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The Honourable GEORGE J. FUREY,
Speaker

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THE SENATE

Thursday, April 27, 2023

The Senate met at 2 p.m., the Speaker pro tempore in the chair. [Translation]

Prayers.

SENATORS' STATEMENTS

THE LATE HONOURABLE LORNA MILNE

Hon. Jane Cordy: Honourable senators, I rise today to pay tribute to the Honourable Lorna Milne. Lorna passed away on March 1 of this year, in Brampton, Ontario.

Lorna was appointed to the Senate of Canada by Prime Minister Jean Chrétien in 1995 and served until her retirement in 2009. Lorna was the Senate vice-chair of the national Liberal caucus from 2006 to 2009 and the president of the Canada-Europe Parliamentary Association from 2004 to 2008. During her time in the Senate, she had been the chair of the Standing Committee on Rules, Procedures and the Rights of Parliament when the position of Senate Ethics Officer was created upon the committee's recommendation. She also chaired the Legal and Constitutional Affairs Committee, and was instrumental in passing Bill S-18 which allowed any historical census data prior to 2001 to be released to the public, and, in the following years, this allowed Canadians to decide whether they wanted their information to be released or not.

Lorna had a keen interest in genealogy — this included her own family history certainly, but also the accumulation and preservation of Canadian history and the history of Canadians. She was heavily involved for many years with the Ontario Genealogical Society, and in 2002, she was named its honorary patron.

Her time in the Senate was not Lorna's first foray into public service. You could say that she had always been a community builder. In the 1980s, she was the president of the North Peel unit of the Canadian Cancer Society, as well as a coordinator of the Heart and Stroke Foundation of Ontario, and she spent years on the board of the Brampton YM/YWCA.

Another passion of Lorna's was pressed glass, particularly early Canadian pressed glass. She was an expert on the subject and an active member of the Glasfex association. There is something to be said for admiring the everyday beauty in things that might be otherwise overlooked. What one person might consider purely functional and insignificant, Lorna could hold up to the light and appreciate all the colours reflected in it and its intricate designs. This, honourable senators, is a rare but special ability.

My deepest condolences to Lorna's family and friends on the loss of such a cherished wife, mother and grandmother. I am sure that she will be deeply missed, but also that you are left with a lifetime of wonderful memories. Thank you.

VISITORS IN THE GALLERY

The Hon. the Speaker pro tempore: Honourable senators, I wish to draw your attention to the presence in the gallery of participants in the Parliamentary Officers' Study Program.

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

Hon. Senators: Hear, hear!

The Hon. the Speaker pro tempore: Honourable senators, I wish to draw your attention to the presence in the gallery of Daniel Beaudette and Lynne Sylvestre. They are the guests of the Honourable Senator Gagné.

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

Hon. Senators: Hear, hear!

[English]

WELLINGTON STREET

Hon. Andrew Cardozo: I rise today to draw your attention to the future of Wellington Street. We have a once-in-a-generation opportunity to reinvent, reimagine and reinvigorate what is arguably the most important street in our country — the street in front of our Parliament Buildings to which all Canadians send their representatives — in order to turn it from a busy traffic corridor to a people place that focuses on who we are.

As a long-time resident of Ottawa, this is an issue that I have been working on for some time. I see the potential to make this an exciting destination for local residents and tourists alike.

In February of this year, the City of Ottawa voted to reopen Wellington Street to traffic, and earlier this month, the Minister of Public Services and Procurement Helena Jaczek informed the Mayor of Ottawa of the federal interest in purchasing the street to make it part of the Parliamentary Precinct, and asked for negotiations to this effect.

It is worth noting that over the decades, the federal government has purchased or expropriated many properties as it expanded the Parliamentary Precinct to advance the smooth functioning of our democracy. Instead, much to my disappointment, I see that in recent days the City of Ottawa has been spending thousands of dollars on repainting the lines, reinstalling traffic lights and removing the concrete security barriers. Sadly, this does not bode well for good faith negotiations.

In the coming days, I will be releasing a discussion paper which I have developed with former Ottawa municipal councillor Mathieu Fleury — putting forward a positive and exciting vision of a new, open and welcoming plaza on Wellington Street that is open to people and closed to vehicular traffic.

[Translation]

We hope that this paper will help both the federal and municipal governments imagine a Parliamentary Precinct that is built not around cars, buses and trucks, but around history, people and pride in our country and our nation's capital.

[English]

Colleagues, I will share this paper with you in both official languages in the coming days, and I welcome all of the discussion that it may create. Thank you.

VISITORS IN THE GALLERY

The Hon. the Speaker pro tempore: Honourable senators, I wish to draw your attention to the presence in the gallery of Jacqueline Nicole Benson, Neva Lynn Fondacaro and James Allen Wallace. They are the guests of the Honourable Senator LaBoucane-Benson.

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

Hon. Senators: Hear, hear!

The Hon. the Speaker pro tempore: Honourable senators, I wish to draw your attention to the presence in the gallery of Sophia Mathur, accompanied by her family and friends. They are the guests of the Honourable Senator Bovey.

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

Hon. Senators: Hear, hear!

INTERNATIONAL DAY TO END CORPORAL PUNISHMENT

Hon. Stan Kutcher: Colleagues, we want to see a better world for the generations that follow us. Indeed, that is why we are here, trying to make that happen.

• (1410)

We are well aware of the many Canadians working as individuals or as members of various organizations toward the same goal — to make this Canada a better place, a place in which everyone can thrive and be able to live free from harms by others. These are rights that we take as givens, and we expect that all Canadians have these rights protected. Yet, we realize this is not always the case.

Today, I recognize the good work some Canadians are doing to help ensure that our young people can grow up in environments that are nurturing and not toxic, compassionate and not cruel, healthy and not harmful. April 30 is the International Day to End

Corporal Punishment, and I want to bring to this chamber's attention the work of Canadians who are striving to help make Canada a place where children can thrive and live free from physical violence. Many of us champion this ideal, and Canada is a better place for those who stand up for this.

Cindy Blackstock is such a champion. Through her tireless work promoting the safety and well-being of First Nations children, young people and families, Dr. Blackstock and her team at the Caring Society are indefatigable in their work to improve the lives of Indigenous peoples.

Corinne Robertshaw was a lawyer and stalwart advocate for the ending of physical punishment of children. Sadly, her voice was silenced in 2014, but her spirit and energy live on in the organization Corinne's Quest.

Dr. Joan Durrant from Manitoba and social worker Ron Ensom from here in Ottawa, along with other child-serving organizations, saw the impact of violence on children's lives and wrote the *Joint Statement on Physical Punishment of Children and Youth*, which almost 700 Canadian child-serving organizations have endorsed.

The Canadian Coalition for the Rights of Children, No Violence for Kids Canada, Children First Canada, Kids Help Phone, Children's Healthcare Canada and UNICEF Canada are but a few of the exceptional and committed organizations making a difference for children and youth across this land.

I ask you to join with me today to thank all these individuals and their organizations for their efforts in championing children's rights and to applaud their steadfast commitment to creating a Canada in which all our children can have a better chance to be what they can become. *Wela'lioq*. Thank you.

VISITORS IN THE GALLERY

The Hon. the Speaker pro tempore: Honourable senators, I wish to draw your attention to the presence in the gallery of Charles Groen and Shannon Iyer. They are the guests of the Honourable Senator Miville-Dechéne.

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

Hon. Senators: Hear, hear!

The Hon. the Speaker pro tempore: Honourable senators, I wish to draw your attention to the presence in the gallery of Sue Murray and Don Botten. They are the guests of the Honourable Senator Hartling.

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

Hon. Senators: Hear, hear!

The Hon. the Speaker pro tempore: Honourable senators, I wish to draw your attention to the presence in the gallery of Tonja Stothart. She is the guest of the Honourable Senator Osler.

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

Hon. Senators: Hear, hear!

[Translation]

ROUTINE PROCEEDINGS

STUDY ON MATTER OF SELF-INDUCED INTOXICATION

TWELFTH REPORT OF LEGAL AND CONSTITUTIONAL AFFAIRS
COMMITTEE TABLED

Hon. Pierre J. Dalphond: Honourable senators, on behalf of Senator Cotter, I have the honour to table, in both official languages, the twelfth report of the Standing Senate Committee on Legal and Constitutional Affairs entitled *Self-induced Extreme Intoxication and Section 33.1 of the Criminal Code*.

(Pursuant to the order adopted by the Senate on Thursday, June 23, 2022, the government is requested to provide a complete and detailed response within 120 calendar days, with the response, or failure to provide a response, being dealt with pursuant to the provisions of rules 12-24(3) to (5).)

[English]

QUESTION PERIOD

PRIME MINISTER'S OFFICE

PRIME MINISTER'S TRAVEL

Hon. Donald Neil Plett (Leader of the Opposition): My question today is for the Liberal government's leader in the Senate. We are now into the second week of the biggest federal public sector strike in Canadian history. The access Canadians have to many basic government services is being impacted, leader. For example, at 11 a.m., a taxpayer calling the Canada Revenue Agency for help filing their taxes had to wait for 2 hours and 18 minutes. The CRA's helpline for businesses has been shut down entirely during the strike.

As well, the Wheat Growers Association and Keystone Agricultural Producers of Manitoba are very worried about the impact of this strike on the ability of our farmers to have their grain weighed and inspected for export abroad.

Leader, given all of this, why is the Prime Minister in New York City today?

[The Hon. the Speaker pro tempore]

Hon. Marc Gold (Government Representative in the Senate): Well, thank you for your question. The negotiations that are continuing between the unions and the government are being handled by a professional negotiating team, reporting to the minister responsible.

The business of the country carries on, notwithstanding the strike, and the Prime Minister is representing Canada in New York, as prime ministers do.

Senator Plett: Well, leader, the Prime Minister never has to worry about not having a passport when he flies to New York. Meanwhile, his government is telling Canadians to not even apply for a passport right now because they can't be processed. I'm not surprised the Prime Minister decided to go to New York when 150,000 public workers are on strike.

Leader, it reminds me of the time he flew overseas and warmly embraced the Iranian foreign minister just weeks after Iran shot down a plane carrying dozens of Canadian citizens and permanent residents. It also reminds me of how he flew to B.C. for a surfing holiday on the very first National Day for Truth and Reconciliation. It further reminds me, leader, of a famous saying: "While Rome burned, Nero fiddled." The similarities here, leader, are that Nero also was an ineffectual leader in a time of crisis.

Leader, what does this say about the Prime Minister's priorities that he chose to be in New York today, hanging out with celebrities and attending luncheons and receptions in Manhattan instead of working to fix the mess that he, leader, has created in our country?

Senator Gold: First of all, senator, thank you for your question. Thank you for underlining the challenges that are facing all Canadians affected by this strike.

The position of this government is, has been and will continue to be to support the collective bargaining process. It has confidence in this process, in its negotiators and in the leadership of the unions to try to reach an appropriate negotiated settlement.

It is true that strikes are disruptive. It is true that there has been and may continue to be inconvenience to Canadians. The government is committed to being transparent about these matters and the impact on services. Essential federal services, which protect the safety and security of the public, are continuing and will continue to be delivered. This includes payments for Old Age Security, Canada Pension Plan, Child Care Benefit, veterans' and unemployment insurance. Other services may be partially or indeed fully disrupted, and that includes Service Canada centres, passports and the like.

It is not business as usual. The government's priority is to support the collective bargaining process in the hope that a negotiated settlement can be reached soon.

• (1420)

FINANCE

GOVERNMENT'S FISCAL POLICY

Hon. Leo Housakos: I want to follow up on the questioning from the opposition leader with regard to Prime Minister Trudeau's incompetence.

You have to admit, government leader, that it takes a special type of incompetence to increase the public service in this country by 53%, spending \$21 billion more in the public service while achieving what? — the largest public service strike in the history of the country. The Prime Minister has achieved this marvellous realization while spending \$22 billion on outside consultants.

Honourable senators, that is \$1,400 per year, per household, for those outside consultants.

You have to admit, government leader, that is a special type of ability. Can you please share with this chamber what kind of skill set and what kinds of policies are required in order to achieve this high level of incompetence?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. I do not accept your assertion that this is a measure of incompetence.

The civil service has done, and will continue to do, important work on behalf of Canadians. They did extraordinary work through the pandemic, above and beyond any reasonable expectations. They did deliver.

The use of additional assistance through consultants was a needed and appropriate measure to assist Canadians through this period and to ensure that government services were delivered.

I simply do not accept your assertion. Therefore, I cannot and will not answer your question.

Senator Housakos: I know that you do not accept my assertion and that you cannot answer my question. However, the reality is that while you've spent like drunken sailors, the result should be that every single pothole in the company should be filled, infrastructure should be pristine, all Canadians should have doctors, our health care system should be accelerating, our education system should be the best in the country and we should have passports arriving at our homes within minutes. I could go on and on, but these are some facts that you're just not willing to accept.

I'll give you a few more facts. Government leader, right now the average Canadian spends over \$2,000 per month in rent. In the Greater Toronto Area it is over \$3,000 per month. This year, families will spend \$1,065 more in groceries. The truth of the matter is that this is a result of the government's free spending style with no fiscal anchor.

The truth is that you came into power in 2015 promising to be the government that would defend working-class and middle-class Canadians and those working hard to join the middle class. When you look at these statistics, your government and its policies have pummelled the middle class and poured pain on the poor in this country.

The question is simple: Will you apologize — you, the Prime Minister and Minister Freeland — for the pain that has been bestowed on the middle class and the poor, and will you finally acknowledge that you have to change course vis-à-vis your fiscal policies?

Senator Gold: The government is not going to apologize for helping Canadians. You listed a litany of issues — potholes, health care — many of which are outside of provincial jurisdiction. Of course, it is the privilege of the opposition to say what they want without having to offer real solutions.

Here is what the Government of Canada has done to offer solutions: As part of Bill C-46, the government has offered a grocery rebate to 11 million Canadian households — which I will be speaking to later today and which I hope we will debate.

The government is providing \$2 billion to provinces to assist them with health care challenges — provincial jurisdiction, federal assistance.

The government has struck agreements in principle with nine provinces in terms of health care transfers, representing a huge injection of funds into the provincial coffers — again, in areas of provincial jurisdiction but of benefit to Canadians.

In addition, the government has provided assistance to Canadians — which I have catalogued on earlier occasions — to help them with challenges based on rising rents, not only in Toronto but elsewhere in the country. The government has also provided assistance to deal with the impact that inflation has had. Happily, inflation is coming down, but the government knows and appreciates that Canadians are still struggling to make ends meet. That is why the government is there. These are the facts that matter to Canadians.

[Translation]

WOMEN AND GENDER EQUALITY

FEDERAL 2SLGBTQI+ ACTION PLAN

Hon. René Cormier: My question is for the Government Representative in the Senate.

Senator Gold, the 2SLGBTQI+ action plan states that consultations were to have started in the fall of 2022 on the criminalization of purely cosmetic surgeries on intersex children.

It is now April 2023, and those consultations have not yet begun. The Canadian Bar Association recently sent a letter to the Minister for Women and Gender Equality and Youth, asking her to complete those consultations by Intersex Awareness Day on October 26, 2023.

Senator Gold, when will the Government of Canada begin these consultations, and can you assure us that they will be completed by October 26, 2023?

Hon. Marc Gold (Government Representative in the Senate): Thank you, Senator Cormier, for that important question that raises a major issue.

Unfortunately, I do not have the dates for the start of the consultations. Obviously, I will try to get answers shortly.

Senator Cormier: I hope the minister will be able to clarify this.

Senator Gold, on April 15, Radio-Canada reported on an unfortunate case where a Canadian's organ donation was rejected because of his sexual orientation.

According to Health Canada's rules, men who had a same-sex relationship in the five years prior to a possible donation can't donate their organs.

In response, Health Canada says it is committed to reviewing the Safety of Human Cells, Tissues and Organs for Transplantation Regulations and to supporting scientifically based, non-discriminatory donation policies in Canada.

Senator Gold, my question is simple: Is the review of these regulations indeed under way?

Senator Gold: Thank you for the question. Once again, it is an important question. Unfortunately, I don't have enough information to give you a proper answer.

I believe the government has demonstrated in many ways that it is quite convinced of the importance and need to eliminate discrimination in all areas.

I will inquire with the government and get back to you with an answer.

EMPLOYMENT AND SOCIAL DEVELOPMENT

FORCED LABOUR AND CHILD LABOUR

Hon. Julie Miville-Dechéne: My question is for the Government Representative in the Senate.

Senator Gold, as we commemorate the tenth anniversary of the Rana Plaza tragedy in Bangladesh this week, the House of Commons wrapped up debate on third reading of Bill S-211 on forced labour and child labour in supply chains. The bill is expected to pass on Wednesday.

In its most recent budget, the government nevertheless announced that it intends to do even more and introduce a bill on forced labour by 2024.

Can you tell us what further provisions the government is considering?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question, and congratulations again on the bill that has passed in the House of Commons. It reflects the importance of the work we do in this place. It is a credit to you and to us. Please allow me to share that honour with you.

That being said, the government's intentions are not necessarily set in stone yet, so I don't have anything specific to share with you in terms of the details of the government's planned legislation. As soon as the discussions turn into proposed legislation, the Senate will be informed.

[English]

Senator Miville-Dechéne: When Minister O'Regan spoke yesterday in the House of Commons, he spoke to exactly my question. He said that Bill S-211 means that you have to look to the supply chain. But now, when I think government legislation will come on, it's okay — you look now, he would say to companies, "What are you doing about it?"

It seems that they want to push the law a bit further in asking the companies to get rid of forced labour. Is that what you understand from this upcoming legislation?

[Translation]

Senator Gold: Once again, thank you for sharing what has been made public, but you'll understand that some things are not yet public and I'm not in a position to share them. This shows that the government is serious not only about the principle, but also about making it work on the ground.

• (1430)

I'm confident that once the full details of the bill are released, Canadians will see a more robust system than what's in place now.

[English]

HEALTH

PHARMACARE STRATEGY

Hon. F. Gigi Osler: My question is for the Government Representative regarding national pharmacare.

The December 2021 mandate letter from the Prime Minister to the Minister of Health includes direction to engage with willing provinces and territories toward universal national pharmacare, proceed with a national strategy on high-cost drugs for rare diseases and advance the establishment of the Canada drug agency.

Similarly, the *Delivering for Canadians Now, A Supply and Confidence Agreement* of March 2022 between the Liberals and NDP commits to universal national pharmacare. That commitment was further clarified in Budget 2022, which stated:

... the federal government will also continue its ongoing work towards a universal national pharmacare program. This will include tabling a Canada Pharmacare bill and working to have it passed by the end of 2023, and then tasking the Canadian Drug Agency to develop a national formulary of essential medicines and bulk purchasing plan.

But there is no reference to it in Budget 2023 — not in the actual budget document, not in the minister's speech and not in the notice of ways and means motion tabled in the other place last week.

Senator Gold, what has happened to the government's interest in national pharmacare and the commitment to pass legislation by the end of this year?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question.

The government remains committed to taking steps toward pharmacare, and it is in active discussions, as you would expect, with not only the NDP — because, as you properly mentioned, this is part of the supply and confidence agreement — but as you also appreciate, Senator Osler, this is also a matter over which to engage the provinces and territories. Any sensible plan needs to make sure it will land properly with the partners in the jurisdictions that have primary responsibility.

As well, the budget to which you made reference had to strike an important balance between continuing to invest in the future, providing assistance to Canadians who have gone through difficult times and being fiscally responsible. It is the position of the government that it did strike that balance, but this particular budget, for several reasons, was not one in which additional expenditures could be made, above and beyond the massive investments in health care to which I have already referred.

But the government continues to treat it seriously and is working with its partners to move it forward.

Senator Osler: The federal government found a willing partner in Prince Edward Island. Beginning in 2021, the two governments have been working toward universal pharmacare. In Budget 2022, there was a funding promise of \$35 million over four years to build upon the agreement with P.E.I.

Senator Gold, as you mentioned, the government is currently negotiating bilateral health care agreements with the provinces individually. Is it building upon the P.E.I. experience and making universal pharmacare part of those bilateral health care negotiations?

Senator Gold: Thank you. That's a very good question.

It allows me to remind colleagues that one of the elements of the agreements in principle that have been struck is precisely that they call for bilateral agreements. That is important because every province has its own needs in health care, its own priorities

and its own programs in place for which it needs and seeks additional funds to operate even more effectively for the benefit of its citizens.

Again, without knowing what is going on in negotiations between the federal government and, say, Manitoba, Nova Scotia or any of the other provinces or territories, if it is a priority of the provincial government, they will bring that to the table, and they will have a willing partner in the federal government in the course of those negotiations.

FOREIGN AFFAIRS

CONFLICT IN SUDAN

Hon. Wanda Thomas Bernard: My question is also for the Government Representative in the Senate.

I am deeply concerned about the emergency situation in Sudan as the conflict escalates and violence rises. Foreign Affairs Minister Mélanie Joly has stated that 700 out of the 1,800 Canadian citizens or permanent residents who have registered their presence in Sudan are seeking help to leave.

Only 150 Canadians have been evacuated. A young Canadian medical student named Saydah Mustafa has been sheltering in her home for a week with her sister, living off canned foods for the unforeseeable future. She is scared and uncertain of what will happen. She said that she has not been able to access advice for evacuation via Canadian officials.

Senator Gold, we are seeing countless stories of people trying to evacuate Sudan who do not feel supported by the Government of Canada. What is the update from the government on what progress has been made to bring Canadians home from Sudan?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question and for underlining the terribly difficult circumstances that all people, including Canadians, are experiencing in Sudan.

The government is looking at every possible option to support Canadians in Sudan. Last week, the Canadian Armed Forces Strategic Advisory Team, as well as liaison officers from the military, were deployed to Djibouti to support the evacuation of Canadian personnel from the Canadian embassy. As you know, services are being provided from outside the country as best as they can be. They are working in collaboration with their allies and partner nations.

Over this past weekend, additional personnel from the Armed Forces and Department of National Defence, including a military assistance team with additional liaison reconnaissance elements, were deployed to begin planning for non-combatant evacuation. We have approximately 200 Canadian Armed Forces members deployed to the region to assist with this line of effort. The government will do everything it can to assist.

The circumstances are challenging on the ground, as you would expect, and the government is hopeful that its efforts will bear fruit so that all Canadians can be evacuated safely as soon as possible.

[Translation]

FOREIGN AFFAIRS

REQUEST FOR EXTRADITION OF HASSAN DIAB

Hon. Claude Carignan: My question is for the Leader of the Government in the Senate.

Leader, on the evening of Friday, October 3, 1980, at the Union Libéral Israélite de France synagogue, also known as the Rue Copernic synagogue, in the 16th arrondissement in Paris, a large number of worshippers were celebrating Shabbat and the Jewish holiday of Simchat Torah.

At 6:38 p.m., a bomb exploded. The synagogue's glass roof collapsed on the worshippers, a door was blown through, and cars were thrown onto the roads. The blast damaged storefronts up to 140 metres away and left four people dead and 45 injured. It was the first attack against the Jewish community in France since the Second World War.

Senator Gold, as I'm sure you know, this was a heinous crime, a massacre fuelled by anti-Semitism and a desire to strike at the heart of the Jewish community in France.

On April 21, 2023, the Special Assize Court of Paris sentenced a Canadian, Hassan Diab, to the maximum punishment and issued a warrant for his arrest. This conviction came after three weeks of debates, eight hours of deliberations and over 43 years of painstaking investigations.

Hassan Diab is enjoying life as a free man here in Canada, in Ottawa, and continues to teach as a lecturer at universities here in Ottawa. Senator Gold, will the federal government agree to France's request to extradite Hassan Diab?

Can the families, the victims of the anti-Semitic attack in Rue Copernic, count on your government, or will it be more inclined to protect the criminal, as usual, than to face the victims and offer them comfort?

• (1440)

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. Despite all the time that has passed, it is always appropriate to pay tribute to the victims of this tragic and horrific attack, which hits close to home for me. I hope that everyone in this chamber and in Canada feels moved by what happened.

The Government of Canada received the request for extradition. It is being examined, and the decision will be communicated to the public as soon as it has been made.

[Senator Gold]

Senator Carignan: I'm sure you understand, Senator Gold, that the victims have been waiting for over 43 years. How long does the government intend to take before responding to the request for extradition from a friendly nation with a justice system befitting the major democratic countries?

Senator Gold: I don't know when the decision will be made. The Government of Canada and its ally, France, both have systems that, despite their differences, are democratic, open and transparent. As soon as the decision is ready for publication, I will share it here in this chamber.

[English]

IMMIGRATION, REFUGEES AND CITIZENSHIP

VISITOR VISAS

Hon. Salma Ataullahjan: Senator Gold, I have been approached by community members at gatherings and events and have received countless emails and text messages regarding the wait times for visitor visas for Pakistan. According to the government's website, for other countries in the region, it can be as little as 18 days. However, for Pakistan, it is 638 days for a visitor visa. I've been sent copies of applications, and my community is waiting for answers. People's lives are on hold, and these wait times are totally unacceptable.

When will the Canadian visa office be shifted back to Pakistan to help expedite the processing time for visitor visas?

Hon. Marc Gold (Government Representative in the Senate): Thank you, senator, for raising that issue. Frankly, the numbers you cited are very disturbing. I will have to look into this matter. I don't have an answer now, but I undertake to do so as quickly as I can.

Senator Ataullahjan: Senator Gold, I have asked three former Liberal immigration ministers and the current minister, Minister Fraser, when the visa office would be shifted back to Islamabad. Pakistan, at one time, was not considered a safe country. However, most of our allies have their embassies open. It has become a family station again. Canada continues to have an office in Abu Dhabi, which adds to the wait times.

I have brought up the issue to the current immigration minister, Minister Fraser. The response I always get is, "We are aware of the issue. It has been brought to our attention."

If the Liberal government is aware of the issue, why is it not acting on it? Why is it not attempting to fix the problem?

Senator Gold: I can't comment on the assumption behind your question, but as I said, I will undertake to raise this with the minister and with the government and try to get an answer as quickly as I can.

PRIVY COUNCIL OFFICE

[English]

REPORT OF THE FEDERAL ELECTORAL BOUNDARIES
COMMISSION FOR ONTARIO

Hon. Ratna Omidvar: My question is to the Government Representative in the Senate. For a change of pace, it is about municipal-federal relationships.

City of Toronto councillors have written a letter to Parliament urging them not to adopt the recommendations from the Federal Electoral Boundaries Commission for Ontario, which would result in Toronto losing a riding. They have stated that this would dilute the city's voice on Parliament Hill, which flies in the face of our democratic values, our ideals of fairness and our ability to make sure the residents of Toronto can reach their representative in Ottawa.

What is your government's position on this redistribution plan?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. The Constitution, as you know, requires a review of the federal election map every decade to reflect the changes in our population. This process — this redistribution — is completely independent and non-partisan. It is conducted by the electoral boundaries commissions that are appointed at arm's length from the government. But the Electoral Boundaries Readjustment Act does provide a process for members of Parliament to raise concerns about proposed changes.

My understanding is that the Procedure and House Affairs Committee in the other place is currently considering these objections that you raised in respect of Ontario.

I believe Canadians can continue to have confidence in our electoral boundaries process. It is recognized around the world as a model of fairness and of our democratic values.

[Translation]

ORDERS OF THE DAY

BUSINESS OF THE SENATE

Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate): Honourable senators, pursuant to rule 4-13(3), I would like to inform the Senate that as we proceed with Government Business, the Senate will address the items in the following order: second reading of Bill C-46, followed by all remaining items in the order that they appear on the Order Paper.

FEDERAL-PROVINCIAL FISCAL ARRANGEMENTS ACT
INCOME TAX ACT

BILL TO AMEND—SECOND READING—DEBATE ADJOURNED

Hon. Marc Gold (Government Representative in the Senate) moved second reading of Bill C-46, An Act to amend the Federal-Provincial Fiscal Arrangements Act and the Income Tax Act.

He said: Honourable senators, I rise today as the Senate sponsor of Bill C-46, also known as the cost of living relief act, no. 3.

The government introduced this bill following Budget 2023 to quickly implement measures that would help Canadian families cope with the increasing cost of living, and help provinces and territories deliver the high quality and timely health care Canadians both expect and deserve. The bill was adopted unanimously in the other place, with support from all parties, on April 19, 2023.

More precisely, Bill C-46 would deliver the new grocery rebate and a \$2 billion Canada Health Transfer, or CHT, top-up to help reduce backlogs and wait times and to support paediatric hospitals and emergency rooms.

As we all know, with grocery prices going up, far too many Canadians are struggling to make ends meet.

[Translation]

In response to global inflation and rising costs, the government is providing much-needed help to Canadians to ensure that they can continue to put food on the table and pay their bills. Inflation in Canada was 8.1% in June 2022 and is now 4.3%, as Statistics Canada announced last week. Even though the rate is much lower than it was last year, it is still too high, and far too many Canadian families still need support.

As you probably read earlier this week, food inflation continued to outpace headline inflation in March. According to Statistics Canada's latest consumer price index, the price of groceries increased by 9.7% last month, compared to the same period last year.

That is why the government is helping those who need it most with the grocery rebate. The one-time grocery rebate included in Bill C-46 is there to support the Canadians who have been hit hardest by the increase in the price of food.

[English]

This targeted inflation relief would provide about \$2.5 billion for 11 million low- and modest-income Canadians and families who need it most. This would mean a one-time payment of up to an extra \$467 for eligible couples with two children; up to an extra \$234 for single Canadians without children; and an extra \$225 for seniors, on average. It is estimated that 9 million single people and 2 million couples will receive the rebate, including more than half of Canadian seniors.

Following the passage of Bill C-46, the grocery rebate would be delivered to eligible Canadians as soon as possible by direct deposit or cheque through the Canada Revenue Agency's GST credit system.

• (1450)

[Translation]

Dear colleagues, as a result of the COVID-19 pandemic, the health care system and the workers that keep it going are under enormous pressure. This situation was exacerbated by the pandemic, and immediate intervention is needed to provide better health care for Canadians.

Across the country, patients who need urgent medical attention are confronted with emergency rooms that are overflowing or even closed. People are waiting for surgeries that get either delayed or cancelled. The postponement of a good number of these procedures only makes the wait lists longer, which affects the health and quality of life of the people affected and their families.

Bill C-46 would transfer an additional \$2-billion top-up to the Canada health transfer, as announced in February, to alleviate these immediate pressures on provincial and territorial health care systems, including the pressures on children's hospitals and emergency rooms. The provinces and territories asked for more money, and the federal government is honouring its commitments by making more investments.

[English]

This CHT top-up is an additional, incremental investment, and builds on the \$6.5 billion in previous one-time top-ups provided through the pandemic to address immediate health system pressures. The block funding structure of the CHT provides provinces and territories with the flexibility to invest the funds according to the needs and priorities of their residents. However, funds would be expected to respect the conditions of the Canada Health Act, including those respecting universality, comprehensiveness, portability, accessibility and public administration.

This investment is part of the government's \$198.3-billion plan to improve health care results for Canadians, to which nine provinces have already agreed in principle. In exchange for the new funding under the government's plan, the provinces and territories must commit to not diverting health care funding of their own, and commit to improving how health information is shared, used and reported to Canadians in order to help manage public health emergencies and deliver better health outcomes.

[Senator Gold]

During the COVID-19 pandemic, we saw all levels of governments working together across the country to tackle big challenges. Bill C-46 demonstrates a willingness to continue to work in collaboration with the provinces and territories on the next steps in the best interest of Canadians, their families and health care workers. This will allow the delivery of concrete outcomes for Canadians, and improve the health care system that Canadians value and upon which Canadians depend.

Honourable senators, Bill C-46 will help support Canadians with the high cost of groceries, while improving access to the better health care that Canadians expect and deserve. Canadians need the government to continue delivering targeted support to those who need it the most — when they need it the most — while also remaining careful and proven fiscal managers.

Many of you, with good reason, will ask if government spending at this time can — or will — accentuate pressures on inflation. Honourable senators, a government must account for a variety of factors before intervening in the economy — this includes being especially attentive to the most vulnerable members of society, and acting in such a way as to allow actors in the market to innovate and develop efficiencies. There is a balance to be struck, and the government is doing just that. This is not only an assessment that I share, or the position of the government, but, more importantly, it is one shared by the Governor of the Bank of Canada as well.

Commenting on the government's spending in a recent appearance before the Standing Committee on Finance in the other place, Mr. Macklem stated:

... government spending patterns aren't contributing to the slowing of the economy, they're not contributing to the easing of inflationary pressures, but they're not standing in the way of getting inflation back to target and in our projections which incorporate those measures, we have inflation coming back to target.

Honourable senators, there is no doubt that strengthening Canada's public health care system — and ensuring better health care outcomes for Canadians across the country — is critical at this time. Bill C-46 will facilitate much-needed targeted inflation relief, and strengthen our public health care system at a time when provincial and territorial governments are eager to receive additional financial support.

Honourable senators, I thank you for your attention, and I hope we can adopt this bill as soon as possible. Thank you for your kind attention.

Hon. Frances Lankin: Senator Gold, I'm interested in a provision included within the budget that speaks to the possibility of employee ownership. It provides the structure for a group of employees to buy out a small company — in many cases where the owner is retiring and is going to sell the company.

We've heard from people who have worked on developing that proposal that similar provisions exist in the U.K., the U.S. and other places, and that they are very effective in drawing future and more investment into the economy, as well as effective in boosting the economy. However, there needs to be a series of incentives that are in there for the benefit of the owner who is

selling. Otherwise, it is “sell today and get your money today.” If it will be paid over a period of time, which employee ownership provisions allow for, there has to be an incentive for this to work most effectively for the owner, for the employees and for the economy.

Can you comment on the government’s position with respect to such incentives? They are not included in the bill, and it is not clear to us that the provision will be effective without them.

Senator Gold: Thank you for the question. I will have to look into that. As you correctly point out, the incentives are not in this bill. This bill is about two things: It is about getting money into the hands of 11 million low-income and moderate-income Canadians as quickly as possible in order to help them with rising costs, and, of course, getting money to the provinces and territories dedicated to health care. Whether these measures and others will appear in other bills, if they are to appear, I will have to make inquiries and get back to you on it.

Hon. Denise Batters: Senator Gold, perhaps I missed it, but what did you say the total cost of this particular bill is?

Senator Gold: The numbers that I have include \$2.5 billion for the grocery rebate, if I can use that colloquial term, and \$2 billion for top-up transfers to the provinces and territories.

Senator Batters: Thank you. So it sounds like it’s \$4.5 billion. If there is something else, can you please let us know? Also, I’m wondering if that cost was already included in the budget that the Trudeau government just presented, or if this cost is yet to be included in a budget.

Senator Gold: It is my understanding that these provisions currently appear both in Bill C-46 and in the budget implementation act, which we will be debating. If and when this bill passes, there are provisions that will be removed from the budget implementation act, but they are accounted for in budgets in one form or another. When we pass this bill — if we do, and I hope we will — it will be able to be removed from the budget implementation act.

Senator Batters: It is in the budget implementation act, but what about the actual budgeting? That’s what I am wondering about. Is it in the budget that we had more recently, or will it be in an upcoming budget?

The last question that I have on this is as follows: I have previously heard much talk about the 11 million Canadians, or something like that, who will be eligible for this, but what is the actual income threshold that will be applicable to this measure?

Senator Gold: Thank you for both questions, senator. I’m not sure that I have the precise level in regard to your latter question. These are the questions that will be easily answered, I would assume, in the first meeting of the committee that is called upon to study this bill — where officials will be present. If that will not happen quickly, I will try to obtain the answer and report back to the chamber. I look forward to the study at committee of this bill, and those questions, of course, will be answered competently by the officials.

Hon. Donald Neil Plett (Leader of the Opposition): I have one brief question, Senator Gold.

• (1500)

The government claims that this is a grocery rebate, even though the payment is not tied to any actual expenditures. In fact, it does not need to be spent on groceries, and it requires no submission of receipts to show that you ever bought groceries. It is not a rebate, and it has nothing to do with groceries.

Can you explain why your government has chosen to call this a grocery rebate? Isn’t that a little misleading, as is somewhat typical of this government? Can you tell us why they would call it a “grocery rebate” when it has nothing to do with groceries?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question.

The impetus for providing assistance to Canadians was very much a function of the rising cost of groceries, a rise that continued even when global inflation came down through the combination of efforts of the Bank of Canada, the government and the operation of our economy more generally.

It is not misleading to identify this particular assistance as a grocery rebate, because that was really what was at the heart of it.

However, what the government chose to do was to deliver it in the most efficient, effective and dignified way to those Canadians and households — half of Canadian seniors — with moderate incomes.

It would be wrong to ask people who are struggling to pay their bills to not only continue to struggle but to keep their IGA clips for their litres of milk. This is the most efficient and quick way to get it into the hands of Canadians who need it most. It is designed to help them with the cost of groceries, and this government’s position is that it would be completely wrong to demand that; we’re not talking about huge sums of money. This is a prudent and practical way to assist, in some measure, those households. Nobody believes that this will solve the problem of the rising cost of groceries, whether it is a family of one, a single person or a family of five. It is help that the government can afford to provide and is happy to provide.

Senator Plett: Senator Gold, again, you don’t need to explain why this bill is important. We understand that, which is why it passed unanimously in the other place. That is not the argument. You don’t need to sell the bill to me; we will likely support it in this place.

The fact of the matter is that it is misleading. Don’t tell me it is not misleading. You’re saying it is a grocery rebate, when, in fact, a senior who goes and spends that money on tools at The Home Depot or on golf clubs or whatever the case may be — and I’m not suggesting that there is anything nefarious about what the government is doing, but call it what it is.

It is not a grocery rebate, so why is it called a grocery rebate? Every part of your answer, Senator Gold, was exactly what you heard Senator Batters say under her breath: “a PR game.”

That is what the term “grocery rebate” is, so you don’t need to sell your bill. Senator Lankin will help you answer this, if you need help — she is already helping you — but tell us why you are calling it a grocery rebate when it is not a grocery rebate?

That’s all I want to know. I don’t want you to sell the bill to me; I will vote for it.

Senator Gold: Thank goodness for that.

Senator Plett: We won’t need time allocation. We’ll move it ahead.

Senator Gold: Senator Plett, I am going to keep a promise to myself today to not get drawn into this, so I am just going to say this: I have answered your question.

This initiative was in response to the continuing rising cost of groceries that affects moderate- and low-income Canadians. Putting food on the table for yourself and your family is one of the most basic human needs — that and shelter — and the government is doing its part to help Canadians. It is delivering it through the fastest, most efficient and dignified mechanism it can, as any responsible government would and should do.

It is not a PR exercise. This is an exercise in helping Canadians. Those who need it the most know that this is going to help them. With all due respect, I am not going to be distracted or misled by rhetoric around how it is named or — and I am answering the question.

Senator Plett: No, you are not. You are way beyond that.

The Hon. the Speaker pro tempore: Order.

Hon. Andrew Cardozo: Senator Gold, we are talking about the grocery rebate, and I have to tell you that on my street the other day, I saw a senior go to Canadian Tire and buy a lot of tools. They could have used their grocery rebate to buy the tools, but I was looking at him, and he looked pretty healthy to me — well-fed. I am assuming he had eaten and that he had bought groceries as of late.

Is the government going to say he should not be eating because he bought some tools, or can he use the grocery rebate to rebate the groceries he bought, the prices of which are going up astronomically?

Do they apply to the groceries that he bought?

Senator Plett: He’s got another assistant.

Senator Cardozo: I am happy to assist in —

The Hon. the Speaker pro tempore: Colleagues, we will have some decorum, and we will continue this debate.

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question.

This government is of the view that Canadians make responsible choices in their lives and that it is not the business of government to tell them what to do.

It is the business of government to help Canadians when they are in need, and in this regard, the position of this government is the same as the traditional position — or at least the position of the Progressive Conservative Party of Canada and, I would hope, the Conservative Party of Canada of today — and that is that we trust Canadians to make responsible decisions when they are given the benefit of either assistance or tax breaks.

We trust Canadians. We know that those who are in need will use the money responsibly for their families, and in this moment in time in our country, they need help putting food on their tables.

Hon. Leo Housakos: Government leader, no one is questioning the validity of a grocery rebate at a time when this government has created or helped create such great inflation, and Canadians are suffering, but we have seen time and time again in this place that when you pass legislation with all the best intent in the world that legislation isn’t clear and transparent in giving directives to those that are going to apply this particular bill and apply this particular program with clear regulations.

We are just asking if it wouldn’t make sense to have some regulations and guidelines to make sure that all these billions of dollars would go to a grocery rebate and not to a hardware store rebate.

And there is nothing wrong for people in need who might need tools, Senator Cardozo, but there is something wrong when you take a government program, and then it is used, for example, to go on a vacation or to buy accessories for an automobile or to buy sporting goods, for example, for entertainment and sports reasons.

Would the government leader agree that we need to attach to the title of this bill clear guidance to make sure that all the money goes for grocery rebates and nothing else?

Senator Gold: I’m really perplexed by the question. You started by talking about adding regulations, senator, and then you talked about changing the title of the bill.

This bill is simple. It provides direct assistance to 11 million households with up to a total of \$467 for eligible couples with two children. It provides money directly to the provinces to top up the considerable federal contributions that are already made to the health care system.

I am going to refrain from commenting on the insinuations that Canadians who would be eligible for this would spend the funds on vacations or irresponsibly. Again — again, we have —

Senator Housakos: We’ve seen that before.

An Hon. Senator: Hear, hear.

Senator Gold: Again, the position of this government is that it has confidence in Canadians to exercise responsible decisions, and it is also deeply committed to helping those who really need help putting groceries on their table and feeding their families and to provide that assistance as quickly as possible.

You are perfectly willing to vote against this bill, which I hope you do not do, because you don't like the title. I have explained as clearly as I can to you and to whomever is listening what the purpose of this bill is.

I have been as clear as clear can be. Canadians who are watching this will know exactly what this bill is about and exactly what will be provided to those most in need.

(On motion of Senator Martin, debate adjourned.)

• (1510)

NATIONAL COUNCIL FOR RECONCILIATION BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Audette, seconded by the Honourable Senator Mégie, for the second reading of Bill C-29, An Act to provide for the establishment of a national council for reconciliation.

Hon. Patrick Brazeau: Honourable senators, we're already on Bill C-29, so we are moving at lightning speed here.

I have just a couple of comments on Bill C-29. In the preamble, it states:

Whereas the Government of Canada is committed to achieving reconciliation with Indigenous peoples through renewed nation-to-nation, government-to-government and Inuit-Crown relationships based on recognition of rights, respect, cooperation and partnership . . .

Colleagues, that sounds very nice. Those are beautiful words. I have seen this before and I have seen it too often.

If we move along to clause 10 of the proposed bill, we have the proposed directors of the board of this new organization, namely representatives of the Assembly of First Nations, the Inuit Tapiriit Kanatami, the Métis National Council and the Native Women's Association of Canada.

Colleagues, the last time that I checked, there were five recognized and funded national Indigenous organizations in Canada. I don't know if it's by design or just a simple omission, but there is no proposition to have on this board any member of the Congress of Aboriginal Peoples, which I used to lead as national chief.

Like I said, section 35 of the Constitution gives us a definition of the Aboriginal peoples of Canada. It says that the term "aboriginal peoples of Canada includes . . ." — is not limited to, but includes — ". . . the Indian, Inuit and Métis peoples of Canada."

Now, it doesn't say that these peoples are going to be represented specifically by Indigenous organizations.

Colleagues, for those who don't know, on June 11, 2008, the former government and the former prime minister offered an apology in the House of Commons. I was able to be there, along with four other Indigenous leaders at the time.

On June 12, 2008, the next day, Indigenous leaders were to give speeches in the Senate — on the original Senate floor. Colleagues, I had to fight my way to make sure that I was able to speak the next day because we were not on the list. The Senate at the time had to introduce a motion to allow the Congress of Aboriginal Peoples to speak.

I do not know what is going on with political parties, but they are playing partisanship politics with Indigenous peoples. There will be a time where I will speak more in depth about the political relationship between Indigenous peoples and the Government of Canada since Confederation. But, colleagues, I think that when this bill goes to committee, it is absolutely necessary that the Minister of Indian Affairs appear before the committee — not bureaucrats — and tell us why they have excluded one of the national Indigenous organizations, one that has been in existence since 1971.

For those of you who do not know, we often talk about the "big three" organizations: the Inuit Tapiriit Kanatami, the Assembly of First Nations and the Métis National Council. Well, colleagues, the Métis National Council came out of what was originally called the Native Council of Canada, which is the Congress of Aboriginal Peoples today. Many of the people who are on the Métis National Council today broke off from the Native Council of Canada in the 1980s.

I will just remind you, colleagues, that, in my view, being a former elected Indigenous leader of an organization in this country, there are five organizations, and it is up to the minister to tell us why he has excluded one of them. If there is an exclusion of one recognized Indigenous organization, I fail to see how there is any respect, cooperation or partnership here.

At the end of the day, these organizations are not the organizations that are going to be negotiating nation-to-nation partnerships with the Government of Canada. They don't have that right. They are Indigenous organizations, so this nation-to-nation concept is not going to happen with those organizations. The nation-to-nation concept will happen with the Algonquin nation, the Mi'kmaq nation, et cetera.

To conclude, these five Indigenous organizations — four, in particular — were created because of the 1969 white paper that was introduced by the current Prime Minister's father. We must not forget that these organizations are also funded by the Government of Canada. It is unfortunate that I have to say this, but if these organizations decide not to play ball with the

government of the day, sometimes they are punished. I certainly hope this is not the case for the Congress of Aboriginal Peoples. They are one of the recognized organizations, and they deserve to be there. If they are not there, hopefully we'll hear from the minister as to exactly what the reason or reasons are why this organization, which has been around since 1971, has not been included. Thank you.

Hon. Denise Batters: Thank you, Senator Brazeau, for spelling that out.

Am I correct that of those five Indigenous organizations you spoke of, four are included in this bill on the council, but the Congress of Aboriginal Peoples is not? I also believe that they were inserted as an amendment at one point in the House of Commons process, and then, all of a sudden, I think that amendment was taken out. Could you shed a little bit of light on that?

As well, could you tell us your understanding of the approximate number of people that the Congress of Aboriginal Peoples represents? Thank you.

Senator Brazeau: Thank you very much for your questions. With respect to the membership numbers of the Congress of Aboriginal Peoples, the Assembly of First Nations does not have individual members; the Métis National Council has individual members and organizations, but with respect to the Congress of Aboriginal Peoples, they are made up of provincial affiliate organizations, which are predominantly strong in Eastern Canada right now. The Métis National Council is stronger in the West for historical and other reasons.

I'll try to answer your question with respect to my experience. In the early 2000s, the former Martin government had decided at that time — leading up to the negotiations that led to the Kelowna Accord, which never happened — that they just wanted to deal with the Assembly of First Nations, the Métis National Council and the Inuit Tapiriit Kanatami because at that time, those organizations were also looking at our Constitution and saying, "Here is the definition; therefore, we have a monopoly on representation."

Not every Indigenous person in Canada relates to these organizations. Having said that, there are many who do. To have one Indigenous organization — again, 20 years ago I had to fight my way into council or federation meetings. I had to storm in there at one point because we were being excluded. Why are we being excluded?

I say "we" as Indigenous peoples collectively. We have five organizations — not three, not four, not two and not one — five. Is that so hard to comprehend? There are five organizations that the government also helped create.

Hon. Hassan Yussuff: Senator Brazeau, would you take a question?

Senator Brazeau: Yes.

Senator Yussuff: I had the privilege in my past life of working with the Congress of Aboriginal Peoples, mostly around urban issues that were very important to Aboriginal people who

live in urban environments. I have to say we had a very productive relationship dealing with some of the real challenges that urban Aboriginal people face in this country, such as housing, social issues and what have you.

• (1520)

I do appreciate the point that you are making here today in your remarks. Maybe you could elaborate for those who are not aware of the significant work that goes on in this country in regard to their advocacy, especially in the context of the urban challenges that Aboriginal people face in this country.

Senator Brazeau: Thank you very much for the question. Absolutely, in terms of when we deal with urban and off-reserve Indigenous issues, we have the National Association of Friendship Centres, which provides direct services for the benefit of Indigenous people living off reserve. But the "political" organization has been and is currently the Congress of Aboriginal Peoples.

Like I said earlier, I am going to talk more in depth about this at a future time very soon.

There was a Supreme Court of Canada decision in 2016 called the *Daniels* case, which was named after a former leader of the Congress, Harry Daniels. Harry Daniels took the Government of Canada to the Supreme Court, basically saying that the Government of Canada had jurisdiction for all Aboriginal peoples in Canada because the practice of the federal government has been — regardless of political stripe or colour — that once a native person moves outside the reserve, they become a provincial responsibility. That is the position of the federal government.

I have never met any premier who has accepted this position in all my years of experience. What happens? Well, people fall in between the cracks.

However, the Supreme Court decision came to confirm that because the Government of Canada created so many different labels for Indigenous peoples — treaty, non-treaty, status, non-status, on-reserve, off-reserve, Inuit, Métis — the Supreme Court concluded in 2016 that the federal government has jurisdiction and is responsible for all Aboriginal peoples, Indigenous peoples. Their practice has been, for the most part, Indigenous people living on-reserve. That is why, even 20 years ago — I don't know what the figures are today, but up until 10 years ago, for every \$8 spent by the federal government on-reserve, they spent \$1 off-reserve, yet the majority of the First Nation and Indigenous population in Canada reside off-reserve.

Here is a perfect example, in my view, of how the government of the day is trying to offload to provinces, and they are trying to do away with their responsibility. But we have a 2016 Supreme Court decision that confirms they are responsible. I don't know if that is perhaps the reason why the Congress was omitted from being on the board of directors or perhaps it is because the Congress of Aboriginal Peoples — because of this very issue of exclusion — supported the Conservative Party of Canada in the 2006 election. Perhaps it is payback for the Congress having been politically involved at that time because they were being excluded by the Paul Martin government.

People will have their different opinions and viewpoints on Indigenous organizations, but like I say, this is an Indigenous organization that has been there since 1971. You know what? It is the organization that also brought about the *Powley* decision in terms of Métis harvesting rights.

There are a lot of good things to say about our organization, but it seems as if the government has been purposefully wanting to limit its transactions with this organization probably because of the Supreme Court decision. Time will tell.

[Translation]

Hon. Michèle Audette: Thank you very much for your presentation, senator. Would you agree that we are now mature enough in this chamber for the committee to get together to study important issues, like the Supreme Court decision? Not many people know that there was a time when only five organizations were recognized. Through the diversity of the First Peoples, the First Nations, I want to be represented by my own community. However, I don't want to overshadow anyone. Our diversity is distinct, and certain things belong to each of us. The decisions we make here will have an impact on the important organizations that work with First Nations, Inuit and Métis.

Senator Brazeau: I absolutely agree. Of course, honourable senators now know that there are five organizations. What matters is making sure that the Minister of Crown-Indigenous Relations, Mr. Miller, appears before the committee and clearly indicates why the Congress of Aboriginal Peoples, one of the five national organizations recognized and funded by the federal government, was excluded. That's all.

(On motion of Senator Martin, debate adjourned.)

[English]

BUDGET IMPLEMENTATION BILL, 2023, NO. 1

CERTAIN COMMITTEES AUTHORIZED TO STUDY SUBJECT MATTER

Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of April 25, 2023, moved:

That, notwithstanding any provision of the Rules, previous order or usual practice:

1. in accordance with rule 10-11(1), the Standing Senate Committee on National Finance be authorized to examine the subject matter of all of Bill C-47, An Act to implement certain provisions of the budget tabled in Parliament on March 28, 2023, introduced in the House of Commons on April 20, 2023, in advance of the said bill coming before the Senate;
2. in addition, the following committees be separately authorized to examine the subject matter of the following elements contained in Bill C-47:

- (a) the Standing Senate Committee on Banking, Commerce and the Economy: those elements contained in Clauses 118 to 122 concerning cryptoasset mining in Part 2, and Divisions 1, 2, 6, 7, 26, 33 and 37 of Part 4;
 - (b) the Standing Senate Committee on Energy, the Environment and Natural Resources: those elements contained in Divisions 20 and 36 of Part 4;
 - (c) the Standing Senate Committee on Fisheries and Oceans: those elements contained in Subdivisions A, B and C of Division 21 of Part 4;
 - (d) the Standing Senate Committee on Foreign Affairs and International Trade: those elements contained in Divisions 4, 5, 10 and 11 of Part 4, and in Subdivision A of Division 3 of Part 4;
 - (e) the Standing Senate Committee on Legal and Constitutional Affairs: those elements contained in Divisions 30, 31, 34 and 39 of Part 4, and in Subdivision B of Division 3 of Part 4;
 - (f) the Standing Senate Committee on National Security, Defence and Veterans Affairs: those elements contained in Division 24 of Part 4;
 - (g) the Standing Senate Committee on Social Affairs, Science and Technology: those elements contained in Divisions 8, 13, 14, 15, 16, 17, 18, 19, 25, 27, 28, 29, 35 and 38 of Part 4; and
 - (h) the Standing Senate Committee on Transport and Communications: those elements contained in Division 2 of Part 3, and Divisions 22 and 23 of Part 4;
3. each of the committees listed in point 2 that are authorized to examine the subject matter of particular elements of Bill C-47:
 - (a) submit its final report to the Senate no later than June 2, 2023; and
 - (b) be authorized to deposit its report with the Clerk of the Senate if the Senate is not then sitting;
 4. as the reports from the various committees authorized to examine the subject matter of particular elements of Bill C-47 are tabled in the Senate, they be placed on the Orders of the Day for consideration at the next sitting, provided that if a report is deposited with the Clerk, it be placed on the Orders of the Day for consideration at the next sitting following the one on which the depositing is recorded in the *Journals of the Senate*;
 5. the aforementioned committees be authorized to meet for the purposes of their studies of the subject matter of all or particular elements of Bill C-47, even though

the Senate may then be sitting or adjourned, with the application of rules 12-18(1) and 12-18(2) being suspended in relation thereto; and

6. the Standing Senate Committee on National Finance be authorized to take any reports tabled under point 3 into consideration during its study of the subject matter of all of Bill C-47.

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

Hon. Senators: Agreed.

(Motion agreed to.)

**BILL TO AMEND THE CANADA ELECTIONS ACT
AND THE REGULATION ADAPTING THE CANADA
ELECTIONS ACT FOR THE PURPOSES
OF A REFERENDUM (VOTING AGE)**

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator McPhedran, seconded by the Honourable Senator White, for the second reading of Bill S-201, An Act to amend the Canada Elections Act and the Regulation Adapting the Canada Elections Act for the Purposes of a Referendum (voting age).

Hon. Scott Tannas: Honourable senators, I rise to speak on Bill S-201.

Before I make my points, it is worthwhile to put a little bit of background on the record.

The bill was introduced here in this chamber on November 24, 2021. The concept — in a number of bills — has an interesting history that I think bears consideration.

The bill was introduced the last time — before this time — in the Senate in the last session. It was sent to Standing Senate Committee on Legal and Constitutional Affairs for study, but the committee had no meetings because of dissolution. This is the third time — maybe the charm — that Senator McPhedran has introduced this particular bill in the Senate.

What is interesting, though, is that this bill has been introduced in the House of Commons nine times through introductions and reinstatements after prorogation, dissolution, et cetera. In all of the nine times, it has made it to second reading once. That actually happened in this session of Parliament.

The House of Commons version of this bill is called Bill C-210. On September 28, 2022, the House defeated Bill C-210 at second reading by a healthy margin, 77 for and 246 against.

Again, this is the only version of this bill that made it to second reading in nine attempts in the House. All this is to say that the House of Commons has, on nine separate occasions, made it pretty clear that they are not inclined to support this idea, including defeating the proposal at second reading in this particular Parliament with these same MPs who are there now. That is some background I thought was interesting enough to be put on the record as we considered the second reading of Bill S-201.

• (1530)

It is also worth reminding us all that when the Senate passes a bill at second reading, it has effectively agreed to the principle of the bill and that they wish to send it to committee for further study and scrutiny. The alternative to passing at second reading is to vote no. We always have the opportunity at second reading to vote no. That would be a signal that we don't accept the principle of the bill.

I will read from page 131 of *Senate Procedures in Practice*:

Debate at second reading focuses on the principle or merits of the bill. This debate is intended to address questions such as: “Is the bill good policy?,” “Is it worth pursuing further?” and “Will it be a good law?” The general issues raised in the bill, and not the specific content of its parts and clauses. . . .

It is rare for the Senate to defeat bills at second reading, but I would submit to you, senators, that if there were ever a bill that we should consider defeating at second reading, it is this one. And I will outline my concerns.

The first one is the practicality of it. We have a limited amount of time in committees to study private members' bills, so I question why we would spend time studying a bill on a subject that has already been defeated in the other place on this exact same topic with the exact same MPs sitting in their chairs in the House of Commons.

There is a legality question as well. If we pass this bill all the way over there, it would likely be ruled out of order, because there is a concept of something called “prior question.” You can't ask the same question again in the same session of Parliament. So it's at least likely that the Speaker would rule the bill out of order and we would have wasted a bunch of time — committee time, debate time — on something that the House would send back to us saying, “We have already considered this. What are you doing?”

Third is the principle. I believe the subject matter of this bill is not one that the Senate should be initiating. It deals with elections to the House of Commons, and we should reserve ourselves to sober second thought on matters that pertain to federal elections. It is, in my mind, disrespectful for the Senate to proactively seek change to election processes for members of Parliament, but that's my opinion.

Again, given that the very elected colleagues who populate the House of Commons right now have recently rejected this proposal by an overwhelming majority, I think they would question our respect as well.

Colleagues, it gives me no pleasure to present such a negative position on a bill proposed by one of our honourable senators, but there are situations, I think, where we as a Senate need to take some decisive action on matters like this. I know that Senator McPhedran would like to see this bill come to a vote. In fact, she has been asking, through scrolls, over the past number of months as to when we might be ready to vote on the bill. I am ready to vote no on this bill whenever it pleases the Senate to call the question, including today. Thank you.

Some Hon. Senators: Hear, hear.

Hon. Marilou McPhedran: Would you take a question, Senator Tannas?

Senator Tannas: I would.

Senator McPhedran: Thank you very much. There is currently no same bill in the Senate. Did you think about the fact that a number of comments on different bills in this chamber recently have been about the importance of the independence of the Senate to be able to have its discussions, to conduct its studies as senators see fit and not to be dictated by what's happening in the other place — I shouldn't say "dictated" but unnecessarily influenced by what's happening in the other place?

I am trying to understand why you would emphasize that here when I think in the past I've heard you argue strongly for the independence of the Senate.

A corollary to that question is this: How is it you think it's a good idea for the Senate not to listen to the young people who want to come and be heard by us as part of second reading? Why would we shut them down? Why would we shut them out?

Senator Tannas: Those are very good questions. There is not a similar bill like this in the Senate, as you mentioned. There isn't one in the House of Commons because they defeated it, so it has been tossed.

Again, the principles that brought me to my position were, first, what the success chance is. I think it is zero. I think we are wasting our time with the bill. There may be some merit in having young people come to a committee and talk about it. We could do that with a study. We could perhaps put out a document that the House of Commons could read and maybe reconsider.

But we also have the issue of this prior question. We could get it all the way over there, spend all the committee time, listen to all these folks, raise their hopes that this bill will be passed and just have it dismissed. That's the likely outcome. The prior question is something that's pretty clear.

Third, we have a limited amount of time where the committees can do their work. And we're running out of time, I suggest, certainly in this session of Parliament. Maybe there will be prorogation. Maybe there will be an election. Who knows? But we are all getting a sense that we are running out of time in this Parliament.

I think we have to be mindful of what we spend our time on. It is for those reasons that I am making the recommendation.

Hon. Mary Jane McCallum: I have a question. How can this be considered the same question if this question has not yet been raised in the Senate Chamber? Given that the Commons is where this matter has been raised and not here, are you concerned that the Senate applying a procedural tactic that should be determined by the House of Commons in the event this bill makes it there would cause a dangerous precedent and interfere with the jurisdictional boundaries that stipulate that each chamber is the master of their own domain?

Senator Tannas: Thank you for the question, Senator McCallum. I'm not arguing that there is anything other than common sense preventing us from pressing ahead. We could pass this bill through second reading. We could consider it at third. Let's say we pass it; that does not get the bill passed.

So if it is an academic exercise to go through, if that's what the idea is, I suggest we do a committee study rather than a bill that will be dead on arrival in the House of Commons.

Senator McCallum: Honourable senators, I rise today to speak at second reading of Bill S-201, An Act to amend the Canada Elections Act and the Regulation Adapting the Canada Elections Act for the Purposes of a Referendum (voting age).

I would like to thank Senator McPhedran for bringing this initiative forward and for her tireless work and advocacy on this file. I would like to begin with a quote from Ms. Diane Redsky, a citizen of Shoal Lake 40 First Nation and recipient of an honorary law degree from the University of Winnipeg, 2022.

• (1540)

In reflecting on this legislation, Ms. Redsky states:

In Grade 4 I received an award on a speech I presented: "why children should have the right to vote." I was already recognizing at this young age the inequality that exists where decisions affecting my future were being made without my voice and I felt strongly that this was wrong. I still believe youth must have a say in decisions that impact their future. Our Elders are always reminding us, responsible and respectful decision making must factor in the seven generations ahead of us. Changing the voting age to 16 will go a long way in ensuring we are all working towards a strong and sustainable future for everyone.

Ms. Redsky recently resigned as the executive director of the Ma Mawi Wi Chi Itata Centre in Winnipeg, where she brought leadership and voice on Aboriginal issues. She is a nationally renowned visionary thinker and community leader who has long worked to address the myriad of issues facing Winnipeg's urban Aboriginal community in all areas of health, justice, education and social services.

Since 1993, she has served in both a professional and volunteer capacity, working within the social services sector. She has become a strong advocate for Aboriginal, children's and women's issues. She has helped create numerous and innovative programs that have helped build healthy communities.

Colleagues, Ms. Redsky — this distinguished, passionate and caring woman — is the same person as that determined youth who wanted to vote at the age of 14 so she could bring voice to the inequalities that she experienced. Imagine the positive evolution our society would experience if our youth were allowed the right to a vote, bringing with them clear eyes and a fresh perspective. This movement would represent, as Senator McPhedran said in her initial speech, “. . . the revitalization of our democracy.”

Honourable senators, speaking from the perspective of a Cree *iskwēw*, a woman, this bill enables our youth to voice concerns about the future of their world, expressed with intelligence and critical thinking. This would be the culmination of their request to be involved in our democratic system.

For those of you who have participated in the round table forums Senator McPhedran has organized on this legislation, you will know the respect and diligence with which the youth approach this possibility. During their advocacy week, Indigenous youth reached out to parliamentarians and highlighted priorities that they would like to raise to government, and the common issues were mental health and wellness; water, land and energy; access to culturally safe, quality education and Indigenous sovereignty and cultural revitalization.

These youth were articulate in voicing the concerns that impact their lives. They viewed their work as a serious responsibility and privilege, and they did, unquestionably, say that they had a stake in their communities, their country and in this planet.

Colleagues, in 1991, the Royal Commission on Electoral Reform and Party Financing studied the question of lowering the voting age to 16. Reasons to support a change included avoiding age discrimination under the Canadian Charter of Rights and Freedoms and encouraging youth while young people were still in school and could take part in civic education.

In 1991, the commission carried out public opinion surveys on lowering the voting age and found that most Canadians, including teens, did not support lowering the voting age. The commission suggested that the question of voting age be reconsidered from time to time as society changes.

Society has now changed to the extent that youth and adults are very concerned about their future, and rightly so. The time is now to once again revisit lowering the voting age.

Colleagues, Canadians have spent their lives in the most prosperous and privileged place on earth. In his book *Thinking like a Mountain*, Robert Bateman states, at page 32, that:

To act nobly is most certainly to make good decisions for our grandchildren's futures, yet many of us seem to have forgotten how to think this way. There is a traditional North American Native saying that could help us all: ‘We must plan our path not just for this generation and the next but for

seven generations to come . . .’ Does this sound impossible in a time when stock market traders plan for the next few seconds, corporate CEOs manage primarily for short-term profit and politicians can't seem to see beyond the next election?

He continues:

But the questions on the other side are stronger: Can we possibly continue to live as we do, spending the Earth's resources as if there is no tomorrow? Will our species survive a continuing onslaught of its own overconsumption?

The youth, over these past many years, have been voicing concerns about the state of Mother Earth, a reality we have arrived at through adult-driven decisions. It is time we work with our youth, those who will inherit this world.

In an article entitled “Voting Age Challenge Update,” published in the April 2021 newsletter of the David Asper Centre for Constitutional Rights, author Sara Nemataallah writes:

In November of 2019, the David Asper Centre for Constitutional Rights and Justice for Children and Youth, in partnership with other child rights organizations, initiated efforts to challenge the minimum voting age for federal elections set by the Canada Elections Act, SC 2000, c. 9. . . .

The David Asper Centre is using the 2019 *Frank v. Canada* court case for arguing the unconstitutionality of the current voting age. They concluded that:

Since voting is a fundamental political right, and the right to vote is a core tenet of Canadian democracy, any limit on the right to vote must be carefully scrutinized and cannot be tolerated without a compelling justification.

In the David Asper Centre newsletter, experts from the fields of political theory, international law, cognitive sciences and social sciences supported the challenge that:

. . . theoretical writings, sociological studies and scientific studies produced by these experts dispel many of the misconceptions around youth voting — most notably the myth that youths under the age of 18 do not have the cognitive capacity to vote, and the myth that allowing young people to vote harms democracy by enabling uninformed and uninterested youths to participate in the democratic process. . . . psychological and cognitive social science studies from the last decade demonstrate that youths as young as 14 develop adult-level complex reasoning skills that enable them to make voting decisions of the same quality as adults, and international jurisdictions where voting ages have been lowered below 18 have reported that youths are an engaged and informed voting group and that their inclusion has produced no negative effects on democracy. While these experts approach the issue of voting ages from a variety of different angles, they generally align on the view that using the age of 18 as a proxy for democratic competency is arbitrary and cannot be justified by what we currently know about youth decision making.

Colleagues, we must embrace the fact that there is no compelling justification that exists to continue to subvert the voices of youth. Instead, we must listen to them and support them in becoming thriving global citizens by knowing that they have the capacity to succeed and supporting their growth in becoming politically active. We can do so by supporting Bill S-201.

Let us also remember the issue of mature minors and their ability to make life-and-death decisions that we know is coming; they are allowed to make life-and-death decisions, but they are not allowed to vote.

Honourable senators, I am privileged to share the words said to me in 2015, before I became a senator, by students in three Grade 6 classrooms at Bruce Middle School in the Winnipeg School Division. They had invited me to speak to them about residential schools, and they had completed an initiative called Project of Heart.

• (1550)

In one of the classrooms, one group made an inukshuk from their tiles, and the young boy who was the spokesperson said to me:

We chose the inukshuk because it is a sign that shows the way. We chose colours to go with the values. The arms are red because it signifies courage and caring. The legs are blue because blue represents peace because you cannot lead without peace.

The last boy to speak that day said:

I can't leave without sharing my work with you. My tile is about yin and yang. Life is about balance, and we have both negative and positive experiences. We learn to accept this reality and we learn from both because even the negative experiences have much to teach us.

These students are probably in university now, but I would say that they had long been preparing themselves to be socially responsible citizens.

Colleagues, our youth have been told countless times that they are the leaders of tomorrow, that they are our future. Let us not be afraid to back up these platitudes with concrete action, lest we simply be paying them lip service. If we are to take seriously our role of representing the marginalized and the voiceless, we must challenge ourselves to act now. Whether or not we are comfortable to admit it, we must acknowledge that our youth are amongst those voiceless citizens whom we must be diligent in representing. What better and more meaningful way to do so than support an initiative that compels them to become civically engaged and active Canadians exercising the right to have a say in their lives and their futures?

Let us create space to hear from youth and experts by referring this bill to committee. The intent now is to use this moment of age discrimination as a springboard from which we can actualize understanding, respect, equity, diversity, inclusion and reconciliation of and with our youth. *Kinanâskomitin*, thank you.

(On motion of Senator Martin, debate adjourned.)

CONSTITUTION ACT, 1867

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Patterson (*Nunavut*), seconded by the Honourable Senator Tannas, for the second reading of Bill S-228, An Act to amend the Constitution Act, 1867 (property qualifications of Senators).

(On motion of Senator Housakos, debate adjourned.)

DEPARTMENT OF EMPLOYMENT AND SOCIAL DEVELOPMENT ACT EMPLOYMENT INSURANCE ACT

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Bellemare, seconded by the Honourable Senator Dalphond, for the second reading of Bill S-244, An Act to amend the Department of Employment and Social Development Act and the Employment Insurance Act (Employment Insurance Council).

Hon. Hassan Yussuff: Honourable senators, this item is adjourned in the name of Senator Housakos. I ask for leave of the Senate that, following my intervention, the balance of his time to speak on this matter be reserved.

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

Hon. Senators: Agreed.

Senator Yussuff: Honourable senators, I rise today to speak to Bill S-244, dealing with the creation of the employment insurance council. I want to first, of course, thank Senator Bellemare, who is not here today, for the work she has done on this bill and for her efforts to promote social dialogue in the Employment Insurance system, or EI, to make it more fair, effective and accountable to its stakeholders.

Guy Ryder, the former director-general of the International Labour Organization, or ILO, and a good friend of mine, has said that social dialogue was, is and will remain the key to forge the future of work.

The world of work as we know it is undergoing transformative change for a whole host of reasons. From crises like COVID to climate change to changes in our economy and the labour markets through technological advances such as AI, the world of work is rapidly changing. This creates challenges for workers, employers and policy-makers like governments.

If we are to overcome these challenges, either in our labour markets in general or specifically with programs such as EI, we will need governments, employers and employees to better and more effectively organize in our collective actions. Strong social dialogue, of course, will be essential to this goal.

Only solutions that are widely shared and underpinned by successful social dialogue will be truly effective and equitable for all. That is because social dialogue builds not only trust but ownership and accountability by the stakeholders involved.

Colleagues, there are many academic studies, research reports and evidence that support the positive economic effects and effective efforts of social dialogue processes, such as what this bill, of course, proposes for workers, businesses and governments. Today, I will focus my comments not on the research but, instead, on my experiences of what effective social dialogue and tripartism mean to working people and how creating a formal employment insurance council could play a positive role in ensuring an EI system that is more accountable, responsible and sustainable for all stakeholders.

Senators, how can we have an effective solution to complex problems we face if we do not talk to one another? How do we trust each other if there is no formal process to help build relationships? You cannot be effective without relationships, and you cannot have effective relationships without trust. That is the heart of this bill.

Effective social dialogue is not just a theory. It is a real tool that can produce real and practical results. I would like to take a few minutes to talk about some real-world experience of the power of social dialogue to produce real and practical solutions that benefit workers, employers and, equally, government.

One example, of course, is the Canada Labour Code Part II. Late in 1999, there was a very broad consultation with employers, government and workers about reforming the Canada Labour Code Part II because of the changes that had been occurring, of course, in the real world of work. It did take an exhaustive amount of time, but the outcome was unanimous consent by workers, employers and government that these changes would bring positive results for workers and the country, but equally they were supported by employers.

As a result of the hard collaborative work that was done under the labour department, the subsequent result was that legislation was passed unanimously both by the House and by the Senate. Of course, those impacts are still having transformative change to workers' lives today in this country at the national level.

Most recently, of course, employers, workers, unions and governments embarked on dealing with the issue of harassment and violence in the workplace. As a result of this work, C190 was the convention initiated at the ILO. This was led by the Canadian government. It was co-chaired by the workers' representative, my former colleague Marie Clarke Walker, and by employers on the employers' side. There was an exhaustive amount of work that took place at the ILO. The convention was finally passed by the

ILO, and earlier this year Canada finally adopted the convention. What this brings into clear perspective for all of us is that when you collaborate and work together, you can achieve great things.

Now, this is a very small convention, but I know it will have a lasting impact on the men and women whose lives have been disrupted by harassment and violence in the workplace. Now there is an international standard as a result of that.

• (1600)

I will use one country as an example. In Germany, all changes that occur when it comes to the economy are done in a tripartite manner. Workers and employers sit down. They deliberate. They argue. They, of course, work with government to achieve the common objective. Very few people would argue the German economy is not performing to its full extent. What is achieved? Collaboration — they do not always agree, but for the most part, they recognize they have to work together if they are going to succeed in a competitive world. No matter how well they can do things, if they do not have collaboration and cooperation, they can't continue to be an effective economy in the world.

I would also note that in our own country, in the 1980s — not so long ago — Canada wanted to enhance business and labour partnerships for human resources development in specific industry sectors. To achieve this goal, they created an innovative tripartite approach to industrial relations — sector councils. Over 30 sector councils were created in the following decades to foster joint dialogue and action on training, worker participation, job creation and other sector concerns.

Sector councils were eliminated in 2013 by the previous government, and I think it was a tremendous loss to our country because those opportunities for workers, employers and government to come together were no longer there. We talk at each other, but we do not talk to each other to build a collaboration.

In conclusion, colleagues, there is no question that creating an institutional social dialogue structure like the bill proposes will have a positive effect for workers, employers and government. Simply put, more opportunity for dialogue is better than less. Trust cannot be built between stakeholders when you do not talk to one another. Ownership in the system does not happen if stakeholders feel as though their opinions and solutions are not being heard. Colleagues, the success of my past career representing workers was dependent upon having meaningful social dialogue, either formal or informal, to represent their interests in finding practical and real solutions that make sense for all parties.

The Employment Insurance — EI — system is an employer and worker system that must have the trust of these two groups to be effective. The simple fact is that the workers pay half the premium and the employer pays the other half. That trust can only be created if they feel their views are being heard, and for that to happen, we need an institutional process like what this bill proposes to ensure it does.

I believe Bill S-244 will strengthen and not weaken the Employment Insurance system because it will help better our understanding of the problem and produce more innovative and practical solutions in our EI system from social partnerships that fund it and who are most impacted by it. It will also create stronger accountability and more equitable and fairer outcomes for workers and employers — a goal I think we all share.

That is why I urge colleagues to support this bill, and hopefully we can get it to committee and make it a reality for workers and employers in this country.

Thank you so much.

Hon. Marty Klyne: Honourable senators, I rise to also speak in support of Bill S-244, Senator Bellemare's bill proposing an Employment Insurance council. I believe the thoughtful measures this bill contains will play a key role in reforming Canada's Employment Insurance system. This bill will help create a more resilient, adaptable, responsible and practical social safety net for Canadian workers.

The EI system was established in Canada in 1940. The federal government used to be one of the financial contributors to the program alongside employers and labour. However, in 1990, the federal government's financial contributions were eliminated as the fund became self-financing. That is to say that the entire cost of the program is now shared between employers and employees. The system continues to be administered through Employment and Social Development Canada. I note this so that we understand how little feedback and involvement businesses and employees have in the design of Canada's EI program.

The COVID-19 pandemic brought to light where our social safety nets and service delivery systems underperformed, albeit in extraordinary circumstances — I will give them that. Canada's EI program was one of those safety nets that failed to live up to expectations. The system was not equipped to deal with the sudden decrease in labour force participation caused by the pandemic. As our country grappled with the situation, the EI system struggled to provide benefits for those who needed them the most. The federal government stepped in to respond to the urgent economic needs of Canadians by implementing the temporary Canada Emergency Response Benefit, also known as CERB, which provided financial support to employed and self-employed Canadians directly affected by COVID-19. Applicants received \$2,000 for a four-week period, or \$500 a week.

That was helpful, but the CERB did not solve the problems with EI. While the pandemic was perhaps the most recent example of the system failing to work for those who need it most, in truth, it has operated for decades without fully considering the realities of the changing labour market. In a recent op-ed published in the March 25 edition of the *Toronto Star*, Senator Bellemare argued that the government's decision to create the CERB was a necessary response to an unprecedented crisis, but that the need to have to create the program at all highlighted long-standing problems and inefficiencies with our EI system.

Many papers and reports have been written on this subject, among them the 2021 House of Commons report titled *Modernizing the Employment Insurance Program*. Here are some of the issues that report identified: inadequate eligibility criteria

that excludes many workers; long wait times for benefits; a lack of support for workers in non-traditional employment arrangements such as the gig economy; inadequate training and education programs that may not equip workers with the skills needed for emerging industries; inflexible maternity and parental benefits and insufficient support for caregivers. The report concluded that the program:

... no longer reflects the realities of today's labour market and is not well-positioned to respond to sudden labour market disruptions, such as those that resulted from the COVID-19 pandemic. ...

Our long-term resilience requires a more flexible and responsive EI system that can meet the needs of Canadian workers and employers, regardless of their location or industry. We need a system that can adapt to changing needs and the ever-increasing demand for new skills and education. A flexible and functional Employment Insurance program will undoubtedly be a crucial component of Canada's preparedness for future crises that may disrupt economic activity. It could provide financial stability to workers who have lost their jobs due to a crisis or due to the impact of automation and AI — artificial intelligence — replacing repeatable jobs. It could, or should, also promote fiscal recovery by continuing to stimulate the economy, support social cohesion by reducing the social and economic impacts of a crisis and provide support to vulnerable groups such as low-income workers, women and marginalized communities.

The federal government, seemingly in agreement with this argument, recently reached the end of extensive consultations aimed at modernizing EI for the post-pandemic period. However, it is Senator Bellemare's belief, which I and many others share, that to create a resilient and adaptable system, reforms and new solutions must be informed by a continuous dialogue where there is an exchange of ideas and information between government, employers and employees. The main difference between consultations undertaken by government and continued social dialogue is that consultation is usually a temporary event aimed at gathering information for a specific purpose, unlike continued social dialogue, which is an ongoing process of engagement aimed at building relationships and promoting mutual understanding, which leads to building trust and promoting transparency.

Continued social dialogue is the most conducive to fostering long-term collaboration between stakeholders and policy-makers. Continued social dialogue involves regular meetings, consultations, negotiations and other forms of engagement to ensure that policies reflect the needs and interests of all stakeholders across dynamic and diverse regional economies. In the case of EI reform, continued social dialogue is crucial because it allows us to take a holistic approach to the issue. We can involve all stakeholders in these discussions, listen to their concerns and develop solutions that are practical, effective and sustainable. For example, by involving employers in the discussion and by identifying ways to provide more training and support to Canada's diverse workforce, we would effectively reduce the need for EI in the first place.

• (1610)

Involving the labour force in the discussion will identify ways to also improve access to training and education which, in turn, will help workers find new employment quicker than otherwise — contributing to their household finances and our economy, as well as the tax base and shared prosperity.

Furthermore, continued social dialogue helps to ensure that policies are fair, inclusive and effective. When all parties feel that they have been heard and that their needs have been considered, they are more likely to support reforms and to implement them successfully.

Senator Bellemare's bill seeks to address the imbalance between employers, employees and the EI regime itself. The bill takes a holistic look at the system, and recognizes that for the reform to effectively address the challenges that Canada faces, the government must treat employers and workers as true partners in finding and implementing solutions. The bill proposes to create a council that would act as an advisory body to the Canada Employment Insurance Commission, or CEIC, which is the commission that oversees and sets policy for the Employment Insurance program. This new council would be comprised of an equal number of labour and employer representatives. It would be co-chaired by the Commissioner for Workers and the Commissioner for Employers, both of whom sit on the CEIC. It would not alter the membership or structure of the CEIC itself, but would be an advisory council that could provide advice and make recommendations.

The rationale for creating this advisory council is to give labour organizations and employers a formal structure to provide feedback to the CEIC on matters related to Employment Insurance. Currently, many labour groups and organizations that represent employers feel that they do not have enough opportunity to provide the CEIC with the necessary feedback, which underscores the need for this new advisory council.

This bill is being supported by labour groups, including Unifor, the Canadian Labour Congress and Canada's Building Trades Unions, among others. On the employer side, it is being supported by the Canadian Chamber of Commerce, the Canadian Federation of Independent Business and Canadian Manufacturers & Exporters, among others.

Honourable senators, this bill seeks to address one of the key issues with the Employment Insurance regime: It doesn't work as well as it should for both employers and labour. Continued social dialogue can help us develop a more flexible, responsible and sustainable EI system that can meet the demands of all employable Canadians. It can also help to build consensus and trust between different stakeholders, and ensure that the reforms are implemented and embraced successfully.

Establishing a council such as this one is a positive step that will benefit the entire system. For that reason, I support Bill S-244, and I respectfully ask all colleagues to support this initiative in its speedy referral to committee. Thank you. *Hiy kitatamihin.*

(Debate adjourned.)

[Senator Klyne]

CRIMINAL CODE

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Kutcher, seconded by the Honourable Senator Boehm, for the second reading of Bill S-251, An Act to repeal section 43 of the Criminal Code (Truth and Reconciliation Commission of Canada's call to action number 6).

Hon. Mary Jane McCallum: Honourable senators, first of all, I would like to thank Senator Kutcher for bringing this bill forward.

This has been triggering for me, and that is the most important time to speak: when your voice shakes.

Do not withhold discipline from your children; if you beat them with a rod, they will not die.

If you beat them with the rod, you will save their lives from Sheol.

That is from Proverbs 23:13-14.

The little girl of eight years old looked at her white blouse where a spot of blood had dropped from her bleeding nose. She hoped that her look of disbelief and astonishment of where the blood came from — and how it could be on her shirt — would forestall what she knew was to come. Of course, she would be blamed for the accident. She couldn't have known she was going to have a nosebleed. She was hit with a closed fist on her back between her shoulder blades. She was a thin girl, and the fist easily found her bones. She started to cry from pain, from fear and from shame.

She was told, "Stop crying, stop crying," with every hit of the closed fist. She knew she had to stop if she hoped the beating would stop. And for many years, it was difficult for me to cry.

Honourable senators, the following information that I share is taken from a piece entitled "I Was Spanked and I'm OK: Examining Thirty Years of Research Evidence on Corporal Punishment" by Joan E. Durrant. When we look at the advocacy and research done around the safety provided by seat belt legislation, we made that change to ensure that we no longer placed our children at undue risk. Systematic research across different countries found that seat belts reduced the risk of injuries and fatalities to drivers and occupants, which led to mandating the use of seat belts in cars. Public education campaigns accompanied these legal changes to raise public awareness of the risk.

Today, very few of us would say, “I survived without a seat belt so my child will too.”

By 2020, there were more than 100 studies on corporal punishment. They consistently show that corporal punishment places children at risk, and not one study has shown corporal punishment to have positive, long-term impacts. Corporal punishment does not promote the healthy, long-term outcomes that most parents hope to nurture, and it places children’s developmental health at risk.

Colleagues, what follows is the research on three developmental outcomes: prosocial behaviour, non-violent conflict resolution and positive mental health.

Prosocial behaviour, such as helping, sharing, co-operating and comforting, benefit others. When intrinsically motivated, these behaviours reflect empathy, altruism and compassion for others. They are key indicators that predict successful adolescent development. Prosocial development is fostered through the attachment between the child and at least one caregiver. The child learns to trust and rely upon the caregiver for support. By the age of two, the child exhibits rudimentary prosocial behaviours. Their concern for others becomes visible in their facial expressions, in their voices and sometimes in their behaviours.

Children’s capacities for behaving positively in the social world emerge from positive experiences in close relationships within the family. As children grow and inevitably act in ways that hurt others, effective parents use those opportunities to draw attention to the impacts of the child’s actions on the other person. In psychological terms, this is known as “induction,” which entails providing an explanation that helps children understand the effects of their behaviour on others.

Induction promotes internalization of values because it facilitates the child’s deep processing of their parents’ message.

What is the impact of corporal punishment on prosocial development? Parental responses that arouse stress, anxiety or fear interfere with internalization because the child’s capacity to process their parents’ message becomes impaired. The child instinctively concentrates on dealing with the perceived threat.

Punitive, threatening or painful parental and, in my case, institutional responses also undermine attachment, which is critical to moral learning. With sustained negative parenting, the child’s learning is impeded — and moral development becomes replaced by hostility and resentment.

• (1620)

Honourable senators, in her 2002 research on corporal punishment, Elizabeth Gershoff concluded that:

... corporal punishment can impel children to avoid misbehaviors in order to avoid future punishment but cannot on its own teach children the responsibility to behave independently in morally and socially acceptable ways.

Bernadette Saunders’ studies on children in Australia — these are children who were in residential school — found that children tended to experience corporal punishment as humiliating,

intimidating, frightening and damaging. The children spoke of feeling powerless, vulnerable, helpless, unjustly treated and of wanting to avoid those parents or institutions.

Now imagine, colleagues, if you lived in residential school and you had no supports to counteract the negative and violent ways you were raised by complete strangers for simply demonstrating innocent, childlike behaviours. Children and adolescents were indeed powerless, vulnerable, helpless and unjustly treated by church representatives and teachers with no recourse to fairness or ability to be heard. Many learned to shut down and become invisible, which negatively impacted communication skills.

Honourable senators, another attribute that most parents hope to cultivate in their children is non-violent conflict resolution. Social scientists referred to one’s ability to read others’ emotions and use that information to guide actions, inhibiting aggressive impulses and regulating anger as emotional intelligence.

And how is this non-violent conflict resolution postured? Emotional competence depends upon the ability to recognize, identify, monitor and regulate one’s emotions rather than denying, suppressing or controlling them. These abilities grow out of a secure parent-child attachment in which children feel safe expressing their emotions and parents respond sensitively and supportively. When parents help their children connect their emotions to their growing reasoning capacities, neural pathways are formed that will become increasingly strong if they are repeatedly activated.

What is the impact of corporal punishment? When children are physically punished, they are placed in a situation where they are unable to express their emotions. They are stripped of their voice and their power of expression. Corporal punishment ends the conversation, discouraging and suppressing the child’s emotional expression. What the child learns is simply how to impose one’s will upon another person.

Every study conducted on the relationship between corporal punishment and aggression has found that corporal punishment predicts higher levels of aggression among children and youth. The aggression may be physical, verbal, relational, instrumental — whether it is intentional and planned or impulsive and reactive — direct or subtle. This aggression may be directed towards siblings, parents, peers or intimate partners or carried out in person through social groups or social media.

Longitudinal studies following a group of children over a number of years found that corporal punishment increases children’s aggression over time and has an increasingly powerful effect on anti-social behaviour as children get older.

Imagine the students in residential school who have been taught that aggression and violence are normal in relationships. Do you wonder why this engrained violence lands many Indigenous people in the prison system today? If you were taught throughout your formative years that violence in its many forms was acceptable, role modelled by nuns and priests, isn’t that what you would then role model to your children and they to theirs? This is what we call intergenerational trauma.

Honourable senators, positive mental health is an overall feeling of satisfaction with life, the capacity to enhance our enjoyment of life and a belief that we can deal with challenges as they appear. When we face adversity, we can continue moving forward if we believe that we have agency — the ability, power and efficacy — to overcome obstacles and take new directions in life. This is a part of self-determination. It was self-determination that was removed from us systematically in residential school.

Some central concepts in mental health research are coping and resilience. Coping is the capacity to manage the stress of adversity, obstacles and potential failure. Resilience is the capacity to move through and surmount adversity, processing its pain and moving forward into life.

How is positive mental health fostered? Positive mental health is developed within interpersonal relationships. A critical component is the belief that one can have an impact, elicit a response and effect change. This belief begins to form in infancy when parents respond to their baby's cries and meet their baby's physical and emotional needs. This is the beginning of a sense of efficacy, self-confidence and self-worth. With parents' help, their toddlers learn and practise self-regulation within a secure and trusting relationship, as young children come to learn that they can tolerate and even master frustration and solve problems.

What is the impact of corporal punishment on mental health? The prerogative to strike is solely the parent's. The child's role is to submit to the punishment. This contributes to a loss of agency. The more these experiences are repeated over many years, the more powerless the child feels. This can lead to learned helplessness, a state in which the child comes to believe that they have no control over outcomes. This belief can manifest itself in anxiety, addictions, suicidal tendencies and other difficulties indicative of compromised mental health.

When I left residential school, I believed I had no agency over my life, and that is what places many of the missing and murdered women at high-risk.

In the book *Decolonizing Discipline*, edited by Valerie Michaelson and Joan Durrant, the editors state:

Based on British common law allowing corporal punishment “to correct what is evil in the child,” the text of Section 43 justifies the use of corporal punishment by parents and those standing in the place of parents. It has been used to defend the assault of children in homes and schools for more than a century and allowed those operating the residential schools to inflict violence on children with impunity.

Honourable senators, today we know that corporal punishment poses dangers to children's emotional and overall development. We also know that section 43 has permitted gross physical punishment in the past. If we know that discipline is really about teaching and guidance and that we can promote children's health and development more effectively without corporal punishment, why would we want to continue to permit it or allow children to be placed in such a vulnerable position?

Colleagues, even after section 43 of the Criminal Code is hopefully repealed, unless the underlying narratives that enable the rationalization of abuse against children are addressed, children will still be vulnerable to other manifestations of these same narrow, theological frameworks that justify the power and control of one group over another. Society needs to confront the ways that these very colonial systems that have helped to shape this country continue to enable various oppressions to this day.

Honourable senators, I urge you to support the swift passage of Bill S-251 and, by doing so, stand in support of the defenceless and vulnerable children who will greatly benefit from the progress that this bill will bring about. *Kinanâskomitin*.

Some Hon. Senators: Hear, hear.

• (1630)

The Hon. the Speaker: I'm sorry, Senator Kutcher, but Senator McCallum's time has expired, unless she is given five more minutes to answer a question.

Are you asking for five more minutes to answer a question, Senator McCallum?

Senator McCallum: Yes.

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

Hon. Senators: Agreed.

Senator Kutcher: Thank you, Senator McCallum. I want to acknowledge how difficult and challenging this must have been for you, and I want to voice my appreciation — and, clearly, the appreciation of many of us in this chamber — for your courage in sharing that with us.

The issue of harming others, sanctioned by law, is one that has led to long-standing difficulties, as you pointed out — not just for children, but also for communities and peoples. It is difficult for many of us here to fathom your experience because we have not walked where you have walked. You also had an experience outside of residential schools — in your upbringing.

Would you be willing to share with us the differences between your experiences? And with your deep understanding, could you explain how corporal punishment — when inflicted on so many children — could have contributed to the intergenerational trauma that persists today?

Senator McCallum: Thank you. After I left the residential school, I always attributed my accomplishments to residential schools because that's how we were taught. At one point in my life, I realized that it wasn't the residential school that provided this — it was my community, my family and the elders in my community.

I was at home until the age of five, and the parenting that I experienced was very positive: I was never hit. I was taught the values of sharing, tradition, hospitality, respect for people, as well as for the land, and the intersectionality of the web of life. I learned all of that before the age of five. I had my language, the *tatsu* language. I knew that I belonged to myself.

[*Editor's Note: Senator McCallum spoke in an Indigenous language.*]

I owned my body. I owned my thoughts. There was much laughter and joy and skipping and running through the forest.

Imagine when I entered the residential school in that big steel building that it was so rigid. I didn't speak English. I remember being strapped. The first time I was strapped, I didn't understand what I had done wrong because I didn't know the rules. I didn't understand English. I was strapped in front of all the students; I had to take down my pants. When you experience violence more and more, you start to shut down. The self-determination I had learned was taken away because they wanted blind obedience.

You learned to shut down your emotions and your critical thinking because that was not encouraged. Creativity and curiosity were both a no-no. You learned to develop a new sense in terms of gauging the environment you were in. Your aim was not to grow but to prevent corporal punishment, so your senses started to dictate that. You started to notice the tone of voice and anger.

There was no grounding because the rules would change depending on the mood of the supervisor. One of them would take the girls' heads and bang them together — in front of all of us. She would do this to the older girls. This behaviour was modelled, and it silenced me in many ways.

In the classroom, I was hit with a yardstick because I didn't know the answer to a question. I was hit on my hands and head during piano lessons just because I hit the wrong note. You learned that you're imperfect and bad. The physical abuse made me compliant and informed the relationships that I was to have. The older boys were forced to get switches for the boys and hit them, with the supervisors looking on.

We brought that violence into our communities. The churches, of course, were very active in the community.

When you look at the high rates of violence, whether it's intimate partner violence or corporal punishment inflicted on children, it brings home the violence and anger, which stays with you for a lifetime. I am 70 today, and I'm still dealing with the trauma.

This issue was something that I had to deal with. I'm glad I did, and I'm glad I shared it with you. It is only when people know what the system has done to us that we can start to make changes, and start to understand the changes that need to be made; we can begin to understand why we have over-incarceration in the corrections system, much of which is due to violence.

I visited the Stony Mountain Institution in Manitoba and spoke to the people there. When I spoke to advocates, they stated that children in care today are still experiencing corporal punishment; it's ongoing.

That is why I said that work needs to be done — other than simply repealing this act. What is it that you hope will come out of it? Is it a national study so that all Canadians are involved?

Part of the way in which I will engage in reconciliation with my family — I never hit my children, by the way — never. I knew how much it hurt, and I was not going to do that. We are going to start Cree classes with my family and my grandchildren, and make certain that my grandchildren will not experience what we had to endure. This is looking at the next seven generations. My ancestors did this for me seven generations ago. All of us are living ancestors. We do what is right for the next few generations.

Thank you for listening. I thank you from my heart.

Hon. Senators: Hear, hear.

(On motion of Senator Martin, debate adjourned.)

• (1640)

NATIONAL FRAMEWORK ON CANCERS LINKED TO FIREFIGHTING BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Yussuff, seconded by the Honourable Senator Loffreda, for the second reading of Bill C-224, An Act to establish a national framework for the prevention and treatment of cancers linked to firefighting.

Hon. Marty Deacon: Honourable senators, I rise today to speak to Bill C-224, An Act to establish a national framework for the prevention and treatment of cancers linked to firefighting. I hope we can move this bill through committee and the Senate with your full support.

Before I get to my remarks, I invite each senator and your staff to watch the recently released Canadian documentary *BURNED: Protecting the Protectors*. This film tells the story much better than I can. It provides a hard-hitting and emotional examination of per- and polyfluoroalkyl substances, PFAs for short, used in firefighters' protective gear.

When you take into account the other chemicals they breathe in and are covered in whenever they run into a burning building, there is no surprise that their risk for cancer is so high. That said, our fire departments and firefighters conjure different images for each one of us: small volunteer teams, large urban units, some with frequent and simultaneous runs, some in rural regions with tremendous access challenges, and some even from our families. We all know the tremendous importance they play in our communities. We need them.

As the first senator from Waterloo region in 71 years, spending time with our firefighters and first responders has been a priority for me in ensuring that I understand the needs of this community, which includes seven diverse townships. At the height of the pandemic, I visited the fire halls when able and had Zoom calls with the platoons to listen to their ongoing issues.

A few weeks ago, thanks to the last-minute efforts of our Black Rod and his officer Chasse Helbin, we were able to give a group of eight Waterloo firefighters a once-in-a-lifetime tour of the Senate Chamber. They were here for the International Association of Fire Fighters Legislative Conference. These firefighters returned to Waterloo with a very informed understanding of the Senate and were deeply moved by the work we do. I left understanding just how important this legislation before us today is to them.

The bill focuses on occupational cancer, of which our firefighters are at a severely heightened risk. I would like to get some of what I have learned from them since their visit on the record today.

First, from one of the firefighters on his return to Waterloo:

While lobbying for cancer coverage in Ottawa, I returned home, and one of our members died from occupational cancer within the week.

From another:

A common occurrence in our departments is that if members with occupational cancer do make it to retirement without having their careers cut short, or passing away on active duty, then they are dying very soon into retirement.

Firefighters are dying, and dying young, from occupational cancer. These cancers can come from years of exposure to toxic chemicals and gases that are products of combustion. In some cases, this cancer can be directly linked to one incident, such as the Horticultural Technologies fire in Kitchener. This was a large-structure chemical fire in 1987.

Colleagues, for a moment, let's focus on the impact of this one fire I just referenced, on the lives of those who confronted it. I quote the following personal experiences from Ed Brouwer, an instructor who has diligently researched the devastating effect this one fire had on the lives of those firefighters on duty, years after the flames had been quelled. As he writes, Dave Ferrede:

... was a fitness and health nut. He was often teased for eating nuts and berries. He was an avid cyclist, driving his bike through the winter using studded tires. Ferrede ... played hockey in the Southern Ontario Firefighters Hockey League. ... In April 1989, in a divisional title game near the end of the third period, Dave scored the winning goal, locking up the division title. Two weeks later, Dave, 32, went on sick leave and was subsequently diagnosed with primary liver cancer. He died within six weeks.

Dave's death was followed by that of Capt. John Edward Stahley, who:

... after being diagnosed with primary liver cancer died in July 1990 at age 57.

During the summer of 1989 —

— all within a few years —

— Sgt. Lloyd MacKillop of the Waterloo Regional Police Service, who had been the supervising police officer at the fire, developed cancer. He died in May 1990 at age 48.

Firefighter John Divo, who was the local union president, was diagnosed with terminal cancer in his lungs and spine. He died in April 1990 at age 46.

Firefighter Henry Lecreux was diagnosed with Parkinson's disease. He died in February 1993 at age 52.

The following spring, William Misselbrook, who was the day-shift platoon chief at the fire, died of liver cancer. He was 64.

Several other firefighters who attended the blaze have skin cancers, prostate cancer, Parkinson's disease and many other health problems.

Information gained from the website for firefighters with Parkinson's disease showed that 23 of the 69 firefighters called to the blaze have either cancer or Parkinson's disease. The site also reports that the two Kitchener firefighters, a Waterloo Regional Police constable, and a female paramedic all fathered or gave birth to children with birth defects after their attendance at the fire.

Colleagues, on a global note, last summer, the International Agency for Research on Cancer, the specialized cancer agency of the World Health Organization, declared firefighting as a Group 1 carcinogen, meaning it found sufficient evidence to link the job to the risk of certain cancers. It is one of only five occupations to receive this designation. While firefighters were validated by this announcement, it has taken decades to lobby to get presumptive workers' compensation coverage. It still does not go far enough.

In Canada last year, 95% of on-duty deaths of Canadian firefighters were linked to cancer. In 2018, a study found cancer killed Canadian firefighters about three times more often than the general population.

What is the greatest exposure that is causing the greatest risks? There are several sources of carcinogens that firefighters regularly encounter. They are chemicals released during fires, smoke and soot, asbestos, exhaust and firefighting gear. Yes, the gear they wear is carcinogenic. You can see the subtle changes if you know where to look. Remember when you or your children posed with firefighters in their gear? This is no longer done, as firefighters keep their protective gear on for as little time as possible.

The bill before us today is the request for the minister to develop a national framework designed to raise awareness of cancers linked to firefighting, with the goal of improving access for firefighters to cancer prevention and treatment. The framework should be the result of robust and inclusive consultation. Finally, through this bill, the month of January will be known as firefighter cancer awareness month.

As I close today, I am reminded of my own experiences and curiosity as a young person. At the age of nine, in the wee hours of a snowy December morning, I awoke to the smell of smoke and the sense of heat. I ran from my second-floor bedroom and tried to wake up my brothers and get them out of the house. As we watched our rented farmhouse rage in flames, we waited for the local rural firefighters to arrive. Following the fire, as we tried to salvage some items, even after industrial cleaning, the smell of smoke continued to be so strong — so much that we had to throw away most of what we salvaged. From those days forward, as a curious young person, I always wondered what it was like to fight fires and what the impact of smoke and toxins was. Today, I have a much better idea.

Honourable senators, I ask for your support in getting this bill to committee as soon as possible so we can get the support where it is needed most. Thank you. *Meegwetich*.

(On motion of Senator Yussuff, debate adjourned.)

• (1650)

CRIMINAL CODE

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Batters, seconded by the Honourable Senator Wells, for the second reading of Bill C-291, An Act to amend the Criminal Code and to make consequential amendments to other Acts (child sexual abuse and exploitation material).

Hon. Rebecca Patterson: Honourable senators, I rise today to speak at second reading of Bill C-291, An Act to amend the Criminal Code and to make consequential amendments to other Acts (child sexual abuse and exploitation material).

I'd like to begin by thanking members of the other place Frank Caputo and Mel Arnold, the author and sponsor of the bill respectively. I also want to thank our colleague Senator Batters for sponsoring the bill here in the Senate. I think you'll hear this is an important one.

The topic of child sexual abuse and exploitation can be personally traumatic, as we've seen today, because peoples lived experiences vary. Therefore, if any senators, Senate staff and even anyone else listening feels overwhelmed, I urge you to go and take a break or seek support.

Bill C-291 is a relatively simple bill and one which I can support. It seeks to update the term "child pornography" in the Criminal Code with the more accurate "child sexual abuse and exploitation material."

Why is this important? After all, we are not debating about making the punishment of the actual crime more severe. Equally, it cannot be guaranteed that changing the terminology will have a deterrent effect on those who commit this crime. But, senators, words matter, both structurally and culturally. With this bill, we are being asked to structurally update language which has become a cultural norm.

I will not revisit the various statistics and stories presented by others during debate on this bill, nor will I focus my attention on law enforcement or investigations, both of which were ably covered by my honourable colleagues. Instead, I draw your attention to the importance of language.

As Senator Batters pointed out in her sponsor speech, "pornography," as a term, can imply a consensual element. And as Senator Miville-Dechêne explained, it may also imply artistic merit. But let's be clear that sexually explicit material involving children is never consensual, and there is nothing artistic about it.

Originally enacted in 1892, the Criminal Code of Canada has evolved over the decades since, notably in 1993, when child pornography was made a criminal offence. But even then, the term "child pornography" was already somewhat inadequate because in 1991 the United Nation's Convention on the Rights of the Child, declared in Article 34 that "States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. . . ."

Even before that, in 1987, the United States Department of Justice created the Child Exploitation and Obscenity Section to investigate and prosecute the exploitation of and obscenity involving children.

As colleagues will appreciate, this is and has always been all about exploitation and victimization.

A child cannot consent to being exploited. There is always a power imbalance, even among young people, but especially between a child and an adult. The act of creating child-centric pornography is both exploitative and abusive to the victim, and they are forever harmed.

Colleagues will understand that there is no globally accepted term to describe the criminal act we are now debating. However, the *Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse*, also known as the *Luxembourg Guidelines*, refers to "child sexual exploitation material."

And as I pointed out, the UN Convention on the Rights of the Child refers to both sexual exploitation and sexual abuse. Further, the Optional Protocol on the sale of children, child prostitution and child pornography, to which Canada is a participant, calls on member states to make “sexual exploitation” a criminal offence.

I would note, as did Senator Batters in her speech, that as originally drafted, Bill C-291 could have replaced “child pornography” with “child sexual abuse material.” At the Justice and Human Rights Committee in the other place, the bill was amended to include “exploitation” in addition to “abuse.”

Testifying before the committee in the other place, officials from the Department of Justice emphasized that by adding the term “exploitation” to the bill, Parliament would capture more elements, particularly fictional works, and that the amended bill would more accurately reflect the nature of the criminal act.

And I add that this is about victims, because it signals to victims that Parliament and parliamentarians better understand the reality that they are, in fact, being abused and exploited.

While the *Rules of the Senate* prohibit me from quoting from a speech given by a member in the other place, I would like to share an insight that the Member of Parliament for Saint-Hyacinthe—Bagot pointed out in debate there. It was as recent as 2019 that a trial judge said that a minor should have felt flattered about attracting the attention of an older man. This reflects an antiquated view, demonstrates the power imbalance that exists between children and adults and is exactly the type of cultural misunderstanding that I believe Bill C-291 addresses.

Again, I remind colleagues that this bill does not affect anything structural — that is to say, the actual criminal act or punishment thereof. Rather, it focuses on the cultural aspects of such crimes by seeking to update terminology that better describes the criminal act and reflects the enduring, lifelong impact on the victim.

Colleagues, Parliament has a duty to provide clarity and remove any ambiguity around legal terminology, and as parliamentarians, we need to call out child abuse and exploitation for what it is. If legislators don’t, how will Canadians?

Speaking of clarity, I would be remiss if I didn’t address the point raised by Senator Miville-Dechéne regarding the use of “*pédosexuels*” in the French translation. I agree with her intervention that there are perhaps broader, more commonly used terms, and I encourage the Senate’s Legal and Constitutional Affairs Committee to examine that issue.

At the outset of my remarks, I mentioned that I didn’t want to revisit statistics or share stories from victims or investigators, but I have to conclude with some.

COVID-19 changed the world. The pandemic may have kept us physically distant, but technology brought many people together, and not always in good ways. Sadly, that same technology makes it easier to share child sexual abuse and exploitation material.

The Canadian Centre for Child Protection reports that the possession and/or accessing of child pornography is on the rise, up 21%, to be exact, between 2020 and 2021 and 74% compared to the previous five-year average. That is disgraceful.

This bill may be small in scope but it has the potential to have a big impact, because we all know that language matters.

A case in point: Other parliamentarians and I had the privilege to meet with members of the RCMP’s National Child Exploitation Crime Centre this past Tuesday. We learned about the work the force undertakes globally to catch those who abuse and exploit children.

The RCMP are leaders in technology and methods to investigate such crimes and are sought after globally to help enhance other nations’ efforts in this area of criminal investigations. However, somewhat embarrassingly, it was pointed out to us and to our RCMP colleagues by their international colleagues that Canadian criminal law still refers to the crime as a form of pornography rather than the broader and more accurate terminology of “sexual abuse and exploitation.” It was a bit embarrassing.

Therefore, I urge all senators to support this bill at second reading. Thank you.

Some Hon. Senators: Hear, hear.

The Hon. the Speaker: Senator Patterson, will you take a question?

Senator R. Patterson: Yes.

Hon. Yuen Pau Woo: Thank you, Senator Patterson, for your cogent and penetrating speech. I support the change in terminology. I want to ask you, though, about whether there may be an unintended consequence of changing the term away from “child pornography” to suggest that there may be forms of child pornography that are acceptable. This, in effect, creates a category that we all agree is, in fact, exploitation, but by saying that the old term was inadequate, are we saying it is acceptable?

Senator R. Patterson: Thank you for the question. I think you have a very good point.

In Canada, pornography is not illegal. If you keep that term in there, you focus on that and not necessarily the child.

• (1700)

That is why I think it is very important that this bill goes to committee in order to carefully explore terminology that is being used and to look at what I would say in my old life as second- and third-order consequences of changing this language. I think your point is very good. Thank you.

Senator Woo: If I could just elaborate on your point with a half question, I hope that same committee will be able to clarify that there is no form of child pornography that is acceptable. I see you are nodding in agreement with that. Thank you.

Hon. Gwen Boniface: Thank you very much, senator, for your speech. I think you hit the nail on the head, and I congratulate you. I had the same question. That was my concern.

Just as an add-on, I am just asking if you would agree. I know, Senator Patterson, we need to hear from the police investigators that this doesn't affect how they see investigations going forward. The last thing we want to do is create some notion of two pieces when we have been working under one.

I come from an organization, as you know, that has been deeply involved in this for a long time in terms of investigations, so that was my concern about unintended consequences. I can only assume you have the same concern. Would I be correct in that?

Senator R. Patterson: You would be correct. This is why I think it is very important that this bill gets to committee for this look. I believe that we would like to have it on record that this must be reported back on as the committee goes through its work.

Hon. Denise Batters: Thank you very much, Senator Patterson, for that important speech, and especially for indicating all of these international contexts and to indicate that Canada is kind of behind on this particular wording change. Many other international partners in this important work have changed these terms long ago or perhaps never even used the term "child pornography," which is so outdated and incorrect.

I just want to make it very clear that how this bill is going to be handled is that in every single place that the words "child pornography" are used in the Criminal Code and these associated acts, the intent and purpose of this bill is to change all of those occurrences.

I can certainly see from esteemed colleagues in law enforcement that we want to make sure this has only good intentions. I also want to make it clear to the Canadian public that in every single place this is listed as "child pornography" it will then be listed as "child sexual abuse and exploitation material" to actually confirm that's what this is.

Senator R. Patterson: Thank you, Senator Batters. Of course, I fully support the direction that you are taking with this.

(On motion of Senator Clement, debate adjourned.)

[Translation]

STUDY ON FRANCOPHONE IMMIGRATION TO MINORITY COMMUNITIES

SECOND REPORT OF OFFICIAL LANGUAGES COMMITTEE AND REQUEST FOR GOVERNMENT RESPONSE ADOPTED

The Senate proceeded to consideration of the second report of the Standing Senate Committee on Official Languages, entitled *Francophone immigration to minority communities: towards a bold, strong and coordinated approach*, tabled in the Senate on March 30, 2023.

Hon. René Cormier Honourable senators, I rise today to speak to the second report of the Standing Senate Committee on Official Languages, entitled *Francophone immigration to minority communities: towards a bold, strong and coordinated approach*, which was tabled in this chamber on March 30.

As honourable senators know, the Canadian francophonie is currently facing many challenges because of the decline in its demographic weight, as confirmed by the most recent census data from Statistics Canada.

The ubiquity of the English language, the aging population and the declining birth rate are having a disproportionate impact on the survival and promotion of the French fact in Canada.

[English]

It is clear that the future of the Canadian francophonie and the French language depends on our ability to welcome, retain and integrate francophone immigrants into all regions of our vast country. Francophone immigration is a key element in ensuring the development and vitality of francophone minority communities.

Federal, provincial and territorial governments, including municipalities and their community partners, have roles to play in addressing the current demographic deficit that threatens the continuation of a balanced and thriving linguistic duality in Canada.

[Translation]

Recognizing these challenges, and at the request of the Senate, from March 2022 to February 2023, the Standing Senate Committee on Official Languages conducted a major study on the issue.

Our committee held 11 meetings, heard from more than 56 witnesses and received five briefs for its examination of the issues affecting francophone immigration to official language minority communities.

I would like to sincerely thank every member of the committee for their hard work throughout this study, and I want to thank the organizations and individuals who appeared before the committee or submitted briefs.

[English]

This report lists 12 specific and concrete recommendations to the federal government, specifically to the Minister of Immigration, Refugees and Citizenship.

The committee hopes that these recommendations will serve to inspire the future francophone immigration policy, which is explicitly included in the long-awaited Bill C-13, which aims to modernize the Official Languages Act and to enact the use of French in federally regulated private businesses act.

[Translation]

I won't go into the details of all the recommendations, but some of them are noteworthy because they aim to maintain a strong, diverse and vibrant francophonie, thereby reinforcing the linguistic duality of our country.

These recommendations include adopting a comprehensive, coordinated and ambitious francophone immigration policy adapted to the needs of the communities, a policy that will address all partners and cover the entire francophone integration pathway.

They also include setting a new target for francophone immigrants settling outside Quebec, a growing target that is adapted to regional realities and based on reliable data, a target that will focus on the remedial character of language rights and on restoring the demographic weight of francophone minority communities.

[English]

These recommendations also call for the development of a francophone diplomatic strategy and that IRCC — Immigration, Refugees and Citizenship Canada — review its recruitment and promotion activities for francophone immigration, whether by increasing the capacity of visa offices in sub-Saharan Africa or by facilitating the reception and resettlement of francophone refugees from member countries of the Francophonie.

They also call for greater awareness of equity, diversity, inclusion and gender equality issues among IRCC and Global Affairs Canada employees.

[Translation]

With respect to governance, these recommendations also call for the creation of an assistant deputy minister position responsible for the francophone immigration file.

Esteemed colleagues, these are a few of the recommendations in this important report, which I invite you to read.

In conclusion, there is one thing that is clear about immigration: All the links in the chain leading to Canadian citizenship are interconnected, and working in silos is detrimental. At every step in the process, from promotion and recruitment to reception, retention and integration, all the way to permanent residency and Canadian citizenship, all partners must work together to ensure the objectives are reached.

[Senator Cormier]

That is why the next francophone immigration policy must impose a bold, strong and coordinated approach.

Colleagues, as chair of this committee, I move that:

That the second report of the Standing Senate Committee on Official Languages, entitled *Francophone immigration to minority communities: towards a bold, strong and coordinated approach*, tabled in the Senate on Thursday, March 30, 2023, be adopted and that, pursuant to rule 12-24(1), the Senate request a complete and detailed response from the government, with the Minister of Immigration, Refugees and Citizenship being identified as minister responsible for responding to the report, in consultation with the Minister of Official Languages.

Thank you. *Meegwetch*.

Hon. Senators: Hear, hear!

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

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

• (1710)

[English]

STUDY ON ISSUES RELATING TO SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY GENERALLY

ELEVENTH REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE—DEBATE

The Senate proceeded to consideration of the eleventh report (interim) of the Standing Senate Committee on Social Affairs, Science and Technology, entitled *All Together — The Role of Gender-based Analysis Plus in the Policy Process: reducing barriers to an inclusive intersectional policy analysis*, tabled in the Senate on March 30, 2023.

Hon. Ratna Omidvar: Thank you, Your Honour.

As my colleague Senator Cormier did, I wish to rise very briefly to speak on the report by the Social Affairs Committee, which I will put to you for consideration and approval.

It is a report on gender-based analysis plus. It is focused on the policy processes in the federal government. I want to very quickly provide you with an overview of the history of gender-based analysis plus and the work that we did.

The approach in the federal government on gender-based analysis was first developed in 1995 when the government committed to implementing gender-based analysis throughout federal governments and agencies. In 2001, gender-based analysis underwent a rebranding in becoming gender-based analysis plus so as to include identity factors beyond gender in the analysis of programs and policies.

So gender-based analysis plus was officially expanded to include race, ethnicity, religion, age, disability, gender, geography, culture, income, sexual orientation, education, sex and language.

In 2018, more changes came. The administration of gender-based analysis plus went from being an agency to an official department of the Government of Canada.

However, notwithstanding the stated commitment to gender-based analysis plus, barriers have persisted to a full implementation of intersectional policy analysis, which is the true aspiration of gender-based analysis plus.

The Auditor General of Canada has tabled three reports which identified such barriers beginning as early as 2009.

The most recent report by the Auditor General was released last May. It found that, despite some actions taken in and across government to identify and address barriers, gaps persist in departments and agencies in their capacity to perform gender-based analysis plus. It is still not fully integrated into policy development and implementation.

In light of the Auditor General's report, the Standing Senate Committee on Social Affairs, Science and Technology decided to undertake a study at the urging of my colleagues Senator Dasko and Senator Moodie. We heard from six experts and advocates before concluding by hearing from the Honourable Marci Ien, Minister for Women and Gender Equality and Youth and officials from Women and Gender Equality Canada.

We also heard some success stories. I am an optimist. I think the members of my committee are too. I am going to share a few of the success stories that we heard about policy analysis in gender-based analysis plus.

For instance, the application of gender-based analysis plus caused changes to be implemented to programs and policies. Examples include the Black Entrepreneurship Program, the Women Entrepreneurship Strategy, the 50 — 30 Challenge and the COVID-19 emergency response.

We also noted that Women and Gender Equality Canada has experienced a year-to-year measured increase in certain indicators including the number of departments that have designated gender-based analysis plus champions and the number of departments in government that are actually formally using it.

I believe Canada should be proud to be a pacesetter in implementing the concept of gender-based analysis plus throughout the federal government. We found no other comparators. But, no doubt, more needs to be done.

Therefore, the committee is making 15 recommendations to fulfill our aspirations. Let me just give you a taste of them. I will not read them all out. I encourage you to read the report, but just a few to tickle your curiosity.

First, the name, gender-based analysis plus. We heard from many witnesses about the current name of the policy framework as it —

BUSINESS OF THE SENATE

The Hon. the Speaker: My apologies, Senator Omidvar, I must interrupt proceedings.

Honourable senators, it is 5:15 p.m., therefore I must interrupt the proceedings. Pursuant to rule 9-6, the bells will ring to call in the senators for taking of the deferred vote at 5:30 p.m. in response to the message on Bill C-11.

Call in the senators.

• (1730)

ONLINE STREAMING BILL

BILL TO AMEND—MESSAGE FROM COMMONS—MOTION FOR CONCURRENCE IN COMMONS AMENDMENTS AND NON-INSISTENCE UPON SENATE AMENDMENTS ADOPTED

The Hon. the Speaker: Honourable senators, the question is as follows: It was moved by the Honourable Senator Gold, P.C., seconded by the Honourable Senator LaBoucane-Benson:

That, in relation to Bill C-11, An Act to amend the Broadcasting Act and to make related and consequential amendments to other Acts, the Senate:

- (a) agree to the amendments made by the House of Commons to its amendments; and
- (b) do not insist on its amendments to which the House of Commons disagrees;

That the Senate take note of the Government of Canada's public assurance that Bill C-11 will not apply to user-generated digital content and its commitment to issue policy direction to the Canadian Radio-television and Telecommunications Commission accordingly; and

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

Motion as amended agreed to on the following division:

YEAS THE HONOURABLE SENATORS

Arnot	Harder
Bernard	Hartling
Boehm	Klyne
Boniface	Kutcher
Bovey	LaBoucane-Benson
Boyer	Lankin
Burey	Loffreda
Busson	Marwah
Cardozo	Massicotte
Clement	McCallum

Cordy	McPhedran
Cormier	Mégie
Cotter	Miville-Dechêne
Coyle	Omidvar
Dagenais	Osler
Dalphond	Pate
Deacon (<i>Nova Scotia</i>)	Patterson (<i>Ontario</i>)
Deacon (<i>Ontario</i>)	Petitclerc
Dean	Quinn
Dupuis	Ravalia
Furey	Ringuette
Gagné	Saint-Germain
Galvez	Shugart
Gerba	Sorensen
Gold	Woo
Greenwood	Yussuff—52

NAYS
THE HONOURABLE SENATORS

Ataullahjan	Oh
Batters	Plett
Carignan	Seidman
Greene	Simons
Housakos	Smith
MacDonald	Tannas
Marshall	Verner
Martin	Wallin—16

ABSTENTION
THE HONOURABLE SENATOR

Brazeau—1

**STUDY ON ISSUES RELATING TO SOCIAL AFFAIRS,
SCIENCE AND TECHNOLOGY GENERALLY**

ELEVENTH REPORT OF SOCIAL AFFAIRS, SCIENCE AND
TECHNOLOGY COMMITTEE AND REQUEST FOR
GOVERNMENT RESPONSE ADOPTED

On the Order:

Resuming debate on the consideration of the eleventh report (interim) of the Standing Senate Committee on Social Affairs, Science and Technology, entitled *All Together — The Role of Gender-based Analysis Plus in the Policy Process: reducing barriers to an inclusive intersectional policy analysis*, tabled in the Senate on March 30, 2023.

Hon. Ratna Omidvar: Honourable senators, I will try to pick up where I left off, talking about the Senate Social Affairs Committee's report on gender-based analysis plus in the federal government. I was giving you just a taste of the recommendations. You will have to go and read the full report.

The first recommendation I want to share with you is about the branding of gender-based analysis plus. To me, it has always sounded like alphabet soup, and this was confirmed by many witnesses. In particular, they emphasized the implicit hierarchy in gender-based analysis plus, with the plus as a secondary thought and concern.

In addition, Sarah Kaplan, Director of the Institute for Gender and the Economy at the University of Toronto, stated that: "The 'Plus' focuses on adding race or income or disability or Indigeneity to gender rather than considering them simultaneously" This, I think, is what we would call intersectionality. For these reasons, the committee is recommending that the Government of Canada, led by Women and Gender Equality Canada, rebrand gender-based analysis plus as gender and diversity analysis.

Witnesses identified eight major barriers to the full implementation of gender-based analysis plus in the Government of Canada: training, timing, capacity, funding, data, measuring outcomes, accountability and leadership and perceptions and resistance.

• (1740)

There were a few recommendations that will capture this chamber's attention because Parliament plays a role in using GBA Plus in our own work. We recommend that the Government of Canada table GBA Plus for all government bills when introduced in either chamber of Parliament and that Women and Gender Equality Canada, or WAGE, establish resources for parliamentary committees to support their use of GBA Plus when considering legislation.

We have other important recommendations on disaggregated data and impacts. We also heard about leadership because, in every construct, leadership matters. WAGE is clearly one champion, as is its minister, but GBA Plus is a feature of public service. We therefore need to consider a few public service levers.

A possible solution is that the Government of Canada factor the quality and implementation of GBA Plus into performance evaluations for senior management and, in addition, we recommend that the Clerk of the Privy Council be named as a champion for GBA Plus, leading the Privy Council Office and working across government to ensure its implementation throughout the federal government and its agencies.

So, colleagues, I move:

That the eleventh report of the Standing Senate Committee on Social Affairs, Science and Technology, entitled *All Together — The Role of Gender-based Analysis Plus in the Policy Process: reducing barriers to an inclusive intersectional policy analysis*, tabled in the Senate on Thursday, March 30, 2023, be adopted and that, pursuant to rule 12-24(1), the Senate request a complete and detailed response from the government, with the Minister for Women and Gender Equality and Youth being identified as minister responsible for responding to the report.

Thank you, colleagues.

Some Hon. Senators: Hear, hear.

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

Some Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

AUDIT AND OVERSIGHT

SEVENTH REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the seventh report of the Standing Committee on Audit and Oversight (*Budget—supervise and report on the Senate's internal and external audits and related matters*), presented in the Senate on April 20, 2023.

Hon. Marty Klyne moved the adoption of the report.

He said: Honourable senators, in June 2022, the Senate adopted the fifth report of the Standing Senate Committee on Audit and Oversight, which requested funds to engage the services of a recruitment firm to assist the committee in the recruitment process for a chief audit executive. The funds expired at the end of the 2022-23 fiscal year.

This budget request seeks to release funds to extend the contract with the recruitment firm that was selected after a competitive process in the last fiscal year. The budget contains the funds needed to complete this process, as per the initial contract signed with the firm in the previous fiscal year, and does not include a request for additional funds.

I am pleased to inform this chamber that the hiring process is close to completion. I expect the committee will make a formal offer soon and am hopeful we can begin onboarding in the weeks to come.

Thank you.

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

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

INDIGENOUS PEOPLES

BUDGET—STUDY ON THE FEDERAL GOVERNMENT'S CONSTITUTIONAL, TREATY, POLITICAL AND LEGAL RESPONSIBILITIES TO FIRST NATIONS, INUIT AND MÉTIS PEOPLES—TENTH REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the tenth report of the Standing Senate Committee on Indigenous Peoples (*Budget—examine the constitutional, treaty, political and legal responsibilities to First Nations, Inuit and Métis peoples—power to hire staff*), presented in the Senate on April 20, 2023.

Hon. David Arnot moved the adoption of the report.

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

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

AUDIT AND OVERSIGHT

BUDGET AND AUTHORIZATION TO TRAVEL—EIGHTH REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the eighth report of the Standing Committee on Audit and Oversight (*Supplementary budget—supervise and report on the Senate's internal and external audits and related matters—power to travel*), presented in the Senate on April 25, 2023.

Hon. Marty Klyne moved the adoption of the report.

He said: Honourable senators, the Standing Senate Committee on Audit and Oversight, or AOVS, is focused on ensuring that it is well positioned to provide independent and transparent oversight to support the Senate in its accountability. The committee unanimously agreed that establishing strong oversight processes is the next big step in fulfilling our mandate. In order to do so, the committee finds that it is essential to meet with its counterpart in the United Kingdom.

The U.K. House of Lords Audit and Risk Committee, the U.K. House of Commons audit committees and the Independent Parliamentary Standards Authority, or IPSA, have a similar mandate and structures as AOVS and have been in operation for over a decade now.

AOVS is at an important and high-profile stage in its work as a new committee: hiring a chief audit executive, establishing a new internal audit function, providing direction on improving and approving a risk-based internal audit plan, approving internal audit resource needs and setting other new practices, for example, an internal audit charter establishing how to liaise with

Internal Economy on internal audit matters and so on. The committee is looking to the practices in some comparable models that would help to inform this next phase.

The committee is particularly interested in the lessons learned and best practices from IPSA and the Speaker's Committee for the Independent Parliamentary Standards Authority, or SCIPSA; the House of Commons audit committees, which are the Administration Estimate Audit and Risk Assurance Committee and the Members Estimate Audit Committee; and the House of Lords Audit and Risk Committee — each of which have external members. The purpose of these meetings would be to have candid, in-person discussions on various audit and oversight matters, many of which would be sensitive or confidential in nature. The audit committees and IPSA do not hold public meetings.

All members of the committee would participate in a full week of meetings. From a business continuity perspective, the members feel it is important for the full committee — especially the external members and chief audit executive, who are not impacted by the election cycle — to participate in this important knowledge transfer from the committee's counterparts in the U.K.

Colleagues, for this purpose and for these reasons, I hope you will consider this budget. The knowledge that would be gained on this trip is integral to the committee's mandate, and it would help guide the committee's future work and ensure it is well positioned to fulfill its essential and independent oversight responsibilities.

Thank you.

Hon. Frances Lankin: Will the honourable senator take a question please?

Senator Klyne: Absolutely.

Senator Lankin: I am channelling former Senator Fraser at this particular moment. With a report like this one, which is looking for budgetary funds, she would always ask how much you are looking for. I will ask you that, but I will also ask this question: As we continue to talk about carbon footprints, and as we talk about challenges in terms of fiscal expenditures and reining in spending, why is it necessary for your committee to travel? Why couldn't a series of appropriately established meetings be done over Zoom or some such function?

Senator Klyne: Thank you for the question. It is a good and valid question and one that we asked ourselves. The primary reason for the in-person format is that with these committees, it is very sensitive material they are dealing with in terms of internal audits and so on and so forth. They don't keep public records on these things. Therefore, we can't review or watch what they are doing. We will probably have some very confidential discussions with them face to face, during which they will share some information with us in that regard. So it is important to do that face to face.

[Senator Klyne]

They have a lot of lessons learned. They've been operating for 10 years now, and they will fully admit that the first few years were very difficult years. We would like to garner those lessons learned and bring them back, and make sure that we don't make the same mistakes.

• (1750)

The budget? No, unfortunately, I don't have that number with me. It was in the report, and I gave the report away — \$167,000. Thank you.

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

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

(Motion agreed to, on division, and report adopted.)

[Translation]

CONTRIBUTIONS AND IMPACTS OF MÉTIS, INUIT, AND FIRST NATIONS

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Boyer, calling the attention of the Senate to the positive contributions and impacts that Métis, Inuit, and First Nations have made to Canada, and the world.

(On motion of Senator Petitclerc, debate adjourned.)

[English]

ONE HUNDREDTH ANNIVERSARY OF THE CHINESE EXCLUSION ACT

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Woo, calling the attention of the Senate to the one hundredth anniversary of the *Chinese Exclusion Act*, the contributions that Chinese Canadians have made to our country, and the need to combat contemporary forms of exclusion and discrimination faced by Canadians of Asian descent.

Hon. Mary Jane McCallum: Honourable senators, I rise today to speak to Inquiry No. 11 concerning the historical treatment of our Chinese brothers and sisters. It is critical that we, as senators and citizens of Canada, understand how immigration policies have continued to shape racism within our country.

I want to thank Senator Woo for bringing forward this inquiry, and for highlighting the need to combat contemporary forms of exclusion and discrimination still faced by Canadians of Asian descent today.

Colleagues, in the 1983 book entitled *Racial Minorities in Multicultural Canada* by editors Peter S. Li and B. Singh Bolaria, author Gurcharn Basran from the University of Saskatchewan states:

Racism in Canada is not the product of the seventies and eighties. It has been practised systematically by the Canadian government and people in general from the very beginning of Canadian history. . . . It has been institutionalized throughout our history. It has been directed mainly against non-white populations in Canada. The chronology of the development of Canada immigration and ethnic policies is the chronology of the discriminatory policies followed by the Canadian government in relation to non-white populations.

The author continues:

Chinese were brought in to work on the construction of the Canadian Pacific line. It was difficult to secure white labour for this purpose. Woodsworth, in his book, *Strangers Within Our Gates*, points out:

“The Chinese, in any number, were first brought in when the Canadian Pacific Railway was being built, in order to work on the construction on that line when it was next to impossible to secure white labour.”

While discussing the contributions of Chinese labour to the construction of the Canadian Pacific Railway, or CPR, John Porter emphasizes:

Without Chinese labour the construction and completion of the CPR would have been indefinitely postponed. Not until 1962 were coloured people from Commonwealth countries looked upon as possible immigrants, except for small numbers who were allowed in to work as domestic servants, an entrance status previously held by lower class British and eastern European females.

The author continues:

There are various examples of institutionalized racism in Canada. Students of Canadian history in general, and those responsible for Canadian immigration policy in particular, are well aware of various pieces of legislation, laws, and practices that discriminate against the non-white and immigrant population. As soon as CPR construction was completed in 1885, and Chinese labour started entering into other occupations, institutional racism began in various forms. . . . A head tax of \$50.00 was imposed on Chinese in 1885. It was increased to \$100.00 in 1900 and \$500.00 in 1903. Other Orientals were also subjected to a head tax, while passage assistance was available to the British immigrants. Chinese and East Indians had to pay a head tax in Canada and their immigration was virtually stopped after 1907. Orientals had no voting rights until World War II and were not allowed to practise certain professions in British

Columbia. According to the 1906 Immigration Act, important discretionary powers were given to immigration officers, who used them against non-white immigrants in a ruthless and discriminatory manner. . . . There were race riots in British Columbia in 1907, in which Orientals were attacked and their properties, businesses, and houses destroyed.

In 1907 immigrants from Asia were required to have a minimum of \$200.00 in landing money. In 1919 this account was increased to \$250.00. In 1930, section 38 of the Immigration Act prohibited the landing in Canada of immigrants of any Asiatic race.

Honourable senators, the following information that I'm going to share with you is based on research done by the Library of Parliament. The first major wave of Chinese immigration began with the Fraser River Gold Rush in 1858. From 1881 to 1885, more than 15,000 Chinese labourers came to work on the construction of the CPR. Over the course of construction and by the end of 1882, 6,500 of the 9,000 railway workers were Chinese Canadians. They were employed to build the B.C. segment of the railway through the most challenging and dangerous terrain.

Chinese workers were paid a dollar a day, and, from this dollar, they had to pay for their food and gear. White workers were paid \$1.50 to \$2.50 per day and did not have to pay for provisions. In addition to being paid less while also incurring higher expenses, Chinese workers were given the most dangerous tasks, such as handling the explosive nitroglycerine used to break up solid rock. Due to the harsh conditions they faced, hundreds of Chinese Canadians working on the railroad died from accidents, winter cold, illness and malnutrition. Between 600 and 4,000 Chinese men died working on the CPR.

Although Chinese-Canadian workers faced and overcame great obstacles to help build the CPR, they were left out of the national celebration surrounding its completion. In the iconic and historic photograph of CPR director Donald Alexander Smith driving the ceremonial Last Spike — when the western and eastern segments of the CPR finally met in Craigellachie, British Columbia — all of the Chinese-Canadian workers were cleared from view.

Many people have pointed out the lingering injustice captured in that image. There is not a single Chinese-Canadian worker in the photograph, even though Chinese-Canadian labourers suffered, toiled and died building the railway that has come to symbolize the unity of Canada from coast to coast.

Prime Minister John A. Macdonald acknowledged the necessity of Chinese labour. When the Government of British Columbia tried to ban Chinese immigration in 1882, Macdonald rose in the House of Commons.

• (1800)

The Hon. the Speaker pro tempore: I'm sorry, I have to interrupt you.

Honourable senators, it is now six o'clock. Pursuant to rule 3-3(1), I'm obliged to leave the chair until eight o'clock, when we will resume, unless it is your wish, honourable senators, to not see the clock.

Is it agreed that we not see the clock?

Hon. Senators: Agreed.

Senator McCallum: He said "... either you must have this labour, or you can't have the railway."

As construction of the railway neared completion, MacDonald willingly yielded to prejudiced and discriminatory politicians, trade unionists and public opinion. In 1884, he appointed the Royal Commission on Chinese Immigration to investigate the restriction of Chinese immigrants.

Honourable senators, institutional racism was perpetuated by the Chinese Immigration Act and more than 100 other policies. They denied Chinese people the right to vote, to practise law or medicine, to hold public office, to seek employment on public works or to own Crown land, among other restrictions. The 1885 Chinese Immigration Act levied the head tax on Chinese immigrants who entered Canada between 1885 and 1923. It was the first legislation in Canadian history to exclude immigration on the basis of ethnic background.

During the 38-year period the tax was in effect, approximately 82,000 Chinese immigrants paid nearly \$23 million in tax. Then, in 1923, the Chinese Exclusion Act banned all Chinese immigrants until its repeal in 1947. In 2006, the federal government apologized for the head tax and its other racist immigration policies explicitly targeting Chinese people.

Honourable senators, despite the racist, discriminatory and limiting policies and treatment that Chinese people have faced in Canada, there are many individuals who dedicate their life's work to upholding and promoting Chinese culture and history in Canada today. These individuals share a common story of perseverance, determination and success, whereby they have overcome discriminatory barriers and left an indelible mark on Canadian society. I will happily highlight a small number of individuals who have accomplished this advocacy through their work in the arts.

Arlene Chan, born in Toronto, is a Chinese Canadian historian, activist, athlete and author. Through her work, she highlights the lived experiences and histories of Toronto's Chinese community as well as important traditions for the Chinese-Canadian diaspora.

Ms. Chan serves as an adviser for the Chinese Canadian Museum, as well as Toronto Public Library's Chinese Canadian Archive.

Lan Florence Yee, based out of Toronto and Montreal, is a visual artist and cofounder of the Chinatown Biennial. Lan's work has been featured at countless museums and exhibits, including the Fonderie Darling, Toronto's Museum of Contemporary Art and the Art Gallery of Ontario.

Alice Ming Wai Jim is an art historian, curator and professor at Montreal's Concordia University, where she has held the research chair in ethnocultural art history. Ms. Jim focuses her research on diasporic art in Canada, particularly on the relationships between remix culture and place identity. A founding co-editor of the *Journal of Asian Diasporic Visual Cultures and the Americas*, Ms. Jim has also held the position of research fellow at the Centre of Asian Studies and the Center for the Study of Globalization and Cultures at the University of Hong Kong.

Karen Cho, born in Montreal, is a Chinese-Canadian documentary filmmaker whose credits include the award-winning 2004 National Film Board of Canada documentary entitled *In the Shadow of Gold Mountain*, which highlights the effects of the Chinese Exclusion Act in Canada. Her second documentary, *Seeking Refuge*, tells the stories of five asylum seekers who have sought refuge in Canada. This film is being used as an education and advocacy tool by the Canadian Council for Refugees, as well as other organizations and universities across the country.

Honourable senators, this is just a small sampling of Chinese Canadians who are working to elevate their own culture in the face of growing racism. As a society, we are all aware of the misguided and the unfounded aggression being inflicted on our Chinese neighbours today. Issues surrounding COVID-19, Huawei and the allegations of political interference have all ramped up racist sentiments. These issues have had the effect of "othering" our Chinese brothers and sisters in Canada, forcing them to face escalating levels of racism, discrimination and violence — things that no individual living in Canada should have to endure.

Honourable senators, racism and bias are learned behaviours. They are as unnatural as they are unacceptable. People, oftentimes children, learn these damaging behaviours around the kitchen table or within their friend groups, spending time around these narratives and coming to accept them as truth. However, this story of perpetuating racism does not need to continue. Rather, change can be brought through awareness and education, best done through our academic institutions.

For our youth, this education should be ongoing and continuous, from elementary school right to post-secondary education. However, as we know, unlearning racist behaviour is of great value and necessity for individuals of all ages, including in our society and our chamber. Just as racist attitudes and behaviours can be learned through ignorance, they can be unlearned through education, awareness and a commitment to compassion for all our brothers and sisters, regardless of the colour of their skin or their country of origin. *Kinanaskomitin*. Thank you.

(On motion of Senator Clement, debate adjourned.)

BUSINESS OF THE SENATE

[Translation]

Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate): Honourable senators, pursuant to rule 16-1(8), I wish to advise the Senate that a message from the Crown concerning Royal Assent is expected later today.

[Translation]

The Hon. the Speaker pro tempore: Honourable senators, rule 16-1(8) provides that after the Leader or Deputy Leader of the Government has made such an announcement:

... no motion to adjourn the Senate shall be received and the rules regarding the ordinary time of adjournment or suspension, or any prior order regarding adjournment shall be suspended until the message has been received or either the Leader or Deputy Leader of the Government indicates the message is no longer expected.

If the Senate completes the business for the day before the message is received, the sitting shall be suspended to the call of the Speaker, with the bells to ring for five minutes before the sitting resumes.

These provisions shall therefore govern proceedings today.

• (1810)

[English]

NATIONAL SECURITY, DEFENCE AND VETERANS AFFAIRS

MOTION TO AUTHORIZE COMMITTEE TO STUDY THE OPERATION, APPLICABILITY AND FUNCTIONALITY OF THE EMERGENCIES ACT—DEBATE ADJOURNED

Hon. Scott Tannas, pursuant to notice of October 19, 2022, moved:

That the Standing Senate Committee on National Security, Defence and Veterans Affairs be authorized to examine and report on the operation, applicability, and functionality of the *Emergencies Act* in a modern context, as well as the robustness of parliamentary supervision it provides for and its interaction with the rules and procedures of the Senate; and

That the committee submit its final report no later than September 28, 2023.

(On motion of Senator Tannas, debate adjourned.)

OFFICIAL LANGUAGES

COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT ON STUDY OF THE APPLICATION OF THE OFFICIAL LANGUAGES ACT AND RELEVANT REGULATIONS AND DIRECTIVES

Hon. René Cormier, pursuant to notice of April 25, 2023, moved:

That, notwithstanding the order of the Senate adopted on Tuesday, December 14, 2021, the date for the final report of the Standing Senate Committee on Official Languages in relation to its study on the application of the *Official Languages Act* be extended from June 15, 2023, to December 31, 2025.

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

Some Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[English]

NATIONAL SECURITY, DEFENCE AND VETERANS AFFAIRS

COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT ON STUDY OF ISSUES RELATING TO NATIONAL DEFENCE AND SECURITY GENERALLY

Hon. Tony Dean, pursuant to notice of April 25, 2023, moved:

That, notwithstanding the order of the Senate adopted on Thursday, February 10, 2022, the date for the final report of the Standing Senate Committee on National Security, Defence and Veterans Affairs in relation to its study on matters relating to national defence and security generally, including veterans' affairs, as stated in rule 12-7(17), be extended from June 30, 2023, to December 31, 2025.

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

Hon. Senators: Agreed.

(Motion agreed to.)

COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT
ON STUDY OF VETERANS AFFAIRS

Hon. Tony Dean, pursuant to notice of April 25, 2023, moved:

That, notwithstanding the order of the Senate adopted on Thursday, February 10, 2022, the date for the final report of the Standing Senate Committee on National Security, Defence and Veterans Affairs in relation to its study on:

- (a) services and benefits provided to members of the Canadian Forces; to veterans who have served honourably in the Canadian Armed Forces in the past; to members and former members of the Royal Canadian Mounted Police and its antecedents; and all of their families;
- (b) commemorative activities undertaken by the Department of Veterans Affairs Canada, to keep alive for all Canadians the memory of Canadian veterans' achievements and sacrifices; and
- (c) continuing implementation of the *Veterans Well-being Act*;

be extended from June 30, 2023, to December 31, 2025.

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

Hon. Senators: Agreed.

(Motion agreed to.)

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

MOTION TO AUTHORIZE COMMITTEE TO STUDY
NEGATIVE IMPACT OF HEALTH DISINFORMATION AND
MISINFORMATION ON SOCIETY AND EFFECTIVE
MEASURES TO COUNTER THE IMPACT—
DEBATE ADJOURNED

Hon. Stan Kutcher, pursuant to notice of April 25, 2023, moved:

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to examine and report on the negative impact of health disinformation and misinformation on Canadian society and what effective measures can be implemented to counter this impact; and

That the committee submit its final report on this study to the Senate no later than May 31, 2024, and that the committee retain all powers necessary to publicize its findings for 180 days after the tabling of the final report.

He said: Honourable senators, I ask for the remainder of my time at the next sitting of the Senate.

(On motion of Senator Kutcher, debate adjourned.)

THE SENATE

MOTION TO CALL UPON THE GOVERNMENT TO IMMEDIATELY
DESIGNATE THE ISLAMIC REVOLUTIONARY GUARD CORPS
AS A TERRORIST ENTITY—DEBATE ADJOURNED

Leave having been given to revert to Motions, Order No. 102:

Hon. Ratna Omidvar, pursuant to notice of February 14, 2023, moved:

That, given reports of human rights abuses, repression and executions of its citizens, particularly women, in Iran by the Islamic Revolutionary Guard Corps (IRGC), the Senate call upon the government to immediately designate the IRGC as a terrorist entity.

She said: Honourable senators, the time is late and we are cold, but let me turn your hearts and minds to a place far away from us — a beautiful place with beautiful people but that has been governed with unparalleled brutality and oppression for the last 43 years: Iran.

It is also a place of courageous people, particularly the women of Iran, who have taken to the streets to fight for their freedom. They have discarded and burned their headscarves; they have cut their hair; and they have gathered in towns, villages and cities across Iran. But let there be no mistake: Their protests against the hijab are not simply about what they wear on their heads; it goes to the heart of their dissatisfaction, the despair and discrimination they face. Every time they raise their voices, they put themselves and their families at risk.

You all know that I fled from that country four decades ago, as much as I loved it, because I could not see myself or my daughter living under that regime. Making the decision to leave anywhere forever is fraught with peril and fear. But fear also releases courage.

This is the courage that is being released by Iranian women because they are leading the revolution. If I were to look for a literary proxy — an image for the fate of Iran — I would evoke the image of a modern-day *The Handmaid's Tale*.

Recently at the Inter-Parliamentary Canadian Friendship Group for a Free Iran, famous actress and activist Nazanin Boniadi and human rights campaigner Masih Alinejad described Iran as a gendered apartheid state because women in Iran are not simply subject to discriminatory attitudes and behaviours; rather, their treatment is enshrined in the constitution and penal code of the Islamic Republic of Iran.

They are not allowed to wear what they want. They are not allowed to sing solo. They are not allowed to enter a sports stadium. They are not allowed to practise certain occupations. They have limited property rights, and, worse, they are forced to give up the rights to their children on divorce and are unable to travel without the permission of a father, a husband, a brother or another man who has inordinate powers over them.

• (1820)

Human rights organizations have reported the murder of 500 civilians in the recent past. Security forces, and especially the Islamic Revolutionary Guard Corps, or IRGC, have used shotguns, assault rifles and handguns against peaceful protesters. Roughly 20,000 people have participated in protests around the country, and hear this: 74 children have been murdered.

For women, however, the IRGC prefers a special weapon: Sexual assault is a weapon of choice with debilitating effects on their victims and their families. As just one example, *IranWire* has reported on the assault of a young woman, Afsaneh, who was arrested for the mere crime of participating in a protest. She was imprisoned, repeatedly raped during her interrogation by the IRGC and subsequently took her life.

I have another story that I find hard to even read out. It is not in my nature to give words to the narrative of explicit violence against women, but let me say there is truth in these stories. I am not going to read out that story, because I don't think I would be able to, and the story that I had in mind about violent sexual assault is just one of many. It is the tip of an iceberg.

Recently Iran said that it would issue pardons for prisoners, but like everything, it comes with a catch: To be pardoned, prisoners must pledge that they regret their participation in protests, or they will not be freed.

The crimes of the Islamic regime and the IRGC go beyond the borders of Iran. It is contributing to the brutal invasion of Ukraine by Russia. Iran has supplied kamikaze drones. They have been deployed more than 90 times against a civilian population. Iran and the IRGC fund and support Hamas and Hezbollah, creating significant regional instability. Iran is not a bystander in the world but has — again, I am sorry, colleagues — the Islamic Republic of Iran is not a bystander in the world. It has committed terrorist activities around it.

As pointed out by Marcus Kolga, the IRGC:

... has been implicated in embassy bombings, attacks on Jewish people, atrocities against Syrians, and the mass murder of Iranian protesters. It is also responsible for the downing of Ukraine International Airlines Flight PS752, killing all 176 crew and passengers, including 55 Canadian citizens

I should also note that Canadian lives are at risk. The CBC has reported that at least three Canadians have had their lives threatened. For Iranian-Canadians, it is hard to see that members of the IRGC and their families are enjoying the safety of our democracy in Canada, even as the IRGC continues to threaten the lives of their compatriots in Iran.

Just for clarification, before I ask you to support my motion, let me state what the IRGC is and what it is not. It is not the professional military whose mandate is to protect the people of Iran. The IRGC is a paramilitary force whose mandate is spelled out in the *Constitution of the Islamic Republic of Iran*, and it is to protect the Islamic regime and its interests, not only within the confines of Iran, but also beyond its border, as with its support of Hezbollah. This point was forcibly made to the European

Parliament by Nobel Peace Prize winner Shirin Ebadi. By tolerating the IRGC, the world empowers the Islamic regime, not only within the confines of Iran, but across the world.

The IRGC is pervasive. It is widespread. It reaches into every corner of Iranian life. No one is safe. There are eyes and ears everywhere. It is made up of self-styled officers, and it is fuelled by a steady stream of conscripts. Military conscription for young males is mandatory in Iran. No young man can get a job or travel without having completed this conscription.

But unlike when my husband was conscripted, there are now two paths: You can be conscripted into the professional military, or you can be routed to the IRGC. You have no say in this. This, of course, provides the IRGC with a constant replenishment of young minds and bodies. It leads to significant stigmatization of youth with unintended consequences for their families.

Does the IRGC fit the criteria for listing as a terrorist entity? According to the Criminal Code, the government may prescribe any entity if, at the recommendation of the Minister of Public Safety and the Minister of Emergency Preparedness, the government is satisfied that there are reasonable grounds to believe that, one, the entity has knowingly carried out, attempted to carry out, participated in or facilitated a terrorist activity or, two, the entity has knowingly acted on behalf of, at the direction of or in association with such an entity.

Honourable senators, I have outlined to you who the IRGC is and what it does on behalf of the Islamic regime. I believe that they fit the definition of a terrorist entity on these conditions. Further, an Ontario Superior Court of Justice ruling concluded that the IRGC is a terrorist entity.

According to Irwin Cotler and Brandon Silver from the Raoul Wallenberg Centre for Human Rights, there are no legal barriers to prescribing the IRGC as a terrorist organization. The Government of Canada has already prescribed the Quds Force, which is one arm of the IRGC, as a terrorist organization, and I'm suggesting that the government list the entirety of the IRGC as a terrorist organization as opposed to just one arm of it.

Other countries are doing the following: On January 18, the European Parliament overwhelmingly approved a resolution that called on the European Union to add the IRGC and its subsidiary forces to the EU terrorist list and to ban any economic and financial activity involving businesses and commercial activities related to the IRGC or its affiliates. In early January, members in the U.K. House of Commons unanimously voted for a motion that urges the U.K. government to prescribe Iran's IRGC as a terrorist organization. We need to add our voice in this chamber.

Colleagues, Ottawa has imposed travel bans on thousands of Iranians and has imposed sanctions on 127 individuals and 189 entities, but we need to do more. Those who are sanctioned are subject to a ban on transactions and there is a ban on their travel, but we need to also move forward and seize their assets and repurpose them to their victims. There are reports that there is lots of Iranian money in Canada and that Canada may well be awash with IRGC-tainted money.

I know that designating the IRGC comes with some issues, and I will speak just briefly to the government's hesitation in doing so. The Attorney General of Canada and Minister of Justice David Lametti has said that since the IRGC is part of Iran's military, and military service — as I described — is mandatory, it casts a very broad net. There are concerns that by casting this net, we would catch not just the shark but the little fish as well.

That should not be our intention. I agree. I have received lots of emails from former conscripts in Canada who are not able to travel to the United States or take up positions in the United States because the U.S. has decreed that the IRGC is a terrorist entity.

• (1830)

However, as Danny Eisen and Sheryl Saperia of the Canadian Coalition Against Terror have pointed out, Canada can list the IRGC as a terrorist entity and then deal with the issues. We can do so in a way that lets the little fish go but catches the sharks. They say:

Notably, section 42.1 of the *Immigration and Refugee Protection Act* contains a mechanism for overriding a finding of inadmissibility to Canada. It allows the minister to permit admission despite membership in a terrorist organization, if justified on national security and public safety grounds. Forced conscription and the absence of involvement in IRGC violence, supported by evidence, should fit these parameters. If additional carve-outs in the law are necessary, we are confident they can be quickly developed.

Honourable senators, the Islamic Republic of Iran has shown us who they are. They are a regime that represses its own people, takes away basic human rights and supports terror around the world. It is beyond time that the Government of Canada designate the IRGC as a terrorist entity. By doing so, Canada will take a firm, unequivocal and principled stand that the brutality of the Islamic regime will not be tolerated.

By doing so, we will stand with women, life and freedom.

Thank you.

Hon. Andrew Cardozo: Will the honourable senator allow a question?

Senator Omidvar: Of course, senator.

Senator Cardozo: Thank you, for your exposé, Senator Omidvar. It is a serious issue and a problem of worldwide concern. I appreciate your taking the time to inform us about it.

When you talk about the sharks and the little fish, it seems to me that we're not even talking about little fish. Maybe the little fish are innocent but have been forced to be conscripted.

Are there any other reasons why the government is reluctant? Are there commercial issues that are attached? What would your response be to any of those other issues that people might raise?

[Senator Omidvar]

Senator Omidvar: Thank you very much for that question. It is, in a way, low-hanging fruit for Canada to designate the IRGC as a terrorist entity. We have no diplomatic relations with Iran. We have very few commercial relationships with Iran. We have a large Iranian diaspora community, and they have links with Iran, but the IRGC terrorist label would not catch them unless their money is somehow associated with the IRGC and its violence.

(On motion of Senator Martin, debate adjourned.)

HUMAN RIGHTS

COMMITTEE AUTHORIZED TO HOLD IN CAMERA MEETINGS
FOR ITS STUDY ON ISSUES RELATING TO
HUMAN RIGHTS GENERALLY

Hon. Salma Ataullahjan, pursuant to notice of April 26, 2023, moved:

That, notwithstanding rule 12-15(2), the Standing Senate Committee on Human Rights be empowered to hold in camera meetings for the purpose of hearing witnesses and gathering specialized or sensitive information in relation to its study of human rights generally, specifically on the topic of anti-racism, sexism and systemic discrimination in the Canadian Human Rights Commission.

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

Hon. Senators: Agreed.

(Motion agreed to.)

BUSINESS OF THE SENATE

The Hon. the Speaker pro tempore: Pursuant to rule 16-1(8), the sitting is suspended to a five-minute bell.

(The sitting of the Senate was suspended.)

[Translation]

(The sitting of the Senate was resumed.)

• (1840)

ROYAL ASSENT

The Hon. the Speaker informed the Senate that the following communication had been received:

RIDEAU HALL

April 27, 2023

Mr. Speaker,

I have the honour to inform you that on behalf and at the request of the Right Honourable Mary May Simon, Governor General of Canada, the Right Honourable Richard

Wagner, Deputy to the Governor General, signified royal assent by written declaration to the bills listed in the Schedule to this letter on the 27th day of April, 2023, at 6:26 p.m.

Yours sincerely,

Maia Welbourne

Assistant Secretary to the Governor General

The Honourable
The Speaker of the Senate
Ottawa

Bills Assented to Thursday, April 27, 2023:

An Act to establish International Mother Language Day
(*Bill S-214, Chapter 5, 2023*)

An Act to amend the Bankruptcy and Insolvency Act, the Companies' Creditors Arrangement Act and the Pension Benefits Standards Act, 1985 (*Bill C-228, Chapter 6, 2023*)

An Act to amend the Criminal Code and the Judges Act (violence against an intimate partner) (*Bill C-233, Chapter 7, 2023*)

An Act to amend the Broadcasting Act and to make related and consequential amendments to other Acts (*Bill C-11, Chapter 8, 2023*)

• (1850)

ADJOURNMENT

MOTION ADOPTED

Leave having been given to revert to Government Business, Motions, Order No. 98:

Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of April 26, 2023, moved:

That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, May 2, 2023, at 2 p.m.

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

Hon. Senators: Agreed.

(Motion agreed to.)

(*At 6:54 p.m., the Senate was continued until Tuesday, May 2, 2023, at 2 p.m.*)

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