrow money. So when they go bankrupt that sends a signal to the market that the value of the collateral is actually not as high as people thought,"

Wang said this affects other companies using similar assets as collateral.

CUSMA approval should bring confidence

Since the Office of the Superintendent of Bankruptcy Canada doesn't break the numbers down into sector for its provincial data sets, Wang said it's not clear how much spillover happened, but it may have created a positive feedback loop in some industries.

Once CUSMA, the new NAFTA agreement, is approved by U.S. Congress in March that should provide more certainty for business and may mean the bankruptcies are a short-lived trend, said Kalimipalli.

But provincial policies and attempts to reduce the deficit could turn the "blip" into a longer term trend, he said.

"The Conservative government is trying pull back investments, we see that happening across the board."

Reduced government spending means companies that rely on government contracts will have less work and could go out of business, Kalimipalli said, and a switch to privatization takes time.

"It will take at least two to three years to see that happen," he said.

On Wednesday the Bank of Canada also downgraded its expectations for the economy this year. The bank is now forecasting just 1.7 per cent growth, whereas three months ago, it was expecting 2.1 per cent growth.
Gm relying on 'slave'labour in mexico?
Union boss warns $1B loss 'a lot of money to replace'

Joe Warmington

Time to unionize "exploited" Mexican autoworkers? And time to shame Canadians from buying cars made by "slave" labour? They may be taking Canadian autoworker jobs, but Unifor Canada president Jerry Dias says like his membership, the Mexican labour force is also being taken advantage of by General Motors.

"An autoworker in Mexico is getting just $2 an hour to do the same job as the people they are replacing," Dias said Wednesday.

Many of the GM workers who conducted a short work stoppage Wednesday to protest the company's decision to close its Oshawa plant at the end of the year earn $35 an hour.

"The people who build cars in Mexico can't even afford to buy one," Dias said.

"It's not General Motors passes along those savings to Canadian customers. The Escalade they make in Mexico is sold for $110,000, like it would if it was made here. It's corporate greed, plain and simple." But to buy one of those vehicles knowing that the worker who built it is badly underpaid, said Dias, is unethical.

"These workers are being exploited," he added. "This is nothing short of slave labour."

Mexican workers, he insisted, need to be unionized.

"I have spoken in Mexico in the past and will be again," he told me. "The current situation has basically yellow unions - company unions controlled by the government."

While the Mexican autoworker is not his primary concern, he highlights the unfairness of the current situation.

"Our members feel betrayed," Dias explained.

"We signed an agreement with General Motors in 2016 that said they would not close the plant and now they are doing that."

This after taxpayers put up $11 billion in bailouts for GM. General Motors' decision to pull out not only costs Oshawa 2,500 well-paying jobs but affects employment for another 20,000 spinoff jobs.

"It will mean $1 billion out of our economy each year," said Dias. "That's a lot of money to replace."

Dias said while he hears people saying "it's over and move on," nothing is ever saved without a fight.

As an example of the shaming tactics that could be deployed, he pointed to a potential marketing campaign that would focus on discouraging Canadians from buying cars manufactured by Mexican workers earning "slave wages."

Getting Prime Minister Justin Trudeau and Premier Doug Ford on board is also vital.

"It is in their interest since their governments have to deal with the fallout," explained Dias. "They can both encourage General Motors to reconsider this. Their strong voices are important."

One thing they could do is "ensure every vehicle sent to Canada is inspected thoroughly," Dias said.

Tariffs are another option. Dias said past battles are irrelevant since "this is too big and too important."

Meanwhile, General Motors does not seem to be budging. Vice-president David Patterson has told media that the severance and pension benefits offered are more than fair and there are retraining dollars and car vouchers to consider as well.

Dias dismissed the offer as spin from a company that is abandoning a loyal partner of decades for one that is cheaper and easier to control.

"Remember, our younger members trusted the company and went out and bought houses and started families only to learn they are going to be out of work," said Dias. "It's not right when you consider that Canadians are customers for these vehicles as well."

Replacing Canadian workers with "cheap" Mexican labour, said Dias, is abuse of the worst order - one the union leader believes fellow Canadians will reject.

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GNL Québec. Mais le gaz sera transporté jusqu'au Saguenay par un nouveau gazoduc de 750 km, un projet piloté par Gazoduq, une entreprise dont le "premier actionnaire", majoritaire, est GNL Québec.

Même si les différentes composantes font partie d'un seul et même projet, elles sont évaluées séparément et selon des critères différents à Québec et à Ottawa. Une situation dénoncée mercredi par plusieurs organisations, dont le Centre Québécois du droit à l'environnement, Équiterre, Nature Québec, le Groupe de recherche et d'éducation sur les mammifères marins, la Fondation David Suzuki, le Fonds mondial pour la nature et Greenpeace.

"L'entreprise GNL Québec a choisi de tronçonner son projet et de le faire évaluer séparément par les autorités provinciales et fédérales. Pour les groupes, il s'agit d'une manoeuvre visant à mystifier le public et à masquer les impacts cumulatifs du projet", ont fait valoir les organisations dans le cadre d'une sortie publique conjointe.

Évaluation globale
Les groupes réclament donc au gouvernement de François Legault "une seule évaluation globale du projet" qui inclurait les émissions de gaz à effet de serre "en amont et en aval" du projet, la construction du gazoduc, l'usine de liquéfaction, le terminal maritime et le transport par navires du gaz naturel liquéfié.

Ils estiment que "ce n'est qu'avec une évaluation globale que l'on pourra juger des impacts de ce projet sur le Fjord du Saguenay, sa biodiversité (notamment sur les bélugas) et sur le climat par le calcul des gaz à effet de serre générés par l'ensemble du projet, en amont et en aval". "Sans gazoduc, sans d'usine et sans usine, pas de gazoduc. Il doit y avoir une évaluation globale de ce projet sans quoi il sera impossible d'en évaluer correctement les impacts sur l'environnement et le climat", a fait valoir Christian Simard, de Nature Québec.

"Le projet présenté, quand on le cumule avec les autres projets industriels sur le Saguenay, est incompatible avec la Loi sur les espèces en péril qui protège l'habitat du béluga de Saint-Laurent, une espèce en voie de disparition", a ajouté Sophie Paradis, directrice pour le Québec au sein du Fonds mondial pour la nature.

Les groupes critiquent du même coup "le lancement en catimini" de la consultation en vue de l'étude d'impacts du projet de gazoduc de 750 km qui alimentera la future usine. Les documents concernant le projet ont été mis en ligne sur le site du ministère de l'Environnement et de la Lutte contre les changements climatiques le 20 décembre. Le public a jusqu'au 18 janvier pour présenter ses commentaires au ministère, en se limitant à "750 mots au total pour commenter un document de 50 pages".

Pour la directrice des communications d'Énergie Saguenay, Stéphanie Fortin, le projet de GNL Québec et celui de Gazoduq sont toutefois deux projets distincts qui doivent être évalués comme tel. "Ce sont deux projets qui ont vraiment des enjeux différents", a-t-elle affirmé mercredi. Mme Fortin a aussi précisé qu'Énergie Saguenay a initié, "de façon volontaire, une évaluation globale des émissions de gaz à effet de serre pour notre usine, nos exportations et notre approvisionnement".

Il n'a pas été possible d'obtenir de réaction du cabinet du premier ministre François Legault mercredi, à la suite de la demande des groupes environnementaux pour une évaluation "globale" du projet.

Le député péquiste Sylvain Gaudreault a pour sa part appuyé la demande, jugeant que le Québec doit avoir "le dernier mot" sur la réalisation de ce projet. Selon ce qu'a déjà indiqué au Devoir l'Office national de l'énergie, la décision d'autoriser la construction du gazoduc reviendrait au gouvernement fédéral, puisqu'il s'agit d'une infrastructure interprovinciale.

Gaz à effet de serre
Le Devoir révélait le 21 décembre dernier que le gouvernement du Québec n'entendait pas tenir compte des impacts de la production du gaz naturel dans l'évaluation environnementale provinciale, ce qu'on appelle les impacts "en amont". "Non, l'initiateur n'est pas tenu d'évaluer les impacts potentiels associés à la production de gaz naturel puisque son projet ne comprend pas cette activité", avait alors précisé le ministère de l'Environnement et de la Lutte contre les changements climatiques (MELCC).

Interpellé sur cet enjeu, le premier ministre François Legault a par la suite assuré qu'"il n'y a rien d'exclu pour le moment" pour l'évaluation provinciale du projet. "Il est trop tôt pour dire quelles seront les évaluations environnementales qui auront lieu", a-t-il ajouté, en soulignant qu'il serait favorable à l'inclusion de l'analyse des impacts de l'exploitation gazière.

Il faut dire que le gaz naturel qui transporté au Québec depuis l'Alberta sera exploité essentiellement par fracturation hydraulique. L'exploitation par fracturation émet d'importantes quantités de méthane, selon le biologiste Claude Villeneuve, spécialiste des questions climatiques. Ce gaz à effet de serre peut être au moins trente fois plus puissant que le CO₂, selon le Groupe d'experts intergouvernemental sur l'évolution du climat (GIEC). Outre les impacts climatiques, cette exploitation peut nécessiter jusqu'à 10 millions de litres d'eau pour chaque forage.

Quant au gazoduc de 4,5 milliards $ qui sera construit par l'entreprise Gazoduq, un "corridor" est déjà l'étude. De la frontière avec l'Ontario, le gazoduc doit traverser le territoire québécois à partir de la région de Rouyn-Noranda, pour se rendre jusqu'au Saguenay. Le couloir de construction de ce tuyau d'un mètre de diamètre sera situé essentiellement dans des milieux naturels et devrait traverser de nombreux cours d'eau.

Une analyse confidentielle commandée par l'entreprise GNL Québec a révélé en décembre que l'appui des Québécois pour...
un projet de gazoduc est faible le long du tracé proposé, et donc qu'"il y a du travail à faire " pour les convaincre d'accepter un tel projet d'exportation de gaz naturel albertain. Le document produit par la firme Navigator donne d'ailleurs plusieurs conseils sur les façons d'orienter le message public afin d'obtenir le consentement de la population.

Transport maritime
La construction du gazoduc est essentielle à la réalisation du projet d'usine de liquéfaction d'Énergie Saguenay. Celle-ci servirait en effet à liquéfier les 11 millions de tonnes de gaz naturel chaque année. Ce gaz serait alors exporté "en Europe, en Asie et vers d'autres marchés " à bord de méthaniers de type Q-Flex. Ces imposants navires peuvent transporter 217 000 m3 de gaz. Ils atteignent une longueur de 297 mètres et une largeur de 45 mètres.

À l'instar du projet de port pétrolier que TransCanada souhaitait construire à Cacouna, le projet Énergie Saguenay devrait entraîner une augmentation du trafic commercial dans l'habitat essentiel du béluga du Saint-Laurent.

Jusqu'à 160 de ces méthaniers remonteraient chaque année la rivière Saguenay, soit trois ou quatre par semaine. Chemin faisant, ils traverseraient le parc marin du Saguenay-Saint-Laurent, l'aire marine protégée mise en place pour protéger le béluga. En calculant les allers et les retours, on parle de six à huit passages par semaine. Ce projet s'ajoute d'ailleurs à deux autres projets de ports qui devraient être construits dans la région. S'ils se réalisent, 635 navires pourraient remonter le Saguenay en 2030, soit une hausse de 180 % par rapport à l'heure actuelle.

2019 Le Devoir

Des milliers de dollars de plus pour les familles à faible revenu
Les familles à faible revenu pourront toucher jusqu'à près de 4600 $ de plus en prestations sociales en 2020 grâce à de nouveaux programmes de prestations sociales du gouvernement fédéral, doit expliquer le ministre de la Famille Jean-Yves Duclos jeudi.

En 2018, le gouvernement fédéral a commencé à indexer l'Allocation canadienne pour enfants, ce qui permettra aux parents à faible revenu de recevoir plus d'argent pour leurs enfants. Environ 3,7 millions de familles sont éligibles à cette prestation.

Par ailleurs, l'Allocation canadienne pour les travailleurs, annoncée dans le budget 2018, doit entrer en vigueur cette année. Cette allocation pourrait permettre à un travailleur seul de recevoir jusqu'à 1300 $ et à un travailleur en couple de recevoir jusqu'à 2300 $, notamment pour aider à l'achat d'aliments sains ou de vêtements.

«Cette nouvelle prestation remplacera l'ancien régime de PFRT et permettra à 74 000 Canadiens de plus de se sortir de la pauvreté», a soutenu Emploi et Développement social Canada. Une troisième prestation, l'Allocation canadienne d'aide au logement, doit être lancée en 2020. Cette mesure d'aide vise à soutenir environ 300 000 familles en leur permettant de toucher jusqu'à 2500 $ pour les aider à payer leur loyer.

«Lorsque la troisième et dernière de ces prestations entrera en vigueur en 2020, les familles à faible revenu ayant un enfant âgé de moins de six ans et un autre âgé entre 6 et 17 ans pourraient toucher jusqu'à 17 000 $, comparativement à 12 443 $ [actuellement]», a expliqué le ministre.

QMI Agency

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Ottawa expands thalidomide compensation
Program with loosened criteria will allow Canadians who lack proof drug caused their deformities to apply for financial support

Ingrid Peritz

The federal government will open the door to new requests from Canadians who believe they are victims of thalidomide, expanding on a landmark program that compensates survivors of one of this country's worst drug scandals.

The expansion could offer compensation to dozens of Canadians who say they were born with severe birth defects owing to the notorious drug, but who lack sufficient documentary proof.

"This has been a long time coming," said Terry Bolton, an Ontario resident who attributes his physical deformities to the drug, which was marketed to pregnant women in the early 1960s. "We've been fighting this for years. A lot of people are facing financial hardship and are close to living on the street."

The former Harper government announced a historic program in 2015 to help Canadians born with malformations because their mothers took thalidomide: it was billed as a "wonder" drug for morning sickness but caused devastating health effects, such as shortened or missing limbs.

The government was prompted to act in response to a campaign led by the Thalidomide Survivors Taskforce and an exposé in The Globe and Mail in 2014.

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The health of those affected deteriorated as they aged, and about 100 people in Canada were granted annual pensions of $25,000 to $100,000, depending on their level of disability. Ever since, others have stepped forward to say that they, too, were victims. But after 50 years, they lacked records to prove it, and their claims were rejected by Ottawa's third-party program administrator. Part of the challenge comes from assessing what constitutes thalidomide damage. Experts agree that shortened, seal-like arms is a signature sign. However, malformations of the limbs can be linked to other issues, unrelated to thalidomide.

Now, nearly 60 years after thalidomide first made its appearance in Canada and left behind a trail of hardship and suffering, this country is poised to officially recognize more victims.

In an announcement on Wednesday from Health Minister Ginette Petitpas Taylor, Ottawa said that beginning in the spring, people will be able to apply under a new program that will replace the one introduced in 2015. The government was not specific about new criteria for eligibility, but said officials will take a "fair and comprehensive" approach.

Ottawa will also increase funding to survivors, who are in their mid- to late-50s and facing a slew of health problems.

The government's one-time payments, originally $125,000, will be doubled for new claimants to $250,000. Those who have already been recognized will see their initial $125,000 payouts topped up to the higher amount.

Also, an existing fund for urgent needs, such as installing lifts in homes or seeking out-of-province medical treatment, will rise to $1-million from $500,000.

Mercédes Benegbi, head of the Thalidomide Victims Association of Canada, said the changes show Ottawa's long-term commitment to caring for victims of the thalidomide tragedy.

"We're pleased by the openness of the government," said Ms. Benegbi, herself a survivor of the drug. She said she expects Ottawa to take a "compassionate" approach toward new claimants while maintaining the "integrity" of the program.

"We have to be fair toward citizens who believe they are victims of thalidomide. We have to show flexibility while keeping ethical rigour in the way the program is applied," she said in an interview.

The increased lump-sum payments will be critical for survivors, she said. Many are no longer able to carry out basic tasks such as getting dressed, preparing meals or doing grocery shopping. Because of their limb deformities, they often can't use a cane or crutches.

Canada owed a historic debt to thalidomide victims because, unlike the United States, its health regulators approved the drug in 1961.

Currently, 121 Canadians are recognized by Ottawa as thalidomide victims and receive funding under the program. It's not known how many people could see their claims accepted under Ottawa's relaxed criteria. However, 167 people have had their applications rejected under the existing program because they were deemed ineligible.

Health Canada said in an email that it will try to contact those whose applications were rejected. It plans to keep its new, expanded program open for five years.

In widening the program, Ottawa said it would follow "best international practices," without being specific. One example it could follow is Britain, home to hundreds of thalidomide survivors. In 2010, the announcement of a thalidomide fund in that country saw a surge in new claimants. In response, the program was prepared to consider only claimants born within the time period associated with thalidomide's availability. Then, even people without documents were able to go before a panel of medical and legal experts who evaluated their cases one by one, weighing the "balance of probabilities" that they were victims.
Statistique Canada rapporte en outre que 47,7 % des répondants volontaires à son sondage ont fait leurs achats auprès du marché légal de cannabis.

L'échantillon de l'enquête est cependant très petit : 385 répondants, qui ont volontairement choisi de partager leurs habitudes de consommation de cannabis. "Bien que ces observations aient fait l'objet de tests statistiques, les estimations présentent un biais statistique potentiel puisque l'échantillon est autosélectionné et que le nombre de réponses est limité, note Statistique Canada. Il convient donc de faire preuve de prudence lors de l'interprétation des données."

Pas étonnant

Les experts en la matière ne sont pas surpris de ces premiers constats. Mais ils préviennent du même souffle que la différence de prix ne pourra pas trop durer si le gouvernement souhaite que le marché légal puisse réellement rivaliser avec le marché noir.

L'ancienne ministre libérale Anne McLellan explique ces statistiques par la pénurie de cannabis légal au Canada. Lorsque la situation se sera résorbée et que les tablettes des détaillants seront à nouveau remplis, les prix baisseront inévitablement, à son avis. Et les consommateurs se tourneront vers le marché légal, car ils pourront désormais y trouver les produits et les souches de cannabis qu'ils recherchent, estime celle qui avait présidé le comité consultatif chargé de conseiller le gouvernement Trudeau en vue de la légalisation.

"Nous nous attendions à cette situation. On savait qu'il faudrait un peu de temps pour que ce nouveau marché légal se normalise ", explique Mme McLellan au Devoir. "Ma seule préoccupation, c'est de savoir à quelle vitesse le niveau de l'offre rejoindra celui de la demande. Si vous voulez que les prix soient raisonnables, si vous voulez que les consommateurs passent du marché illégal au marché légal, il faut que l'offre et la demande se rejoignent aussi rapidement que possible ", fait valoir l'ancienne ministre, qui espère des améliorations en ce sens d'ici six mois.

Ce délai n'a toutefois rien d'étonnant, insiste-t-elle. Anne McLellan reproche cependant au passage au Québec et à l'Ontario d'avoir mal géré le dossier. En Ontario, Doug Ford a changé le modèle de vente après son élection pour le confier au privé, à deux mois de l'entrée en vigueur de la légalisation. "Au Québec, je crois que c'est une très mauvaise politique publique que de hausser l'âge légal de 18 à 21 ans ", a-t-elle en outre dénoncé.

Au final, Anne McLellan estime que le prix du cannabis légal ne devrait pas surpasser celui du marché noir par plus de 1,50 $ le gramme s'il veut être compétitif. "Le prix ne sera jamais le même, convient-elle. Nous avons toujours su qu'il y aurait une prime à payer pour obtenir un produit dont la qualité a été testée. Mais ce doit être un écart raisonnable."

L'expert en toxicomanie Jean-Sébastien Fallu convient lui aussi que ces premières données statistiques sont "tout à fait en phase avec ce qui était attendu ". Notamment parce que le marché noir offre des prix de gros pour les achats de grandes quantités, contrairement au marché légal où le prix demeure élevé peu importe la taille de la commande. Et c'est ce qui explique probablement également selon lui que 52,3 % des consommateurs ont continué d'acheter leur cannabis auprès du marché noir.

"Il était prévisible qu'à partir du moment où le marché légal n'offre pas de prix de gros, les plus gros consommateurs vont avoir tendance à rester dans le marché illégal parce que la différence de prix peut être assez importante ", explique le professeur à l'École de psychoéducation de l'Université de Montréal.

En effet, 42 % des répondants ont confié à Statistique Canada qu'ils avaient eu recours au marché illégal parce que le cannabis légal était trop cher. Et les consommateurs illégaux ont acheté en moyenne deux fois plus de cannabis par transaction -- 17,3 grammes sur le marché noir contre 8,3 grammes lors de transactions légales.

"La différence de prix [entre les marchés légal et illégal] encourage un statu quo pour une bonne partie des consommateurs ", note M. Fallu.

De nouveaux consommateurs

Statistique Canada révèle par ailleurs que 23 des 300 répondants qui ont accepté de détailler leur consommation dans une seconde série de questions ont ainsi acheté du cannabis pour la première fois entre le 17 octobre et le 31 décembre. Dix-sept d'entre eux ont rapporté qu'ils avaient commencé à en consommer parce que la drogue avait été légalisée.

Là encore, Jean-Sébastien Fallu ne s'en étonne pas. "On sait que souvent, après un changement plus libéral des lois en matière de cannabis, il y a une curiosité. Des gens vont essayer ", relate-t-il, en rappelant que l'échantillon statistique est très restreint.

2019 Le Devoir
Strain of bovine TB found in B.C. cow new to Canada: CFIA

Kelsey Johnson

The Canadian Food Inspection Agency says a reported case of bovine tuberculosis in B.C. is from a new strain never seen before in the country.

Canada's chief veterinarian Jaspinder Komal told reporters Wednesday that the CFIA's national lab in Ottawa has determined the case of tuberculosis was a "distinct strain" never before found in wildlife or domestic livestock in Canada. Preliminary indications suggest the strain has also never been found in the United States.

"At this point in time all we know is that it is a very, very distinct strain," he said during a technical briefing on the case.

Komal also said that three more animals from the same farm in B.C.'s southern interior have since tested positive for bovine tuberculosis. The first case was confirmed on Nov. 9 in a mature beef cow that was slaughtered in late October 2018.

Bovine TB is a zoonotic disease, which means it can be passed directly from animals to humans. Transmission to humans usually occurs through ingestion of unpasteurized dairy products - not a risk in this case, given the animal infected is a beef cow.

The CFIA said the four infected animals never entered the food chain and most of the animals in the infected herd have been tested.

Twenty-five farming operations across Saskatchewan, Alberta and British Columbia are currently under movement controls, affecting about 18,000 animals, Komal said. An update posted to the CFIA's website shows one facility is located in Saskatchewan, 13 are in Alberta and 10 are in B.C. A joint investigation by the CFIA and the province of British Columbia is ongoing.

Komal said the number of operations under movement controls, which restrict animals and food products from leaving certain prescribed zones, could "fluctuate" as the investigation continues. CFIA has said the investigation includes focusing on locations like farms and action yards that had contact with the infected animal.

In 2016, six animals in a single Alberta herd were infected with bovine TB. As a result, 34,000 animals on 145 farms were tested, and CFIA paid out $39 million in compensation to affected producers. The source of that outbreak was never identified.

The world considers Canada to be free of bovine TB. In a December update, Komal told reporters the case in B.C. shouldn't affect that status. At the time, he said Canada had reached out to its international trading partners about the case and the World Organization for Animal Health was notified. Komal did not say Wednesday if Canada's status has changed.

2019 ipolitics.ca

Hamilton in line for 1,000 new child care spaces, federal government says

Samantha Craggs

Canada's social development minister says his government is on track to roll out 40,000 affordable child care spaces by 2020 - a plan that includes at least 1,000 new spaces in Hamilton.

Jean-Yves Duclos stopped at Tim Hortons Field for a quick photo op Wednesday. He used the 20,000-seat stadium, home to the Hamilton Tiger-Cats, to illustrate the number of child care spaces he says his government is offering.

He told the gathering to imagine each seat had two kids in it. "Forty thousand is the number of children who will soon have child care spaces."

The stop was a re-announcement of a 2017 pledge to create thousands of new child-care spaces across Canada, although this is the first time a specific number has been mentioned for the city.

In June 2017, Ottawa signed agreements with provinces and territories to seed new spaces. The cost is $1.2 billion over three years.

Ottawa says those spaces are particularly aimed at families who are low-income, Indigenous, single-parent, living in underserved communities or have children with disabilities.

Child care advocates said then that spaces were needed across the board, not just in those communities.

The Conservative critic for children's issues was worried about how the plan would be rolled out, and the NDP said it wasn't enough to meet a growing crisis.

Bob Bratina, Hamilton East-Stoney Creek MP, said the agreement means more than 1,000 spaces in Hamilton, although the actual number will vary according to the proposals Ottawa receives.

2019 CBC.ca
Canada joins key global renewables agency

Carl Meyer

Canada has become a member of a key intergovernmental agency that promotes the adoption of solar, wind, geothermal and other forms of renewable energy.

The International Renewable Energy Agency (IRENA) has described Canada as an "important market" for renewables over the long term. Ottawa has been in talks since at least early 2017 to become a member of the group, and on Wednesday, the government made it official.

"The growing green economy is among the greatest economic opportunities for Canada in a generation," stated Natural Resources Minister Amarjeet Sohi in a press release.

"Becoming an IRENA member will accelerate Canada's efforts to build a clean energy future that will bring new economic growth and thousands of new, well-paying jobs."

Canada's membership in IRENA comes as the Trudeau government walks the line between supporting fossil fuel infrastructure and boosting renewable energy in the country.

The government says its decision to spend billions of public dollars buying the Trans Mountain oil pipeline and expansion project was because it is in the national interest.

But it has also proposed hundreds of millions of dollars for new clean tech initiatives, including riskier emerging renewable programs, as well as new tax incentives for businesses investing in wind turbines and solar panels.

Pipelines and fossil fuel development continue to be a major divisive issue in Canada, with a blockade against a proposed 670-kilometre Coastal GasLink Pipeline in B.C. triggering over a dozen arrests and sparking a nationwide solidarity movement this week.

Meanwhile, a pro-pipeline convoy of oil rig trucks and other vehicles that is critical of Prime Minister Justin Trudeau's policies is now hoping to reach Ottawa. The group has been raising money on a GoFundMe page for fuel and other expenses. The pro-pipeline advocates have gotten support from an oilpatch industry lobby group, the Canadian Association of Petroleum Producers, which has been running advertising for the fundraising efforts on Facebook through a page that it manages called Canada's Energy Citizens.

In 2017, IRENA's director general Adnan Amin told National Observer that developing major fossil fuel projects like pipelines will ultimately hurt operators and leave them with stranded assets, given that renewable energy is becoming more attractive to both consumers and businesses.

"The question the government needs to ask itself is if you are using taxpayer resources to subsidize fossil fuel infrastructure for the future, is that a wise investment given the fact that this may end up as a stranded asset?" he asked in the 2017 interview. One year later, the Trudeau government made its decision to buy the Trans Mountain pipeline so that it could proceed with construction of the expansion project, which the operator, Texas energy company Kinder Morgan, was no longer interested in pursuing.

The world's top climate scientists say humans must derive their power primarily from renewable or non-emitting sources by 2050 if the planet is to avoid more destructive effects of climate change. Burning fossil fuels like coal, oil and gas creates carbon pollution that collects in the atmosphere, warming the planet.

The Intergovernmental Panel on Climate Change (IPCC) has concluded that in order to hold Earth's warming to 1.5 degrees Celsius above pre-industrial levels with limited overshoot, renewables must achieve a minimum 63 per cent share of the global electricity market by mid-century.

Canada's inclusion in IRENA means there are now 160 countries in the agency. Participation requires that members are "willing and able" to follow the "objectives and activities" laid out in the agency's statute, signed in Bonn in 2009.

In short, the agency's objective is to promote all forms of renewable energy, taking into account national priorities and the contribution of renewables to the environment, economic growth and other goals.

In terms of its activities, IRENA considers itself a "centre of excellence" for renewables, meaning it provides policy and financing advice, offers training and education, encourages research and helps countries benefit from the transfer of clean power technology and knowledge.

The agency is based in Abu Dhabi, United Arab Emirates, a member of the Organization of the Petroleum Exporting Countries that depends on oil and gas output for roughly 30 per cent of its GDP.

Abu Dhabi was picked to host the interim headquarters of IRENA in 2009, but the original proposal for such an agency came much earlier, in 1981 at a United Nations conference on renewables in Kenya, and developed throughout subsequent meetings in the 2000s.

2019 nationalobserver.com
Outgoing gallery boss has no regrets about trying to sell Chagall

The outgoing director and CEO of the National Gallery of Canada says he has no regrets about trying to sell a work by the famed French painter Marc Chagall. In fact, the only thing Marc Mayer regrets is that the deal fell through.

After steering the National Gallery of Canada for more than a decade, Mayer is stepping down from the job next week. Over his two five-year terms, he made a number of changes to the gallery, such as raising the profile of works by Indigenous artists.

But there was controversy, too. Last year, after it came to light that the gallery was selling Chagall's 1929 painting La Tour Eiffel, there was public outcry.

It was later unveiled that the gallery was trying to sell the Chagall to keep Saint Jerome Hears the Trumpet of the Last Judgment, painted in 1779 by the French artist Jacques-Louis David, in Canada.

The Quebec government later issued a notice of intent to protect the painting as a heritage document and keep it in the province, and the National Gallery's Chagall was pulled from auction.

In an interview with Ottawa Morning host Robyn Bresnahan on Wednesday, Mayer said he wishes the sale had gone through. He said the protection of the David isn't yet certain, and that even if that painting hadn't needed saving, he'd have liked to get the money from the Chagall to purchase more Indigenous art.

"I regret that we weren't able to sell it, but that's how it ended up happening," he said.
"It would have been nice to leave a nice nest-egg for my successor to do some extraordinary changes at the National Gallery, like being able to acquire some historical Indigenous art," he said.

"My vision for that museum is that we systematically integrate the historical Indigenous art that was made in Canada to tell the fuller story of art-making in this place going back thousands of years. That [money] could have been extremely helpful."

'I would do it all over again'

Mayer also said he doesn't believe the incident affected his reputation, but acknowledged the gallery may have handled it a bit differently.

"It's our responsibility to manage this collection. This is what we do. And every once in a while you've got to say goodbye to some things that are no longer serving their purposes, because you've got other uses for that money," he said.

"And it's perfectly, perfectly reasonable, and I would do it all over again, but the timing would be very different and we would probably have prepared people differently."

As for what the gallery should be focusing on moving forward, Mayer said it could do better at representing women as well as Indigenous artists.

"The art made by men became art at some point in the Renaissance, and art made by women became craft. And there's something kind of unfair about that, and I wonder if my successor will be able to maybe correct that," he said.

And as for Mayer's future, he said he's too young to retire, and that he's going to take some time to consider several options. Listen to the entire interview with Mayer below.

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Canadian kids deserve better

Jane Cordy and Raymonde Gagné

National Child Day (Nov. 20), which commemorates the adoption of the United Nations Conventions on the Rights of the Child, has come and gone for another year, but Canada cannot celebrate much progress.

Yes, the federal government has established a poverty reduction strategy, there are youth councils to advise the prime minister and they have plans to establish an Accessible Canada Act - all important steps toward improving the well-being of kids and their families. But Canada continues to fall behind other developed countries when it comes to child well-being.

Canada ranked 25th out of 41 peer countries on UNICEF's 2017 Index of Child and Youth Well-being and Sustainability.

A recent national study from Children First Canada also reports that suicide is the second leading cause of death among Canadian children. Mental health-related hospitalization rates are increasing and approximately one in five Canadian kids continues to live in poverty.

The reality is more bleak when you consider First Nations children.

One in three Indigenous children lives in poverty. This number rises to more than 60 per cent among children living on reserve. First Nations youth have suicide rates five to seven times higher than non-Indigenous youth - and Inuit youth have one of the highest rates in the world, 11 times higher than the national average.

We must do better.

At a recent cross-partisan open caucus meeting in the Senate, experts from across the country addressed the issue of child well-being in Canada. As the caucus heard, Canada still has much to do.

Canada is not living up to its obligations under the UN Convention on the Rights of the Child, which seeks to ensure children's right to survival, protection from harm, neglect and exploitation and the right to develop to their fullest potential, participating in family, cultural and social life.

Jordan's Principle, which passed unanimously in the House of Commons in 2007 and which seeks to ensure First Nations children receive equitable access to all government services and support, remains unenforced.

Andrea Auger, a member of the Pays Plat First Nation, working for the First National Child and Family Caring Society, told the forum that the "federal government has a long-standing pattern of discrimination against First Nations children." Indeed, there have already been five non-compliance orders from the Canadian Human Rights Tribunal against the federal government for failing to implement Jordan's Principle.

The bottom line: First Nations children are still being denied the same funding for health and social services and education as their non-Indigenous counterparts. This is unacceptable. "We need to ensure substantive equality," said Auger, reminding the caucus that child welfare was the No. 1 call to action in the Truth and Reconciliation Commission report. How can we change the trajectory for Canada's most vulnerable youth?

Canada must fully implement Jordan's Principle. First Nations children deserve robust services and supports, equal to those of their non-Indigenous counterparts.

The government must also appoint a federal commissioner for children and youth. As Stephanie Mitton from Children First Canada told the forum, a commissioner would hold our governments accountable. Sixty other countries have a children's commissioner in place, and as Pamela Lovelace from Wisdom2Action noted, there's ample evidence such a position improves child welfare.
Finally, we must urgently develop a national youth suicide prevention strategy and fund mental health services across the country, particularly for Indigenous youth. Lovelace noted Quebec's recent highly successful campaign to prevent youth suicide. But as Dr. Amy Metcalfe, assistant professor at the University of Calgary, told the forum, suicide prevention doesn't just happen in the hospital and in health-care organizations; it must be implemented and supported community-wide.

Quality data are key to implementing effective policies. As Lovelace reminded the caucus, "We don't even know how many kids there are in care across the country." Said Kathy Vandergrift, chairwoman of the Canadian Coalition for the Rights of Children, "I can get better data on the state of cows in this country than on our children." That is clearly unacceptable.

Investing in kids is about investing in our future. Now it's time for all levels of government to work together and put the welfare - and the rights - of Canadian children at the forefront.

Sen. Jane Cordy is from Nova Scotia. She is the vice-chairwoman of the human rights committee and is also a member of the energy committee and the foreign affairs and international trade committee in the Senate. Sen. Raymonde Gagné is from Manitoba. She is a member of the official languages committee, transport and communications committee and agriculture and forestry committee in the Senate.

The jig is up for our meat and dairy lobbies

By folding food groups into new 'protein' umbrella, Canada's nutrition guide can finally bust industries' grip on how we eat

Konrad Yakabuski

The most useful piece of dietary advice in the proposed update of the Canada Food Guide, a draft version of which has caused an uproar among beef and dairy producers, has nothing to do with how much meat or milk Canadians should or should not consume each day.

No, the best advice the bureaucrats at Health Canada have come up with is a warning to "be aware of food marketing." After all, the public-relations prowess of Canada's dairy and meat producers is second only to their lobbying might. For decades, the dairy and meat industries have masterfully shaped public policy and eating habits alike with a combination of slick marketing and political arm-twisting.

Thankfully, someone at Health Canada has woken up. The proposed new Canada Food Guide would do away with separate "milk products" and "meat and alternatives" food groups. Instead, they would be included under the umbrella of "protein foods," together with a host of plant-based alternatives.

If the guide's draft version makes the cut, the myth that humans need to consume a number of portions of meat or milk products on a daily basis will finally have been officially shattered.

Indeed, by urging Canadians to limit the intake of saturated fats, as the draft suggests, the new guide should nudge them into eating less meat.

The overhaul of the guide has been in the works for three years.

Hence, the draft version that was tested in focus groups, under a federal contract awarded to Earnscliffe Strategy Group, surprised absolutely no one. Yet, dairy and beef industry representatives still expressed their indignation at being snubbed by Health Canada.

"The direction proposed by the new food guide is not evidence-based and could have further long-lasting consequences on a sector that has already been placed in a difficult position by this government," Dairy Farmers of Canada said in a statement, referring to recent Liberal trade deals that have increased foreign cheese and milk producers' access to the domestic market. The organization called on Prime Minister Justin Trudeau to "direct the Minister of Health [Ginette Petitpas Taylor] to do her homework by considering and taking into account all available scientific evidence prior to the release of the new food guide."

The latter demand was a dig at Health Canada's refusal to include industry-financed studies in the evidence it has collected to update the food guide.

The beef industry's response has been somewhat less apoplectic, after its representatives were apparently reassured by Ms. Petitpas Taylor in a meeting last May that the new food guide "would not tell Canadians to eat less meat."

At least not explicitly, anyway.

Besides, unlike our uncompetitive dairy farmers, Canada's beef and pork producers stand to make big gains under new trade agreements that expand their access to the European and Japanese markets.

We won't know until the new Canada Food Guide has been officially released whether Health Canada will have been able to maintain its independence from both the lobbyists and the politicians, including the dozens of MPs with beef and dairy farmers in their ridings who are upset. But let's hope the agency is able to stand its ground and help put Canadians on track to a healthier and more sustainable diet.

Milk and meat are chock-full of nutrients. But they are not essential to the human diet, especially as other sources of the
nutrients they provide are more readily available to Canadians than ever.

By all accounts, Canadians still eat too much meat, with the clogged arteries and waistlines to show for it. And while the Canada Food Guide's focus is on nutrition, the environmental benefits of consuming less meat and milk would be considerable.

"A vegan diet is probably the single biggest way to reduce your impact on planet Earth, not just greenhouse gases, but global acidification, eutrophication, land use and water use," Oxford University professor Joseph Poore told The Guardian last year. "It is far bigger than cutting down on your flights or buying an electric car."

Prof. Poore co-authored a 2018 study published in the journal Science that showed that, while dairy and meat products provided just 18 per cent of calories consumed by humans, their production monopolizes 83 per cent of global farmland and is responsible for 60 per cent of all greenhouse gases generated by agriculture.

The loss of forest cover to farmland is one of the main causes of species loss and global warming.

The meat and milk lobbies have had a good run. But it's time to put them out to pasture.

An inevitable mess?

Blame LNG protests on politics and plans that got almost everything wrong

Terry Glavin

There may be no right way to do fossil-fuel megaprojects at all any more if we're going to have a hope in hell of meeting our 2015 Paris climate accord commitments, but as far as the massive LNG Canada Kitimat plant and pipeline project goes - with the showdown this week on a remote British Columbia back road that immediately escalated into protests and marches and sit-ins across the country - the politics, promises and planning seem to have gotten just about everything wrong.

You could start with the way Prime Minister Justin Trudeau cheered LNG Canada's announcement last October that the green light LNG got from B.C.'s NDP government meant full steam ahead for its long-planned $40-billion project, which is to include a new pipeline from Dawson Creek in the Peace River country to a liquefaction plant and export facility at Kitimat on the B.C. coast.

"Today's announcement by LNG Canada represents the single largest private sector investment project in Canadian history," Trudeau said. "It is a vote of confidence in a country that recognizes the need to develop our energy in a way that takes

the environment into account, and that works in meaningful partnership with Indigenous people."

A closer look at the LNG Canada consortium shows a lot less in the way of private sector investment than you might think.

Royal Dutch Shell and Mitsubishi are private companies, but the other partners in the consortium aren't. The Malaysian government owns Petronas. Petro-China is the listed arm of the Chinese government's China National Petroleum Corporation. And the South Korean government owns the Korea Gas Corporation (KOGAS).

The words "meaningful partnership with Indigenous people" don't exactly spring to mind, either, in light of that showdown on Monday more than 40 kilometres into the mountains on the Morice West Forest Service Road. A team of Mounties all kitted out in military gear had been dispatched to pull down a blockade that local Wet'suwet'en people had set up to keep TransCanada's Coastal GasLink pipeline workers out of their territory.

To be fair, it's not as though TransCanada hasn't tried to do things at least in the most expedient fashion. Before things got nasty this week, Coastal GasLink had awarded $620 million in contracts to First Nation businesses for right-of-way clearing and other such work. And the company had secured agreements with all 20 elected band councils in the general vicinity of the pipeline route, besides.

The company said it had run out of patience with a group of anti-pipeline Wet'suwet'en activists out at the Unist'ot'en camp, a small protest settlement near Gosnell Creek in the Upper Morice Watershed that had set down roots nine years ago when the now-cancelled Enbridge bitumen pipeline was the thing people were angry about. The Coastal GasLink crews were being prevented from crossing a bridge near the camp, so the company, buoyed by the October LNG announcement, got a B.C. Supreme Court injunction last month that ordered the blockade leaders to back off.

Anticipating the Mounties moving against the Unist'ot'en crew, another group of Wet'suwet'en chiefs set up another roadblock 20 kilometres closer to town on the Morice Forest Service Road, and armed with an amended injunction order, the RCMP went after that group on Monday, arresting 14 people. "We respect the rights of individuals to peacefully express their point of view, as long as their activities do not disrupt or jeopardize the safety of the public, our employees, our contractors, and even themselves," Coastal GasLink president Rick Gateman explained Monday. This was a strange echo of a statement from Public Safety Minister Ralph Goodale's office: "The RCMP respects and protects the right to peaceful demonstrations as guaranteed under the Canadian Charter of Rights and Freedoms."

The problem here is that the Wet'suwet'en hereditary chiefs were not intending to merely "express their views," peacefully or otherwise, and the Charter of Rights has nothing to do with it. The Charter comes under Section 25 of the Constitution.
Aboriginal rights are protected in Section 35. It's the Aboriginal rights and title of the Wet'suwet'en people that are at stake here, and that's the subject that the federal Liberal government, and B.C.'s NDP government, are trying to avoid.

The thing is, it doesn't much matter what those 20 band councils have to say for themselves. What matters is what the Wet'suwet'en hereditary chiefs and their clans and their house groups say, and for several years they have been saying, fairly consistently, thanks, but no thanks, no pipeline, no damn way.

The band councils will do what they think they need to do, so fair play to them. But they're like municipal governments. In Wet'suwet'en country, the law is the ancient feast system, and the hereditary chiefs are bound to uphold the law. That's not just some hippie anthropologist's point of view, either. It's the view of the Supreme Court of Canada, in its specific findings in the landmark 1997 Gitxsan and Wet'suwet'en case, Delgamuukw versus the Queen. It was the hereditary chiefs who fought and won that court battle. In Wet'suwet'en country, Aboriginal rights and title are vested in the hereditary chiefs and their clans and their house groups.

Whatever the region's band councils have to say, the Coastal Gaslink pipeline route enters Wet'suwet'en territory at a place called Honeahg Bin, which is under the authority of the Thin House (Yexsowit'en) chief, whose people are members of the Big Frog (Gilseyhyu) clan. The pipeline route then traverses Small Frog (Laksilyu) property held by the House of Many Eyes (Ginekhlaiyex), and on and on like this until it passes through the house territories of the Bear/Wolf clan (Gitum' n'in), one of whose chiefs, Madeek (Jeff Brown) was a leader at the roadblock the RCMP dismantled on Monday. Eventually, the pipeline route reaches Talbiits Kwa, another Big Frog territory, which is where the Unist'ot'en have been controlling traffic on the forest service road for the past several years. The route then leaves Wet'suwet'en country at Lho Kwah, and enters the Haisla Nation territory. The Haisla are organized mainly into the Kitamaat First Nation, which generally supports the LNG Canada project.

If you think that's a jurisdictional nightmare, bear in mind that the National Energy Board still doesn't even know whether it's involved in any of this, or whether provincial or federal jurisdiction holds higher sway. The NEB will be holding hearings in March to determine whether the British Columbia Oil and Gas Commission gave the whole project the go-ahead unlawfully. If that's how things shake out, the whole project has to be resubmitted for approval under a formal, dismal, drawn-out NEB process.

The other thing both Ottawa and Victoria are trying to avoid is any public scrutiny of Prime Minister Trudeau and Premier John Horgan's eloquent (but oddly imprecise) commitments to First Nations that their consent should be required, as per the United Nations' guidance, for industrial developments such as pipelines to proceed in areas subject to some degree of Aboriginal title.

So go ahead and blame those obstreperous Wet'suwet'en people all you like but it's avoiding these tougher questions that caused this whole thing to go so wrong in the first place. And that's without even dealing with whether there is any right way, if Canada is going to come even close to meeting its Paris accord commitments, to do these sorts of projects at all.

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LNG Aside, Clarification Of 'Consent' Is Murky

Vaughn Palmer

Premier John Horgan reiterated a strong endorsement of the $40-billion LNG Canada project Wednesday, saying it had met the NDP test for securing consent from First Nations.

"It has been my view that LNG Canada has shown they understand the importance of consultation and meaningful reconciliation with First Nations," Horgan told reporters in the legislature press theatre.

"All nations from wellhead to waterline had signed impact benefit agreements," he continued. "We believe that LNG Canada has met the obligations that we asked them to achieve."

Those benefit agreements, valued in the hundreds of millions of dollars, figured prominently in Horgan's endorsement back in October when Shell and partners reached a final investment decision for the Kitimat-based LNG terminal.

The premier framed his comments as a reply to nationwide protests over RCMP action to remove a First Nations encampment in the path of the natural gas pipeline for the project.

"When it comes to this project in the north particularly, there are nations that are wildly enthusiastic about the prospects that this opens up for their future and I think that that needs to be balanced in the coverage of the protests from yesterday."

Horgan acknowledged the right to protest, saying he has himself been there and done that in earlier days in the political arena.

But he couldn't resist pointing out how some of the participants were "not uniformly focused" on the territory of the Wet'suwet'en First Nation, where the protest encampment is located.

"There are no orcas on Wet'suwet'en territory," he said, referencing three inflatables that featured in the protest outside the legislature.

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Vancouver Sun (FINAL)
OPINION Page: A11

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"There were those talking about diluted bitumen. There were those talking about eradicating capitalism. There was a whole bunch of discontent on display for Canadians to see yesterday."

Turning to the specifics of the standoff at the encampment in Wet'suwet'en territory, Horgan noted that a court injunction was in place and police were acting to enforce it.

"If protesters are breaking the law, there are consequences for that and that's why 14 people were arrested," said the premier.

Horgan proceeded more delicately when discussing the role of hereditary chiefs of the Unist'ot'en clan of the Wet'suwet'en in establishing and maintaining the protest against the natural gas pipeline.

The encampment was established almost 10 years ago, and expanded over the years to include a barricade on a bridge and a metal gate on a forest road.

The New Democrats, as a matter of policy, try to allow First Nations to sort out consent among themselves. But the elected council of the Wet'suwet'en signed a benefit-sharing agreement for the project even as the holdouts maintained their protest encampment.

Horgan underscored the complexities of dealing with that particular First Nation, which has 13 houses, five clans and (by some estimates) more than 100 hereditary chiefs.

Nevertheless, he tried last August to intervene with the Wet'suwet'en leaders, including some of the hereditary chiefs. But he was unsuccessful. So when LNG Canada was green-lighted, the New Democrats cited the support of the elected leadership as evidence of consent by the Wet'suwet'en.

The formal consultation process on the project has now concluded, says Horgan, though "we continue to be open for dialogue for hereditary leadership in that community."

The premier also dealt in passing with accusations that cabinet minister Doug Donaldson crossed a line when making a courtesy call to the encampment before police moved in.

He referred reporters to the statement, issued earlier in the week by Donaldson in his capacity as an NDP MLA from the region.

"I visited the checkpoint on the invitation of my constituents and hereditary chiefs to hear their concerns and observe their protocols," said Donaldson.

"At the same time I am aware that the laws of Canada must be upheld and court injunctions must be followed. This illustrates how two systems of law are colliding and underlines the importance of the separate reconciliation process our government has undertaken with the Wet'suwet'en."

As Horgan sees it, Donaldson was simply trying to keep the lines of communication open.

But for all the clarifications and qualifications, Horgan was unable to specify the NDP position on the broader meaning of "consent" by First Nations.

He has endorsed the UN Declaration on the Rights of Indigenous Peoples with its guarantee of "free, prior and informed consent" for First Nations on projects within their traditional territories.

He incorporated the UNDRIP principles into the marching orders for all ministers. But it remains a work in progress.

For instance, the premier insists that free, prior and informed consent is not the same as a veto. But when asked Wednesday what it does mean, he replied there is no simple answer.

"I know people would prefer to have, what's the answer, yes or no, but there isn't one," said the premier, adding "every circumstance is different."

For LNG Canada, the test has been met, according to Horgan, which is doubtless reassuring to Shell, its partners, and the First Nations in line for all those benefits.

But when asked how other would-be investors in other projects should be guided, the premier said they should research the circumstances thoroughly, then approach the relevant First Nations.

Which is a long way from saying the province is open for investment on the fast track.

But given the murky uncertainties of the NDP interpretation of First Nations consent, it will have to do for now.

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Canadians needs to fix own border problems

Canadians'faith in our system has been shaken

John Ivison

In his State of the Union address in 1995, Bill Clinton said the U.S. is a nation of immigrants but also a nation of laws. It is wrong and self-defeating to permit abuse of those laws at the border, he said.

In his recent interview with the National Post, Justin Trudeau sounded more concerned with rationalizing the surge of migrants on Canada's southern border than regaining control of the flow of asylum seekers crossing from the U.S.

He offered no new ideas on how to stop those entering Canada illegally between official ports of entry and suggested the new arrivals will be an economic boon for the country.

"The fact that we have extremely low unemployment, we're seeing labour shortages in certain parts of the country, [means] it is a good time to reflect that we are bringing in immigrants who are going to keep our economy growing," he said.

The government has paid lip-service to modernizing the Safe Third Country Agreement with the U.S. that states migrants
claiming refugee status must make their claim in the first "safe" country they arrive in - Canada or U.S.

A loophole in the pact with the Americans means it does not apply between official points of entry.

But there has been no progress in actually closing that loophole. The Trudeau government appears to have thrown up its hands in the face of American intransigence.

But Canadians's faith in an immigration system that is legal, secure and economically-driven has been shaken. There is disbelief that the federal government can do nothing to take back control of Canada's borders.

With good reason. There is no question that the political and legal environment has limited the government's room for manoeuvre. But it is also true that the Liberals have not shown the will to reinforce the integrity of the refugee system. For example, once elected, the Trudeau government decided not to appeal a Federal Court decision that ruled it was unconstitutional for the government to strip asylum seekers from countries designated as "safe" from appealing negative refugee rulings.

James Bissett was head of Canada's immigration service and is a former Canadian ambassador. He suggested that by passing new regulations under the current Immigration Act, the government could act unilaterally and prevent applications for asylum from people residing in a "safe" country (apart from citizens of that country).

"Designating the USA a 'safe'country and passing an order-in-council accordingly would stop the flow across the border. I don't see this as a violation of the Safe Third Country agreement, but if it is, then we should unilaterally end the agreement," he said. "But I'm afraid the government doesn't want to stop the flow and hopes a large portion of the population will agree to keep the flow coming."

Andrew House, a lawyer at Fasken and a former chief of staff to successive Conservative public safety ministers, called Bissett's idea a "sound approach" but said that there is "virtually no possibility" of it being adopted by the Liberal government that dropped the legal appeal on refugees.

Howard Anglin, Jason Kenney's former chief of staff when he was immigration minister, agreed that building on the existing designation of the U.S. as a safe third country would be legally possible but would likely face major practical problems. While the 1951 Refugee Convention ruled out asylum shopping, the U.S. is unlikely to take back claimants who don't have legal status in the States, he said.

But Anglin said Canada could at least pass a regulation making anyone with legal status in the U.S. (either temporary or permanent) ineligible to claim asylum. It could include anyone who has been denied asylum in the U.S., after having gone through its asylum process.

"There is some risk the U.S. might consider this a unilateral expansion of the Safe Third Country agreement, and thus a violation of it, and that they could become difficult in administering it on their end, or even cancel it altogether," he said. But, despite the likely outcry from refugee lobbyists, he said most Canadians would understand why Canada should not encourage asylum shoppers.

Andrew House was more enthusiastic about another of Bissett's suggestions - that those who cross illegally be brought to an official port of entry and have their case examined there. House suggested that this could be done without abrogating the Safe Third Country agreement.

"There is no sensible reason why Canada would not choose to view the geography in imminent proximity to a port of entry as the port of entry.

"The language in the ST-CA is clear: 'country of last presence'means that country being either Canada or the United States, in which the refugee claimant was physically present immediately prior to making a refugee status claim at a land border point of entry.

"Consider the geography of many Canadian ports of entry - they are not right on the border, they're often set back several hundred metres. And yet we deem the 'country of last presence'to be the U.S., not Canada. Why doesn't Canada choose to interpret the STCA in such a way that a person attempting to cross 100 metres to the left of a port of entry is simply apprehended, brought to the port of entry and processed per the intended operation of the STCA - that is, turned back to the US?" If Canada is to live up to its aspiration to be a nation of laws, it's high time it started exploring some of these regulatory changes. The lack of action smacks of a clash between the administrative will and the political won't.

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Trudeau is wise to wait before giving Xi a call
Campbell Clark

The Conservatives are demanding that Prime Minister Justin Trudeau call China's President over the detention of two Canadians, but a phone call from the PM isn't going to be enough. Yet there are some things that might make Beijing think twice.

The trick isn't in letting the Chinese know that Canada's Prime Minister cares.

Beijing already knows that the detention of Canadians Michael Kovrig and Michael Spavor in retaliation for the arrest of Huawei chief financial officer Meng Wanzhou is high on Mr. Trudeau's radar.

What matters is making Beijing understand that its own tactics are self-defeating.

It's no secret that the detention of the two Canadians is linked to Ms. Meng's arrest at the request of U.S. authorities, who seek her extradition on allegations that she misled banks into transactions that violated sanctions against Iran.

China's ambassador to Canada, Lu Shaye, has linked them in op-eds in both The Globe and Mail and the Ottawa political paper The Hill Times - in which he this week called the detentions an act of "selfdefence" and argued that those who don't see them as similar to Ms. Meng's arrest are guilty of "Western egotism and white supremacy."

Certainly, China has made this a point of pride. Huawei is a Chinese corporate champion, and Ms. Meng is the daughter of its founder, Ren Zhengfei. The Global Times, the Communist Party of China's jingoistic tabloid, has argued that Beijing must be tough on Canada to ensure that other countries realize there is a price to be paid.

And while Mr. Kovrig and Mr. Spavor languish in Chinese jails, there's a political spitting war in Canada over how the situation should be handled.

Mr. Trudeau's Liberals are trying to rally international allies to complain to Beijing, but the Conservatives insist the PM should be calling Chinese President Xi Jinping.

Conservative MP Erin O'Toole said he is troubled that Mr. Trudeau called U.S. President Donald Trump over the case, but not Mr. Xi.

But what matters isn't really whether Mr. Trudeau calls his allies, or China's President. "It's not an either-or situation," noted John Kamm, who heads the San Franciscobased Dui Hua foundation and has worked on a long list of Chinese detention cases.

Mr. O'Toole is right to call for more political pressure. There should be a rising drumbeat from Ottawa. But there is a reason that officials often advise prime ministers to wait before calling a head of state to ask for the release of a wrongly detained Canadian. If the answer from the top is an early, categorical "no," it's difficult to plot a next step. The game plan is usually to build up pressure first.

That's why efforts to rally allies against China are worthwhile. Britain, France, Germany, the United States and the European Union have issued statements decrying the detention.

Mr. Kamm, who is working on the detention of at least one of the Canadian detainees - he would not say which - at the request of their family, said it would be appropriate for Mr. Trudeau to call Mr. Xi or Chinese Premier Li Keqiang, but what's important is not one call to China, but having lots of conversations.

The real issue is spreading the word in a way that makes China decide the detentions of Canadians aren't in its own interests.

"When the cost to China exceeds the benefits they gain from detaining, that's when China takes action," Mr. Kamm said.

And China is hurting its own soft power with this case. Countries such as Germany and France should worry that their citizens will be detained in a future dispute. Businesses should fear their employees might be taken as pawns. Mr. Kamm said it would be good for organizations such as the Canadian Chamber of Commerce to express concern.

The episode will harm China's reputation as a safe place for foreigners to do business.

Beijing has spent years trying to convince the world, including Western countries such as Canada, that it is a benign, reliable partner for trade deals, extradition treaties and more. Taking foreign citizens into custody without real due process punches a hole in all that.

It's hard to say what cost Beijing is willing to bear in a case involving its corporate royalty and a superpower rivalry. But Mr. Trudeau will want them to know there is a cost for China, too, when he picks up the phone.
Signs point to PM prepping for a Sherbrooke shuffle

Susan Delacourt

Prime Minister Justin Trudeau appears to be gearing up for this 2019 election year with an early reset of his government - including a possible cabinet shuffle in the days ahead.

Shuffle speculation has been heating up over the past couple of days in Ottawa in advance of next week's cabinet retreat in Sherbrooke, Que.

Trudeau has tended to use long breaks in the Commons to make adjustments to his cabinet and government, and this is effectively the PM's last chance before the summer break that will also kick off the pre-election, followed by the official election campaign in the fall.

While Trudeau's office hasn't confirmed any imminent shuffle, pointed inquiries about the possibility haven't been dismissed or denied, either. Current bets are that it will happen early next week, before the Sherbrooke retreat.

Other developments also indicate a significant 2019 reset - a raft of new deputy ministers in key posts related to provincial and foreign affairs, and a new head of issues management in the Prime Minister's Office, Brian Clow, who was the lead adviser to the government on renegotiating free trade last year with the United States and Mexico.

As well, the prime minister said in a year-end interview with me that he would not be doing a new Throne Speech before the election, as many had expected. Other prime ministers have used throne speeches to put a new face on their governments, especially before elections, but Trudeau seems to favour cabinet shuffles to serve that purpose.

"The platform we got elected on was as ambitious and impactful a platform that any government had gotten elected on in a very, very long time," Trudeau said, by way of explanation for why his government would be one of the rare ones in Canada to start and finish its mandate with only one parliamentary session.

"Often you get to a point halfway through a mandate where someone's ticked off all their election promises and (says), 'OK, we need to figure out we're doing the second half.' We had a plan for the entire mandate."

In the meantime, the prime minister has plunged into this January with a series of town hall meetings with Canadians - the first on Wednesday in Kamloops, B.C. This has become a January habit, but the climate around these ones feels similar to his hit-the-ground efforts in 2017, right after Donald Trump's victory in the U.S., when Trudeau set out to counter populist politics. A cabinet shuffle was also part of that mix in 2017 - the one that installed Chrystia Freeland in the foreign affairs post, where she became Trudeau's point person dealing with the Trump administration.

Trudeau also shuffled his cabinet last summer in reaction to another external, political development (some would say threat) - the election of Doug Ford's Progressive Conservative government in Ontario. That shuffle put Dominic LeBlanc in Intergovernmental Affairs, to serve as Trudeau's backup in dealing with Ford.

So what would prompt the prime minister to shift some jobs around the cabinet this January, besides a pre-election refresh? One possibility would be to replace ministers who may be retiring or underperforming - views are mixed, for instance, on whether Trudeau has the strongest team in place to navigate the deeply polarized politics in 2019 surrounding the environment, pipelines and carbon taxes.

Natural Resources Minister Amarjeet Sohi has been taking the brunt of rage simmering in Alberta over the inability to get pipelines built, and Environment Minister Catherine McKenna has been in her job a little longer than most in that position over the past few decades.

Trudeau may want to promote some backbenchers in regions of the country where the Liberals need to keep enough seats to hold on to a majority government - in Atlantic Canada, Quebec and suburban swing areas of Ontario and British Columbia. He may also want to put some new cabinet power behind programs that will figure largely in a Liberal election platform - pharmacare and a national basic income are two such ideas that have been floated by Trudeau and his team in the past year.

At this point, it isn't clear whether the shuffle speculation points to minor tweaks or wholesale renewal. It's often happened that intended small shuffles turn out to be large ones, simply because of all the geography and gender considerations involved in cobbling together any cabinet.

But while a big shuffle isn't 100 per cent certain, the conversations are under way in Ottawa. Let the betting begin.

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Singh faces a trial-by-fire while Liberals, Conservatives look to score wins in upcoming byelections

Éric Grenier

And they're off! (Finally.)

The anticipation and speculation came to a close on Wednesday when Prime Minister Justin Trudeau set Feb. 25 as the date for three federal byelections - some of the last electoral tests to come before October's general election.

The votes could make history, particularly since NDP Leader Jagmeet Singh is putting his own political future on the line as he tries to secure a seat in the House of Commons in the B.C. riding of Burnaby South. Singh, a former member of Ontario's provincial legislature, has been without a seat since he won the leadership of the NDP in October 2017.

While that is expected to be a hotly contested byelection, the races in Outremont and York-Simcoe also feature a number of story lines worth watching over the next 46 days. Here's how the parties stack up as the byelection campaigns officially begin.

Burnaby South: All eyes on Singh

The starting pistol might have gone off on Wednesday, but Singh's campaign in Burnaby South began in early August when he announced he'd be standing as the NDP's candidate in the riding.

It might turn out that Singh needed the extra time. The NDP won the riding by a margin of just 1.2 percentage points over the Liberals in 2015. A survey conducted in November by Mainstreet Research (with an admittedly small sample of 330 decided voters) found the New Democrats trailing in third in the riding.

That poll result is far from implausible. While the NDP has held sway in the area since the 2004 election, it was always by the narrowest of margins. Burnaby South was a three-way race in 2015 and the polls suggest the New Democrats have lost support in British Columbia since the last election.

The partisan ‘lean’ in Burnaby South - the measure of how the riding's voting behaviour over the last three elections compares to the country as a whole - favours the NDP. It is 16.8 points more New Democratic than the rest of the country, which ranks it as the 31st most NDP-leaning riding in Canada. It ranks far lower for the Conservatives (189th) and the Liberals (221st), but a potential three-way contest still puts both of those parties within striking distance.

The New Democrats will be helped by the Green Party's decision not to run a candidate against Singh. But the Greens took just 2.9 per cent of the vote in 2015, so the benefit is modest. Leaders generally give their party a significant boost in a riding when they put their names forward for the first time. If this happens for Singh, then the NDP should be the favourite.

But leaders tend to run in ridings where they have some personal connection. Singh, a former Ontario MPP who represented a riding in Brampton, has no such connection to Burnaby South (though he did recently buy a home there). That could reduce - or erase - any "leader's bump" for the NDP in the riding.

The demographic profile of Burnaby South also could limit Singh's appeal. According to the 2016 census, 39 per cent of the riding's population is Chinese, while just eight per cent is South Asian. The Liberal and Conservative candidates, Karen Wang and Jay Shin, both hail from the Chinese-Canadian community.

The partisan lean and current projections would put Burnaby South in the NDP's column - but uncomfortably so. If there is no leader's bump for Singh, this riding could be a tough one for the New Democrats to hold.

Outremont: Will a Liberal red wave in Quebec start here?

The NDP's orange wave in Quebec, which washed over the province in the 2011 federal election, got its start in Outremont four years earlier when Tom Mulcair stole the seat away from the Liberals in a 2007 byelection. But the NDP's fortunes are on a downward trajectory in the province - and that could cost the party this iconic Montreal riding.

Despite losses elsewhere in Quebec in 2015, Mulcair still held on to Outremont by a margin of 10.7 points over Rachel Bendayan of the Liberals. Bendayan is running again, while the New Democrats have put up Julia Sanchez to carry the party banner.

With the help of Mulcair's personal appeal, Outremont had one of the highest NDP partisan leans in the country over the last three elections: 22.9 points, putting it 16th on the list for the party. But the Liberals also have some strength here. The riding is only slightly more Liberal than the country as a whole, but that puts it 152nd on the party's list. Without a towering figure like Mulcair on the ballot, Outremont looks like the kind of riding that would fit comfortably in a Liberal majority government.

Without Mulcair, the NDP is likely to suffer a significant hit in support. In recent provincial and federal elections, parties have averaged a loss of about six points in ridings abandoned by former leaders. Combine that with the swing in support in Quebec - the Liberals have gained six points since 2015 and the NDP have lost nine points, according to the CBC Poll Tracker - and the Liberals' prospects in Outremont look good.

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Quebec is the only region of the country where the Liberals have more support today than they did in the 2015 federal election. Accordingly, Trudeau's team is banking on seat gains in Quebec to offset losses elsewhere.

Taking into account the departure of Mulcair, the partisan lean of the riding and current polling trends, Outremont could be the first NDP domino in Quebec to fall to the Liberals.

**York-Simcoe: The only safe bet**

The tea leaves are easier to read in the Ontario riding of York-Simcoe, located just north of Toronto. The Conservatives have held it since 2004 and won it by a margin of 12.5 points over the Liberals in 2015. Its partisan lean ranks it 45th on the Conservative list - suggesting that only a catastrophic election result for the party would put the riding at risk.

The polls have been reasonably good for Andrew Scheer and the Conservatives in Ontario, so their strongholds there should be even stronger. That was the case in the December byelection in the eastern Ontario riding of Leeds-Grenville-Thousand Islands and Rideau Lakes, where the Conservatives increased their 6.8-point margin of victory over the Liberals in 2015 for a 22-point stomping of the governing party's candidate.

That margin might be the thing to watch in York-Simcoe, where Scot Davidson will be running under the Tory banner (the Liberals will name their candidate on the weekend). The riding has been 20 points more Conservative than the country as a whole over the last three elections. If the Conservatives are in a position to form a government, York-Simcoe is the kind of riding they should expect to win with at least 55 per cent of the vote.

Out of the gate, the Conservatives look likely to hold one seat and the Liberals look well-placed to make a gain. The toss-up is Burnaby South - and whatever happens there will have repercussions for the rest of 2019.

**Rumours of Andrew Scheer's demise are greatly exaggerated**

Lorrie Goldstein

Predicting that Andrew Scheer and the Conservatives are done like dinner heading into the Oct. 21 federal election is dumb. Predictions like: "Why Andrew Scheer will never be Prime Minister" (iPolitics.ca, May 3, 2018) and "Face it Conservatives. Picking Scheer was a mistake" (iPolitics.ca, Jan. 5, 2018) are dumb.

How do we know? Because in the months leading up to the Oct. 19, 2015 federal election in which Prime Minister Justin Trudeau took his party from third place to government, we saw equally dumb predictions like: "Justin Trudeau may not last long as Liberal leader, political scientist says" (straight.com, July 28, 2015) and, "Backers fear that missing-in-action, Trudeau losing bid to lead Canada" (Reuters, July 29, 2015). Definitive and near-definitive statements from the chattering classes - present company included - about what's going to happen in an election months before the election are silly, because elections matter.

Because polls only tell us what's happened, not what's going to happen.

And because when it comes to predicting election results months in advance, and occasionally even a day in advance, nobody knows nothing.

Just ask Hillary Clinton. What forms the prevailing media narrative about an election leading up to the election is what the polls say.

In the 2015 federal election, the prevailing media/pollster narrative heading in was that it was going to be a battle between Conservative Prime Minister Stephen Harper and NDP leader Tom Mulcair - the latter poised to become Canada's first NDP PM - with Trudeau and the Liberals also rans.

Two-and-a-half months later (campaigning began on Aug. 2 for the Oct. 19 vote), Trudeau became Canada's 23rd prime minister.

Harper announced his resignation as Conservative party leader that night, followed by his exit from politics in August, 2016. The NDP booted Mulcair out as party leader in April, 2016 - a decision many now appear to regret - with Mulcair speaking for the last time in Parliament in June, 2018, and serving his last day as an MP two months later.
Don't ignore populist leader Bernier

Chris Morris

Maxime Bernier's visit to New Brunswick next week will provide an opportunity to size up the fledgling political leader and the "smart populism" policies he is promoting.

Bernier, leader of the nascent People's Party of Canada, has been dubbed "Mad Max" and pundits in his home province of Quebec are not impressed by his position that Ottawa should ignore political opposition in La Belle Province and clear the way for the Energy East pipeline.

It's a position that will receive support in New Brunswick, where many are still smarting over Quebec's refusal to support Energy East and the federal Liberal government's decision not to rock the boat in vote-rich Quebec.

Bernier will be in Saint John on Thursday. He will deliver a luncheon speech on Jan. 17 titled "Reconciling east and west with the right economic policies," hosted by the Saint John Region Chamber of Commerce at the Hilton Hotel. The hotel will also host a rally later that night.

The native of Quebec's Beauce region has made no secret of his interest in New Brunswick, where last year's provincial election indicated a willingness on the part of many voters to look at alternative political parties. The results put three Green MLAs and three People's Alliance members in the provincial legislature - a sign of growing impatience with the back-and-forth, middle-of-the-road policies of the Liberals and Progressive Conservatives.

Enter Bernier, a former leadership candidate for the federal Conservative party and long-time Tory. He left the party in August in a bombshell announcement and formed the PPC, sensing, no doubt, the populist winds of change blowing in from Europe and the United States.

However, the unholy union between the right-wing political populism of today and anti-immigration attitudes make the PPC a difficult pill to swallow, particularly here in New Brunswick.

The party is proposing to slash the number of immigrants to Canada by more than 40 per cent from the Liberal government's current target of 330,000 people in 2019.

It is hard to imagine that message will have much resonance in New Brunswick, or in Canada - a nation of immigrants.

We recently had sobering news about the latest statistical decline in New Brunswick's aging population. Deaths in New Brunswick continue to outpace births and we still have not found a winning formula to entice and keep newcomers in this province.

Almost every day, there are news reports about the effect of our dwindling population in such areas as health care and home care. Key operations are routinely closed in our hospitals because of lack of staff and people desperate for caregivers in their homes simply cannot find them. That is despite the fact that successive governments have trumpeted home care as the solution to our aging and health care needs.

So Bernier's message that the number of immigrants and refugees to Canada must be slashed really should go over like a lead balloon in New Brunswick. We are desperate for immigrants and refugees; we so need new people to build this province and to enrich our country.

We cannot turn our backs on the movement of people who are determined to escape poverty and brutality in their home states. Migration will be the way of the future, especially as climate change makes more and more places unlivable.

President Donald Trump, the leading proponent of the populist attack on immigration. In his recent address to the nation he said what is happening at the southern border of the United States is a "crisis of the heart." That is true - it is a crisis of the hard-hearted and Bernier is wrong to associate himself in any way with that kind of thinking.
At the same time, Maxime Bernier and the PPC should not be summarily dismissed from our interest and consideration. We ignore the rise of populist leaders at our peril. They have keyed into the rise of distrust in established political systems and the feeling that elites are running governments for their own benefit.

It will be interesting to hear from a new political leader. And while I have no time for his position on immigration, I am intrigued by his ideas on Energy East and his belief that transfers and equalization should be cut. Bernier says that handing out federal money to provinces like Quebec and New Brunswick inhibit the recipient provinces from developing their own resources and economies.

Reality has shown he may be right but the alternative, at this point, would be grim.

Whether Bernier and the PPC find voter traction anywhere in Canada remains to be seen. But as Trump has richly illustrated, we should not underestimate the appeal of populism.

Chris Morris writes a provincial affairs column for Brunswick News.

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The pot instructing the kettle?
Liberals' sex harassment training mandated by Kokanee grope
Brian Lilley

You have to wonder if the female Liberal staffers experienced the sexual harassment training differently than the male Liberal staffers did.

On Wednesday, political staff from the prime minister's office and those of cabinet ministers attended a mandatory training session "on harassment prevention and bystander intervention." It comes more than a year after a top staffer in Trudeau's office resigned amid allegations of inappropriate activity and of course about six months after Trudeau admitted to the Kokanee grope.

While House of Commons staff and all political parties have taken to providing training to their MPs and staff on this issue, this is all a bit much considering Trudeau's own history.

After weeks of discussion about the Kokanee grope, where Trudeau groped a female reporter and then apologized for being "so forward," the PM kinda skated past the issue last July.

"I am confident that I did not act inappropriately," Trudeau said at the time.

"I'll be blunt about it - often a man experiences an interaction as being benign or not inappropriate, and a woman, particularly in a professional context, can experience it differently."

Then he called the whole affair a "learning experience" for everyone in society.

Well, not everyone in society was accused of groping a reporter covering him, but Trudeau was.

"I'm sorry. If I had known you were reporting for a national newspaper, I would never have been so forward," is how Trudeau was quoted in the Creston Valley Advance back in August of 2000.

Trudeau, who has said repeatedly that we must believe women who come forward, didn't want you or his staff to believe the woman from 18 years ago. Even though he had addressed the idea that events from the past should not be ignored during an interview with CBC.

"There is no context in which someone doesn't have responsibility for things they have done in the past," Trudeau told the state broadcaster last February.

Those comments were part of an interview on the very issue of sexual harassment.

Yet, he never called for himself to be fired or for an independent investigation into his own actions.

Shortly after he became Liberal leader, Trudeau wanted to show his feminist stripes by kicking two MPs out of caucus over unproven allegations. Massimo Pacetti and Scott Andrews didn't even get a chance to react to the allegations against them before they were booted by Trudeau in 2014.

Since forming government, Trudeau has lost cabinet ministers Hunter Tootoo and Kent Hehr to inappropriate relationships and actions on Parliament Hill as well as backbench Liberal MP Darshan Khan.

A top staffer in Trudeau's office was suspended and then abruptly resigned before a report into allegations of inappropriate actions by a trusted Trudeau aide was going to be released. The resignation meant the report wasn't made public. Same with another staffer, a top aide to cabinet minister Bardish Chagger.

According to one of the women involved, both of these men used their positions in the government to hit on women. They allegedly used their influence and power over who got hired to solicit dates and who knows what else.

I've been around Parliament Hill long enough to know that this sort of inappropriate activity is not a Liberal problem any more than it is a Conservative problem or an NDP problem. Speak to the women that have worked on the Hill for a short time, or a long time, they all have stories.

This is part of the human experience but one we need to change.

What I find difficult to take is that this mandated training for Liberal staffers came at the insistence of a man that lives by different rules.

Trudeau allowed himself to say that he didn't think he did anything wrong, that he remembered and experienced the interaction differently.

And for the most part, other MPs and the media let him get away with it.

That isn't how any other MP has been treated.

Trudeau should have held himself to his own standard.

He didn't. So now it is up to voters come October.

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