



# DEBATES OF THE SENATE

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Thursday, February 24, 2022

The Honourable GEORGE J. FUREY,  
Speaker

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## THE SENATE

Thursday, February 24, 2022

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

Prayers.

[*Translation*]

### SENATORS' STATEMENTS

#### BUSINESS OF THE SENATE

**Hon. Raymonde Saint-Germain:** Honourable senators, I ask leave for today's sitting to begin with 15 minutes of Senators' Statements concerning the situation in Ukraine, followed by regular statements.

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

**Hon. Senators:** Agreed.

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

**Hon. Senators:** Agreed.

[*English*]

#### UKRAINE—RUSSIA'S ACTIONS

**Hon. Denise Batters:** Honourable senators, I rise today to condemn Russia for its unprovoked invasion of Ukraine. We are all horrified by the images streaming from Ukraine in the hours since this invasion. It's a country under siege from all directions. All at once, its citizens are cowering in subway tunnels and people are gathered together with heads bowed in prayer because there seem to be no other options at this point.

As the granddaughter of Ukrainian immigrants who sought refuge in Canada 100 years ago, I feel this invasion deep in my soul. I visited Ukraine in 2014 as an observer for the presidential elections that year. I was struck then by the deep gratitude of Ukrainian people for their burgeoning democracy and was touched by the elderly women from Ukrainian villages who brought fresh flowers from their gardens to the polling station to give thanks for the opportunity to express their democratic right to vote. I am thinking of those elderly women in Ukraine today, honourable senators.

Canada cannot abandon Ukraine's citizens to the madman Vladimir Putin. We must condemn, in the strongest possible terms, Putin's brutal and entirely unprovoked invasion of Ukraine, and we condemn Putin's flagrant disregard for Russia's obligations under international law. But we must do more than just stand by and condemn the evil acts of the dictator Putin. Canada must act now to stand up for a peaceful and free Ukraine.

For years, Ukrainian authorities have been pleading with Canada for defensive arms, but the Trudeau government did not provide them. It only agreed to provide some defensive arms on the eve of the invasion. They were provided so late that I do not know if they will even reach Ukrainian soldiers in the field. Now Ukrainian president Volodymyr Zelenskyy has asked every able Ukrainian citizen to take up arms themselves against Putin's forces. The Trudeau government's delay and virtue signalling are ineffective in the face of such a monumental threat.

On February 13, the Prime Minister tweeted, "... we'll keep standing strong in support of Ukraine's sovereignty and territorial integrity." That was the same day that Canadian trainers in Ukraine headed for the Polish border and Canada was evacuating its embassy in Kyiv. What have all these words and those uttered by other Western leaders meant for the Ukrainian people? We can see the results of that today, and it breaks my heart.

The least we can do now is open our borders to the hundreds of thousands of Ukrainians who are now fleeing their country. The official opposition will support this motion, but I implore our Canadian government to understand that this is not the time for weak words. It is our moral duty to act now to help the people of Ukraine.

[*Editor's Note: Senator Batters spoke in Ukrainian.*]

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

**Hon. Stan Kutcher:** Honourable senators, I rise today with deep sadness for the citizens of Ukraine and also for the rest of the free world. I am worried about the people of Ukraine, including relatives that I — and many of us in this chamber and across our free and prosperous country — have living there.

This morning, I looked at a map. It showed places where missile and air attacks had targeted. Kyiv, Lviv and just outside of Ternopil. My family is there.

We are witnessing a criminal act against Ukraine — an attack on the international rule of law, an attack on the values all those who live in democratic freedom must resist. Although our resistance is coming late, it must be fulsome and impactful, and it must happen now.

The invasion comes as no surprise. It is not the result of an impulsive act by an unhinged mind but the cunning culmination of years of preparation — years during which we and the free world could have acted but did not, years during which the signs were clearly there for us to see but did not see, or, maybe worse, chose not to see, or, maybe even worse, aided and abetted. It was no surprise that, earlier this week, Trump praised the genius of Putin, and Fox News attacked Canada and fawned over Russia.

Sadly, many Canadians may not realize just how real dictators operate. Russia has long been actively destabilizing Western democracies, including Canada, often by interfering in elections and stoking the flames of populism and libertarianism. As the

Macdonald-Laurier Institute and DisinfoWatch have pointed out, during this pandemic Russia has been amplifying anti-vaccine rhetoric, pushing narratives that question the existence of COVID, the legitimacy of Canadian public health protocols, the safety of vaccines and inciting people to attack public health measures that were designed to protect them and their communities.

My family knows these techniques all too well. The destabilization of legitimate governments that stand in the way of Russian interests has always been a hallmark of that regime. My ties are deep in Ukraine. My parents were World War II refugees. They knew real tyranny. They lost everything. Most of my relatives were sent to the gulag. Those who survived were cast aside on the scrap heap of life. Some clawed their way back; others did not.

Honourable senators, let's see Russia for what it is. Let's make sure it does not destabilize our country and the international rule of law. We need to stand with Ukraine, and we need to act today, not tomorrow.

As the Ukrainian national anthem says, Ukraine's freedom has not yet perished.

[*Editor's Note: Senator Kutcher spoke in Ukrainian.*]

Let's do all that we can to prove that phrase correct. Thank you and *d'akuju*.

• (1410)

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

**Hon. Peter M. Boehm:** Honourable senators, I rise today to tell you what you already know. The world changed last night and not for the better. The shameless, unprovoked and unjustified invasion of Ukraine by Russia goes against all norms and rules under international law and previous agreements and violates the United Nations Charter. It defies all decent civilized behaviour and must be resoundingly condemned. This invasion was meticulously planned, and entreaties by Russia to achieve a diplomatic solution were deeply cynical and malign. That the largest country in the world by territory should seek to redraw established agreed-upon international borders through a war of aggression to gain more territory, as Russia did by invading and annexing Crimea in early 2014, is beyond credulity. It reflects Vladimir Putin's twisted need to rewrite history and is redolent of expansionism by might not seen since Hitler's Germany.

I support the measures taken by our government and the concerted efforts taken by G7 countries under the current German presidency, as well as NATO partners to put pressure on and take action against the autocratic regime of Mr. Putin. There has been much talk of tyrants lately, colleagues. He is one.

My own personal involvement with Russia began when I joined our foreign service. At the time, it was the Soviet Union. I watched, and like many, was encouraged by the advent of *glasnost*, *perestroika*; all those new words we learned that signified change and an opening to a freer society in Russia in 1989.

[ Senator Kutcher ]

I worked with former prime minister Jean Chrétien toward the 1995 G7 summit in Halifax where then Russian president Boris Yeltsin was invited to join for a meeting. This was an important initiative that eventually led to the creation of the G8. It was felt by all that the days of bellicosity were resigned to the history books, and there were many common projects and initiatives on which we could work together.

I had the honour of being former prime minister Stephen Harper's personal representative, or sherpa, for what became the last G8 summit in June 2013 at Lough Erne, Northern Ireland. Mr. Harper had just visited Dublin and had made some controversial comments about the value of discussion at the G8 where one member was clearly out of step. Indeed, I recall Mr. Putin dominating the foreign policy discussion with his singular view of the crisis in Syria, to the exclusion of almost any other topic. Leaders were exasperated and Mr. Harper was proven correct.

It was Russia's turn to host the G8 in Sochi in 2014. I attended one sherpa meeting in Moscow in January and then it was all over. Russia had invaded and taken Crimea and had installed proxy forces in the Donbas region of Ukraine. At Mr. Harper's request, G7 leaders met on the margins of the Nuclear Security Summit in The Hague in March, where I also served as sherpa, and a decision was taken. The G8 again became the G7, working together for common global purpose.

What we have seen, colleagues, is Russia moving from global pariah to partner and back to pariah. Its actions are unjustified, unacceptable and reprehensible.

Let us all stand together to condemn this outrageous violation of Ukraine's sovereignty and independence.

Let us all stand together in support of the legitimate government of Ukraine and the strong and resilient people of Ukraine. Thank you.

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

**Hon. Paula Simons:** Honourable senators, I am an Edmontonian. I begin that way because in Edmonton we are all honorary Ukrainians of one kind or another, but just like so many Edmontonians, my own family roots in Ukraine run deep.

My mother, Oli Dyck, was born in Ukraine in a German Mennonite colony called Felsenbach in the province of Dnipropetrovsk. My father's mother, Reisa Hardashnikov, was born and raised in the Jewish community in Poltava. The tides of history brought my Jewish family and my German family from Ukraine to Alberta. But this wasn't entirely an accident since German, Ukrainian and Jewish immigration to Alberta were intimately intertwined.

Today, whatever our roots, we need to unite as Canadians in the face of utterly illegitimate Russian aggression to stand with our Ukrainian-Canadian friends and relations in this time of terror and uncertainty.

But we can't just say "we stand with Ukraine" unless there is a real commitment behind those words, a commitment to sanction Russia in real terms, a commitment for Canada to work with

NATO and its other allies to let the Putin government know, in meaningful terms, that this act of war is not something we will countenance.

There are actions we must take here to insulate ourselves from more subtle kinds of Russian aggression — from the sophisticated propaganda campaign already under way on Facebook and Twitter, designed to undermine our resolve and undermine the truth. We must push back against the Russian propaganda and disinformation on platforms such as RT and Fox News. Because make no mistake: This war isn't just being fought on the ground in Ukraine; it's being fought in the blogosphere, on social media and on cable television. And in a borderless online world, Canada, so far away from Kyiv, is a battleground too.

We must arm ourselves with common sense and common resolve. As Senator Boehm has said, our world changed overnight. It is time for us to wake up and stand together and stand on guard for Canada, Ukraine and the world we care for.

Thank you, *hiy hiy*.

**Hon. Donna Dasko:** Honourable senators, I speak to you today as a proud third-generation Canadian of Ukrainian background. My grandparents immigrated to rural Manitoba, the Pine Ridge community, from western Ukraine, in 1909. Although I have no existing family ties with Ukraine after a century of my family being here, my Ukrainian identity is strong, and I cherish my ties to friends and family, especially in my hometown of Winnipeg.

I was delighted to shake hands with President Zelenskyy here in Toronto at the Ukraine Reform Conference in 2019.

I was honoured to be a panellist at the Ukrainian Women's Congress in Kyiv later that year. I could see there with my own eyes what I had been reading about for many years — that Ukraine was becoming a pluralist, open society where people could advocate for social change and vote in free elections.

It was so different from the Ukraine that I first visited back in 1987 during the end days and the dark days of the Soviet regime.

Since the fall of the Soviet Union, Ukraine has set out on a path toward democracy and an open economy. That path has taken many turns and has had many ups and downs, but the direction has become clearer and stronger over this past decade.

Vladimir Putin despises this western-facing direction. His goal is to destroy this new Ukraine and return it to the dark days of authoritarian rule.

Russia declared war on Ukraine today, and world history has changed. There is now a world before February 24, 2022, and a world after February 24, 2022. The Europe that was previously at peace has now ended.

This invasion threatens the international order, the rule of law and democracy. The free world must rally to the Ukrainian cause and do so immediately.

We have to implement stronger sanctions against Russia's economy, banks and the property that oligarchs own, and Russian assets in the West need to be seized.

Ukraine needs more assistance with weapons with which to defend itself. A no-fly zone needs to be implemented over Ukrainian airspace by Ukraine's friends and allies.

Ukraine will need economic support and humanitarian aid in the days ahead.

In the 1930s, the world was slow to recognize the danger that Adolf Hitler posed to our civilization. We cannot make that same mistake again. Thank you.

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

• (1420)

### ART CITY WINNIPEG

**Hon. Patricia Bovey:** Honourable senators, I have worked with Ukrainian organizations, and I echo all that has been said today.

I now move home to our inner cities, with amazing organizations doing amazing things, supporting their communities by giving meaningful opportunities to their residents. Art City in Winnipeg's West Broadway is one such oasis. This community's population is 5,590, its density is 402% higher than Winnipeg as a whole and its median age 14% lower.

Led by professional artists, Art City offers a wide range of art activities, using all sorts of donated materials. Of their participants, 96% are children and youth; 35% are Indigenous; 38% are immigrants and refugees — including those from Ukraine; 12% are persons with disabilities; and 25% are single-parent families.

The kids develop their code of behaviour; it hangs by the door. "Zero tolerance" allows for total focus on creativity. This is a free drop-in program. No one has to be there. The spirit is imaginative and positive, sensitive to the area's wide cultural diversities. Participants work on their own and do group projects.

A recent theme, "decolonializing comics," was an inspired way to engage the kids. Each year, they build stunning themed floats for their neighbourhood parade, and they make banners on request for local groups and organizations.

Founded in 1998, by acclaimed artist Wanda Koop, Art City's impact is transformational. One young medical student who grew up in the neighbourhood told me that Art City was his haven. His dream was to give back, and live and practise family medicine there. He is doing so.

During the two hard COVID years, Art City determinedly served 5,335 people — less than the pre-pandemic 9,828, but significant given the lockdowns. Art City's reach expanded to other parts of the city, too. In addition, they packaged free art

kits, with instructions, for pickup, and they inaugurated a program for northern Manitoba, delivering thousands of kits to many northern communities.

Their social responsibility to meet immediate community needs and working with community organizations is also paramount. Enhancing the safety of the area, Art City teams join the district's weekly Bear Clan Patrol. In regular contact with the Assembly of Manitoba Chiefs, Art City ensures their programs and outreach are appropriately sensitive to cultural and reconciliation concerns.

With Winnipeg reopening, kids are returning to Art City. As Eddie Ayoub, Artistic Director and Senate 150 medal recipient, said, "For them, art is everything."

I commend Art City. Thank you.

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

#### NORTH WARNING SYSTEM

**Hon. Dennis Glen Patterson:** Honourable senators, I rise today to share with you a success story. I think we could all use some positive news in light of the tragic events in Ukraine today.

On January 31, 2022, the Government of Canada awarded a seven-year contract worth \$592 million to operate and maintain the North Warning System to Nasittuq, a joint venture between Pan Arctic Inuit Logistics Corporation, also known as PAIL, and ATCO's Frontec Logistics Corp. The contract could be extended a further eight years, for a total valuation of \$1.38 billion.

PAIL is a wholly owned Inuit venture that represents Inuit beneficiary organizations throughout Inuit Nunangat, making Nasittuq an Inuit-majority-owned company. As a result, great emphasis is being placed on recruitment and training of Inuit. Funding to the tune of \$25 million have been set aside for training, and Nasittuq is actively recruiting for all positions, including management roles.

According to PAIL Chairperson, Harry Flaherty, in a February 2, 2022, *Nunatsiaq News* article:

Having managers, supervisors and labourers that are all Inuit would help improve communication on the job.

Colleagues, this is a major step in diversifying the economic opportunities of Inuit and ensuring that Inuit play a central role in the defence of their homeland. The next step is to ensure that there is sufficient space for Inuit in any current and future plans to expand and modernize the North Warning System.

A December 20, 2019, Treasury Board directive ensured that preference would go to Inuit contractors within the Nunavut Settlement Area in line with obligations under Article 24 of the Nunavut Land Claims Agreement. That was a good start, but we must continue to push for procurement strategies that create opportunities for Indigenous-owned businesses that have, for far too long, been shut out of the government procurement process.

I commend the government for doing the right thing by awarding this major contract to Nasittuq and urge them to continue to put an emphasis on supporting Inuit-led companies in future contract bids across the North.

Thank you, *qujannamiik, taima*.

#### BLACK HISTORY MONTH

**Hon. Rosemary Moodie:** Honourable senators, I rise today in recognition of Black History Month. In Nova Scotia, it is also known as African Heritage Month. I ask you to join me in celebrating all Black Canadians.

For the past two challenging years, Black Canadians have kept our communities safe and healthy through hard work and caring for each other. Today, I recognize and thank our doctors, nurses, personal support workers, teachers and all front-line workers.

The Black Scientists' Task Force on Vaccine Equity is a Black-Canadian-run project created to share information about COVID-19 with Black Canadians and to address concerns about COVID-19-related issues. It is just one of the great initiatives that has grown in the past two years.

I was also proud to visit Taibu Community Health Centre last fall to see the incredible work that they have done in Toronto's Black community, including vaccinating thousands of people within their facilities, while working to increase awareness and health education.

Examples like these demonstrate the extraordinary resilience and determination of Black Canadians, who will always rise to the challenge to support and build our systems and institutions every day.

Today and every day, we celebrate the results of both our advocacy and the support of our allies. Black youth are thriving and having an impact as their voices are given space to flourish: an ever-growing list of Black trailblazers in the sciences, technologies, engineering and math; a reinvigoration of Black entrepreneurship and businesses that is gradually increasing generational wealth creation in African-Canadian communities; and more Black voices in Parliament, championing the needs of all communities.

We in the Senate must look to the work that lies ahead as we tackle issues in child care, housing, economic growth, health care and combatting climate change, all with a more inclusive, intersectional and equity-seeking lens.

Traditionally, we take this month to reflect on our past. This February, and forever, we commit to bringing our voices forward in every policy, every decision and in every debate. We stand determined as we build our future together. Black history is every day, every month and every year. It speaks to who we are as a people, to our story and to our culture.

Thank you, *meegwetch*.

[English]

Some Hon. Senators: Hear, hear.

### THE LATE MICHAEL ALLEN WESTOVER JONES

[Translation]

#### BASILE CHIASSON, Q.C.

**Hon. Rose-May Poirier:** Honourable senators, I rise today to congratulate Basile Chiasson, winner of the Ramon John Hnatyshyn Award for Law, a national prize awarded by the Canadian Bar Association to honour an outstanding contribution in law reform, legal scholarship or legal research. Mr. Chiasson is the first Acadian lawyer and the first New Brunswicker to receive this distinction, and the second from the Atlantic provinces.

Originally from Shippagan, Mr. Chiasson was called to the New Brunswick bar in 1983 after graduating from the Université de Moncton's Faculty of Law. He now practises law in Bathurst, New Brunswick, with Chiasson & Roy, a firm established almost 30 years ago in 1993.

This award is presented annually by the Canadian Bar Association, which has over 36,000 members nationwide. The Canadian Bar Association's award of excellence recognizes one of its members for their overall career, not just a single achievement. Mr. Chiasson's *Rules of Court of New Brunswick Annotated* is a standard reference for litigation lawyers and members of the bench. Mr. Chiasson also wrote a book entitled *Jugement sommaire : le virage culturel*, or Summary Judgment: The Shifting Culture, published by the Association des juristes d'expression française du Nouveau-Brunswick. An established author, Mr. Chiasson has published over 60 legal articles, and his books serve as a reference for many legal litigators.

• (1430)

This award is not the first in Mr. Chiasson's career, which has spanned over 40 years so far. In 1989, he won the Lawyer of the Year award from the Association des juristes d'expression française du Nouveau-Brunswick. In 2004, he won the Distinguished Service Award from the New Brunswick Branch of the Canadian Bar Association.

Colleagues, please join me in congratulating Basile Chiasson on receiving this national award and on his exceptional career.

Thank you and have a good day.

**Hon. Gwen Boniface:** Honourable senators, on January 19, Orillia lost a treasured member of our community. Michael Allen Westover Jones died after a battle with Parkinson's disease.

Michael was a devoted husband, beloved son, brother, uncle, mentor and friend. He was an internationally recognized leadership educator, facilitator, and a gifted pianist who combined his music and storytelling to inspire and challenge his audiences.

Michael was born in Bramshott, England, in a military hospital during World War II, raised in the Kitchener-Waterloo area and spent the last 35 years in Orillia.

Michael played a key role in helping me develop a Truth and Reconciliation round table and contributed to its growth during the past two and a half years. He supported our regular gatherings with his wise counsel and his expertise in facilitation and sparking dialogue. With Elder John Rice, the two became a formidable team.

Michael devoted his time and energy to many other local projects, including facilitating action towards creating a city commons here in Orillia. He believed deeply that healthy communities need a sense of place, and said it didn't have to be a physical place, but that it helped.

A celebration of Michael's life took place on February 9. The ceremony included some of his music and favourite poetry. Friends and family shared stories and memories highlighting the humble, gentle way he touched their lives and helped them discover and share their gifts. Michael authored three books on reimagining leadership: *Artful Leadership*, *Creating an Imaginative Life* and, most recently, *The Soul of Place*. In this book, readers are invited to be the soul of place through their presence, inspiring transformation through a pathway of homecoming, belonging, "regenerativity" and transformative celebration. Michael was also a Juno-nominated composer who recorded 17 albums.

I send my deepest condolences to Judy, his wife of 47 years, his mother Laura, and siblings Myron, Chris and Lisa.

Dear Michael, you will be missed.

*Meegwetch*, thank you.

## OLYMPIC WINTER GAMES 2022

### CANADIAN ATHLETES

**Hon. Marty Deacon:** Honourable senators, even today, in the light of a global crisis, I will take this moment to once again acknowledge and celebrate the efforts, the work and the sacrifices of our athletes at the Olympic Winter Games.

On the final day of the games, Isabelle Weidemann of Ottawa was Canada's flag bearer — a wonderful young lady returning to Canada with gold, silver and bronze speed skating medals around her neck.

Sunday, the last day, continued with Justin Kripps and his crew needing to have a perfect, clean run down the bobsled track to make it to the podium. Very late on Saturday night for us at home, they did — winning a bronze.

There was also Cendrine Browne, who battled through the elements for a sixteenth-place finish in the freestyle version of the 30-kilometre mass start in cross-country skiing — Canada's best ever Olympic result on that quiet Sunday.

As you know, these athletes did not have their families there. For some, they spoke to their mom or dad at the starting gate or before they stepped on the ice, but if you were following the games on TV or social media, clips will demonstrate they did their best to connect as a team while in a tight bubble throughout three villages in China.

What was Canada's performance goal at these games? It was primarily to get athletes safely to Beijing, safely to competition and safely back to Canada. It was also to create the conditions for their best performances, some athletes having not competed in more than 500 days.

Under these conditions, 23 medals would have been fantastic. In the end, we had 17 best-ever Canadian results at an Olympic Winter Games. Our athletes are bringing home 26 medals, 8 fourth-place finishes, 9 fifth-place finishes, and 68 top-eight finishes. Being this close is a heartbreak for athletes, but it indicates the depth of talent, performance and resilience of this team.

Following the first-ever bronze medal in ski jumping, Canada joined the United States in having won at least one medal across 14 Olympic winter sports — the most among all national Olympic committees.

On Sunday at the closing ceremony, you saw many athletes celebrate. As they reached into the back collar of their jackets, a gift, our Canada flag, was released from every jacket as they walked into the stadium. The Maple Leaf was everywhere.

Many athletes will arrive home Tuesday to no media or fanfare, all due to COVID, but we clap, cheer and thank every one of those 490 members of Team Canada. We also thank the volunteers and staff who, in many cases, spent 40 days in Beijing ensuring a million small things went just as they should.

Colleagues, I invite you to join me in congratulating all of Team Canada. Thank you for your participation in National Health and Fitness Week and wishing our Paralympic athletes the very best next week.

Thank you, *meegwetch*.

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## ROUTINE PROCEEDINGS

### DECLARATION OF QUALIFICATION OF SENATORS

#### REPORT TABLED

**The Hon. the Speaker:** Honourable senators, pursuant to rule 15-6, I have the honour to table the report of the Clerk of the Senate of the list of the names of members of the Senate who have renewed their Declaration of Qualification.

### INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

#### SECOND REPORT OF COMMITTEE PRESENTED

**Hon. Sabi Marwah,** Chair of the Standing Committee on Internal Economy, Budgets and Administration, presented the following report:

Thursday, February 24, 2022

The Standing Committee on Internal Economy, Budgets and Administration has the honour to present its

#### SECOND REPORT

Your committee, which is authorized by the *Rules of the Senate* to consider financial and administrative matters, and pursuant to the *Senate Administrative Rules*, to prepare estimates of the sum that will be required from Parliament for the services of the Senate, has approved the Senate Main Estimates for the fiscal year 2022-2023 and recommends their adoption.

A summary of these Estimates is appended to this report. Your committee notes that the proposed total is \$121,821,702.

Respectfully submitted,

SABI MARWAH

*Chair*



(For text of report, see today's Journals of the Senate, Appendix, pp. 297-303.)

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

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

### THE ESTIMATES, 2021-22

#### NOTICE OF MOTION TO AUTHORIZE NATIONAL FINANCE COMMITTEE TO STUDY SUPPLEMENTARY ESTIMATES (C)

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

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Supplementary Estimates (C) for the fiscal year ending March 31, 2022; and

That, for the purpose of this study, the committee have the power to meet, even though the Senate may then be sitting or adjourned, and that rules 12-18(1) and 12-18(2) be suspended in relation thereto.

• (1440)

[Translation]

### ADJOURNMENT

#### NOTICE OF MOTION

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

That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, March 1, 2022, at 2 p.m.

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

**Hon. Senators:** Agreed.

### FOREIGN INFLUENCE REGISTRY AND ACCOUNTABILITY BILL

#### BILL TO AMEND—FIRST READING

**Hon. Leo Housakos** introduced Bill S-237, An Act to establish the Foreign Influence Registry and to amend the Criminal Code.

(Bill read first time.)

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

(On motion of Senator Housakos, bill placed on the Orders of the Day for second reading two days hence.)

### CRIMINAL CODE CANADIAN VICTIMS BILL OF RIGHTS

#### BILL TO AMEND—FIRST READING

**Hon. Pierre-Hugues Boisvenu** introduced Bill S-238, An Act to amend the Criminal Code and the Canadian Victims Bill of Rights (information about the victim).

(Bill read first time.)

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

(On motion of Senator Boisvenu, bill placed on the Orders of the Day for second reading two days hence.)

### PARLAMERICAS

#### GATHERING OF PARLIAMENTARY NETWORK FOR GENDER EQUALITY, SEPTEMBER 13, 22 AND OCTOBER 4, 2021— REPORT TABLED

**Hon. Rosa Galvez:** Honourable senators, I have the honour to table, in both official languages, the report of the ParlAmericas concerning the Thirteenth Gathering of the ParlAmericas Parliamentary Network for Gender Equality, held as virtual sessions on September 13, 22 and October 4, 2021.

#### GATHERING OF OPEN PARLIAMENT NETWORK, MARCH 15, 19, 26, 2021—REPORT TABLED

**Hon. Rosa Galvez:** Honourable senators, I have the honour to table, in both official languages, the report of the ParlAmericas concerning the Fifth Gathering of the ParlAmericas Open Parliament Network, held as virtual sessions on March 15, 19 and 26, 2021.

[English]

## THE SENATE

### MOTION TO CONDEMN RUSSIA AND ITS INVASION OF UKRAINE ADOPTED

**Hon. Raymonde Saint-Germain:** Honourable senators, with leave of the Senate and notwithstanding rule 5-5(j), I move, seconded by the Honourable Senators Gold, P.C., Plett, Tannas and Cordy:

That the Senate of Canada:

- (a) condemn in the strongest terms Russia and its entirely unprovoked invasion of Ukraine following continued violations of its territorial independence and sovereignty;
- (b) condemn Russia's flagrant disregard for its obligations under international law and as a member of the United Nations, particularly as a permanent member of the UN Security Council;
- (c) recognize the right of the Ukrainian people to live in peace, security and freedom in their own country and to determine their own future and government without foreign interference of any kind; and
- (d) affirm its steadfast support for the people of Ukraine and those Canadians of Ukrainian origin in Canada.

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

**Hon. Senators:** Agreed.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

### NOTICE OF MOTION TO ADOPT THE SENATE OF CANADA ENVIRONMENTAL AND SUSTAINABILITY POLICY STATEMENT

**Hon. Colin Deacon:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Senate adopt the following *Environmental and Sustainability Policy Statement*, to replace the 1993 *Senate Environmental Policy*, adopted by the Standing Committee on Internal Economy, Budgets and Administration:

#### “SENATE OF CANADA ENVIRONMENTAL AND SUSTAINABILITY POLICY STATEMENT

##### OBJECTIVE

The Senate of Canada is committed to reducing the Senate's carbon footprint to net zero by 2030 and to implement sustainable practices in its operations.

Achieving this goal requires a whole-of-organization approach which prioritizes reduction of outputs and utilizes standard-leading emission offsets. The road to net zero will include quantifiable regular reporting on progress towards target. These actions are to demonstrate leadership as an institution on climate action, to encourage accountability of federal institutions and to inform the legislative process.

##### PRINCIPLES

The Senate is committed to achieving its objective through adherence to the following principles:

1. **Serve as a model of environmental leadership** in accordance with the best practices of international, federal, provincial and municipal environmental laws, regulations, standards and guidelines where applicable;
2. **Integrate a robust accountability framework into the operating planning cycle.** This includes benchmarking, tracking and applying results-based management to achieve continuous improvement in environmental performance, in accordance with the best practices of accountability frameworks of internationally recognized standards. Progress should be reported publicly on a regular basis to the Standing Committee on Internal Economy, Budgets and Administration (CIBA).
3. **Require environmentally conscious acquisition of goods and services** that incorporates: the purchase of environmentally responsible products and services; the selection of innovative suppliers demonstrating environmentally sound business practices; and the setting of environmental requirements in requests for proposals.
4. **Reduce the environmental impact of activities** by using resources more efficiently, with a focus on the reduction of outputs throughout the Senate's operations.
5. **Incentivize and enhance environmental awareness throughout the Senate** through education and support, while recognizing and incorporating environmental actions undertaken by Senate employees and senators.
6. **Operate facilities and conduct activities of the Senate in a sustainable manner** with a view to preventing pollution and reducing waste. Consider environmental impacts and implications when planning projects and activities.

7. **Develop and implement tools that promote and integrate environmental considerations into day-to-day operations of the Senate** to encourage Senators and Senate employees to make environmentally friendly decisions within their activities and tasks.”;

That the Standing Committee on Internal Economy, Budgets and Administration examine the feasibility of implementing programs to establish:

- (a) an accountability framework and annual reporting cycle;
- (b) the promotion of climate-friendly transportation policies and reduced travel;
- (c) enhanced recycling and minimizing waste;
- (d) a digital-first approach and reduction in printing;
- (e) support from central agencies to allow the Senate to charge carbon offsets as part of operating a sustainable Senate; and
- (f) a process for senators and their offices to propose environmental and sustainability recommendations; and

That the Standing Committee on Internal Economy, Budgets and Administration acquire any necessary goods and services to examine the feasibility or to implement these recommendations.

• (1450)

## HUMAN RIGHTS

### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY ISSUES RELATING TO HUMAN RIGHTS GENERALLY

**Hon. Salma Atallahjan:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Human Rights, in accordance with rule 12-7(14), be authorized to examine and report on such issues as may arise from time to time relating to human rights generally; and

That the committee submit its final report to the Senate no later than June 12, 2025.

## QUESTION PERIOD

### TRANSPORT

#### COVID-19 PANDEMIC—VACCINE MANDATE

**Hon. Donald Neil Plett (Leader of the Opposition):** Thank you, Your Honour. My question today, again, is for the Government Representative in the Senate. Leader, the Emergencies Act is revoked, but the Trudeau government mandates that sparked the protests remain in place. Provinces all across the country are dropping their mandates and giving hope to Canadian families and businesses.

Just yesterday in this chamber, as we were debating the Prime Minister’s non-existent emergency, Prince Edward Island and Nova Scotia were putting forward their plans to ease restrictions. Yet the Trudeau government still hasn’t said that it will shelve their proposed vaccine mandate for interprovincial trucking.

Leader, I asked you recently to confirm that this foolish idea is off the table, and you didn’t really answer my question. Now that in itself isn’t a big surprise. Today, I’m going to give you another chance. Also, you gave me an opportunity yesterday to answer a question with either a “yes” or “no.” So today I’m going to afford you the same opportunity: a yes-or-no answer. Will the Trudeau government call off its interprovincial trucking mandate?

**Hon. Marc Gold (Government Representative in the Senate):** The government continues to consider the appropriateness of all measures relating to the pandemic and will make announcements as to any changes if and when they are decided to be made.

**Senator Plett:** Well, for all of those people in Canada that are watching and listening to us here — and according to yesterday’s email chain that many of us received there are a lot of people listening — I think the answer to the question that I asked was “no.” If you don’t want to answer that, I guess I have to answer that.

I heard the answer to my question was “no.”

Let’s see if we can do better on the second question.

Last week, the Canadian Pork Council told a House agriculture committee that the Trudeau government’s planned vaccine mandate for interprovincial trucking will be the straw that broke the camel’s back. It’s the Canadian Pork Council that said that, not a politician.

The council says it wasn’t consulted by the Trudeau government about this mandate. Their chair, Rick Bergmann from my province of Manitoba, told the committee this mandate would be devastating for his industry saying that “the implementation of that rule will set us up for guaranteed failure.”

Leader, why is the Trudeau government intent on imposing a new restriction? The Trudeau government has never brought forward the scientific basis for this restriction. Where is it? What happened to following the science?

**Senator Gold:** Thank you for your question. I answered neither yes nor no to your first question. I said that the government is continuing to study, as it has been, all measures and will make announcements as appropriate.

With regard to your second question, Canadians know already that 90% of truckers are already vaccinated and the truckers' association said they supported the mandates. With regards to your question and the concerns of the pork producers and others in the agriculture sector, my answer to your first question still stands.

## FINANCE

### RELEASE OF SUSPENDED ACCOUNTS

**Hon. David M. Wells (Acting Deputy Leader of the Opposition):** Thank you, Your Honour. My question is for Senator Gold. Senator, hundreds maybe thousands of Canadians' bank accounts were frozen during the invocation of the Emergencies Act on February 14, 2022.

With yesterday's revocation of the Emergencies Act, have all these accounts been unfrozen?

**Hon. Marc Gold (Government Representative in the Senate):** Well, thank you for your question. I can't answer definitively that they have all been unfrozen. I suspect that's probably not the case yet. There have been reports that a number have been unfrozen, especially those who left. I'll certainly make inquiries to the extent that the information is available and be happy to share it in the chamber.

**Senator Wells:** Thank you, Senator Gold, for that. It would appear to me — I don't know the exact law on this — that if accounts are still frozen, it would be outside the purview of the Emergencies Act. Therefore, we would expect some immediate action.

Senator Gold, what is the intent of the government with regard to the information that was collected under the authority of the now-revoked act, with regard to Canadians' banking information?

**Senator Gold:** I think it's important for senators to understand — they certainly don't want to revisit the hours I spent the other day — that at such time as the act, the proclamation, was invoked, the measures were in place and enforced. At such time as the government decided it was no longer necessary, those measures ceased. However, actions taken during the period that were authorized by the regulations promulgated under the Emergencies Act remain subject to those terms.

The government, as prudent as it was in deciding to invoke the Emergencies Act and as responsible as it was in determining — as it had been stating and I had been repeating — based upon the

advice of police, law enforcement, the intelligence community and other advisers, that it was no longer required, this chamber should be assured that the government can proceed responsibly and prudently with regard to matters you questioned.

• (1500)

### EARLY LEARNING AND CHILD CARE AGREEMENTS

**Hon. Ratna Omidvar:** My question is for the Leader of the Government in the Senate, Senator Gold, and it is about child care. Now that Nunavut has struck a deal on child care with the federal government, that leaves my home province, Ontario, as the only jurisdiction not to sign on to the federal government's \$10-a-day child care. It also happens to be the most populous province in Canada, along with the rather dubious distinction of having the most expensive child care. Parents in Ontario pay upward of \$2,000 a month for child care, whereas other jurisdictions are paying as little as \$10 a day.

Of course, Senator Gold, you understand what an impact that has, particularly on low-income Canadians, because holding down a job without affordable child care becomes impossible. Can you please give us an update on where the negotiations stand, what some of the hurdles are and when we can expect an agreement to be signed?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you, senator, for your question and for underlining the importance of accessible child care to all citizens of Canada regardless of where they live. My understanding is that the Minister of Families, Children and Social Development, Minister Gould, is currently waiting for the Province of Ontario to submit their action plan so that the federal government can understand how Ontario plans to spend the money — \$10.2 billion — that has been offered to Ontario under this plan.

Honourable senators, this is an important accountability measure. The government needs to be assured that the families will actually see reductions in cost. We need to see that the number of spaces will be increased and that early childhood education will be properly supported. It's also an important transparency measure. Ontarians and all Canadians need to know how public money is being spent.

**Senator Omidvar:** Senator Gold, do you have any idea if there is a deadline for getting this agreement signed?

**Senator Gold:** Thank you for your question. I'm not aware of any deadline. I know it's in the interest of the federal government that an appropriate agreement be completed so that the people of Ontario can have the benefit of this program. I'm sure that is equally the case for the people of Ontario. As I understand it now, as I said, there are negotiations between the two levels of government. The federal government is waiting for the action plan from its counterparts in Ontario.

[*Translation*]

## CANADIAN HERITAGE

### SUPPORT FOR PARALYMPIC ATHLETES

**Hon. Chantal Petitclerc:** My question is for Senator Gold, the Government Representative in the Senate. As Senator Deacon said earlier, our Olympic athletes are returning to Canada with an impressive haul of 26 medals, including four golds. We are very proud of them, we congratulate them and we support them. In Canada, as in many countries, our medallists receive a bonus, a performance award. In Canada, we are talking about \$20,000 for a gold medal, \$15,000 for a silver medal and \$10,000 for a bronze medal.

Meanwhile, our 49 Paralympic athletes are nine days away from the games for which they have been training for years. When they return, we will be proud of them too. We will applaud them just as we applauded today in this chamber. The government will congratulate them, but will they receive a performance award? No. They will receive absolutely nothing, no matter what colour medal they win.

I myself experienced this injustice in 2008 and, sadly, this has not yet been fixed. Senator Gold, it's easy to say that the Canadian Olympic Committee has more resources than the Paralympic Committee, but that does not justify this unequal treatment. Other countries have found solutions, including the United States, Italy, Singapore and many others. This is discrimination based on disability and, you will agree, that has no place in Canada.

Senator Gold, do you agree that this situation is unacceptable and that Paralympic athletes deserve the same treatment as Olympic athletes? Can you reassure me and assure me that now that we have a new Minister of Sport, the government will do everything in its power to correct this injustice?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question, senator. I am ashamed to admit that I was not aware that our athletes are being treated differently, as you described. I'll look into it. I'll speak to the Minister of Sport, who is the MP in my riding, in the Eastern Townships, and I will try to get back to you with more information as soon as possible.

[*English*]

## PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

### EMERGENCIES ACT—PARLIAMENTARY REVIEW COMMITTEE

**Hon. Pamela Wallin:** Senator Gold, with the Emergencies Act now rescinded, the review process has been halted. It appears there is no longer a legal requirement for the government to provide Parliament, including this chamber, with the confidential documents or information that triggered the invocation of the act. Reflecting the concerns of my colleague, Senator Tannas, who asked you the other day about this issue, can we have some

assurance that this chamber will be included in any forthcoming review process so that we might have access to the crucial information that I just referenced?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question, senator. Notwithstanding the revocation of the state of emergency, the Emergencies Act still provides that the parliamentary review committee shall be established. Indeed, it requires that the committee report back to both houses of Parliament, within seven sitting days. It is the intention of the government, as it has been for some days now, to move with as much dispatch as possible for that committee to be established.

Honourable senators may already know, if you are following Twitter, that there have been proposals already made public by both the Conservative Party of Canada and by the government for how this committee would be established — or rather, proposals for what the committee would look like in terms of the number of senators and the number of members of the house. My understanding is that discussions continue to be underway with the House leader in the other place and his counterparts in all other opposition parties to seek a consensus to move forward as quickly as possible. I am intimately involved on an hourly basis to be kept aware of that.

With regard to the first part of your question, I think it's important to understand that the committee will clearly have access and the ability to seek all the information it deems relevant, subject, of course, to whatever legal requirements or legal limitations there may be on the information that can be shared even to that committee, as I explained at some length and on some occasions the other day.

**Senator Wallin:** We all understand that with the revocation of the act that banks and financial institutions will have been asked to no longer freeze accounts or, perhaps, even scrutinize them. Financial institutions will continue to have immunity from liability, yet customers have no access to due process.

One of the solutions you suggested was that customers seek recourse from the financial consumer agency. That is somewhat problematic because over 80% of its funding comes from industry and it has a very poor track record of resolving claims. How can this now be resolved?

• (1510)

**Senator Gold:** Thank you, senator, for your question.

I don't really have any additional information to provide than I provided in my speech or in my answers nor any additional response. The banks' customers will continue to work together and it is hoped that any issues that may arise will be resolved appropriately and quickly.

## HEALTH

## COVID-19 PANDEMIC—VACCINE MANDATE

**Hon. Denise Batters:** Senator Gold, Prime Minister Trudeau finally revoked the Emergencies Act yesterday but he should never have employed it in the first place. Once again, this Prime Minister and his government have failed Canadians. They exploited the division between vaccinated and unvaccinated Canadians for political gain. But Canadians have rejected that division, that stigmatization and those shameful political wedges.

When will this government follow our international allies and most of our Canadian provinces and remove discriminatory vaccine mandates and restrictions?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question. As I've responded to your colleague Senator Plett and I'll repeat, the government has been monitoring and will continue to monitor the appropriateness and the necessity of whatever measures are necessary to protect Canadians' health. It continues to follow the advice of its public health officials and there's not much more to say except, with all respect, it is the position of the government that these vaccine mandates are not discriminatory. They are designed as a reasonable and proportionate response to a health care crisis of unprecedented nature and they are designed to affirm our individual responsibility to our neighbours, to our families and our collective responsibility to protect one another from the pandemic.

**Senator Batters:** Senator Gold, I am proudly triple vaccinated and I promoted vaccination and COVID health measures widely throughout the pandemic. The vast majority of Canadians are vaccinated as well.

Now we are at a point in this pandemic where some measures that were put into place are no longer necessary. Even Canada's Chief Public Health Officer, Theresa Tam, has said vaccine mandates need to be re-examined. The time for freedom is now. Why won't this Trudeau government follow the provinces and our international allies and end federal vaccine mandates and restrictions? Is it just more of this Prime Minister's desire for authoritarian control?

**Senator Gold:** No, it is not. And that is, with all respect, a gross mischaracterization of the actions of this government throughout this whole period.

The federal government, which has already adjusted the rules on numerous occasions, is doing what it needs to do and will continue to do what it needs to do to protect Canadians. In a federal system, provinces are free to make decisions that are different. Many provinces, including your own and others, relaxed mandates far earlier than other provinces. The results speak for themselves.

The fact remains that the federal government within its areas of jurisdiction will take its responsibilities appropriately and responsibly and will continue to do so.

## PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

## EMERGENCIES ACT

**Hon. Leo Housakos:** My question is for the Leader of the Government in the Senate. In his speech on Tuesday morning Senator Gold said: "... I think the government is owed a certain degree of deference vis-à-vis the security assessment it has made." Every honourable senator can see the security situation on Monday night when the votes were taken in the other place was just as it was on Wednesday afternoon when the Prime Minister reversed himself. The state of the blockade, the protesters and the border were all the same. We were told that we owe the government deference, but everyone could see the reality of the situation for themselves. We also saw yesterday a number of Trudeau-appointed senators standing on their feet in this place defending these Draconian measures and, of course, they were seeing enemies of the state lurking around every corner.

So, leader, what will be the impact of this sorry episode if, God forbid, Canada faces a real catastrophe in a week, in a month, in a year? How will pulling out the sledgehammer in this instance help if we're to face a truly national emergency?

**Hon. Marc Gold (Government Representative in the Senate):** Let me try to be clear and measured.

What I said and explained on far too many occasions was simply that the government relies not only on information that is public and was public when it made the decision on February 14 but also, and properly so — especially as members who have been on the government side would understand — on information from police authorities and others. That's the first point.

Second, anyone who actually watched what happened on the ground, whether on Friday, Saturday or Sunday in Ottawa, I think would agree that the police acted with restraint and with responsibility. Their behaviour was exemplary, as many have noted in this house and you know to whom I refer. These were not Draconian measures. They were measures, and measured measures to deal with a serious crisis.

That leads me to the final point to your question. You talked about what Canada will do when there is a real catastrophe. Others have said there was no need for this in the first place.

The belittling of the impact of this occupation of Ottawa on the residents and the city, the harm caused to individuals, the abuse that people had to endure, the impact on our economy, on our credibility as a trading nation and the risks that the government felt it had to assess, properly and responsibly, to make sure that the risks of returning blockades, whether to bridges in Windsor or elsewhere or any other port of entry or occupations in this city or any other city — until and unless the government was satisfied as it came to be satisfied, taking the advice that it's been taking all the way through, it kept these measures in place for our collective well-being.

This was a real crisis. Ask anybody who suffered. Ask anybody who couldn't go to work because their plants were shut down for want of parts. Ask anybody who was walking the streets and vilified and harassed and assaulted verbally because

they were wearing a mask, they were a person of colour or because they were going to obtain health care. Here you'll allow me to speak as a human being, not simply as a Government Representative. We can disagree whether or not the measures were appropriate or not. We can disagree whether they lasted too long. Clearly, there's a division of opinion here, although I was very gratified to hear — I'm entitled, with all due respect, to continue to finish my answer.

**Senator Plett:** No.

**Senator Gold:** I am finishing an answer and I expect the respect that I accord you when you ask me questions.

It offends me as a human being for the damage and harm to the individuals and to our country to be so belittled. On that I'll close.

**Senator Housakos:** Senator Gold, my wish is not to belittle you. You know I have the utmost personal respect for you. But we have a Prime Minister — and the facts remain — who is ill-equipped to lead this country in a time of crisis, who is ill-equipped and doesn't have the desire to unite Canadians, who has done nothing but provoke and stoke the flames of division and that's the reality. He had had his Government Representative — I feel sorry for that Government Representative on his feet in this place yesterday — defending something which, minutes later while you were defending it, he pulled the plug on. That speaks volumes. That speaks volumes for many others who were defending that yesterday while he was pulling the plug on you.

The problems facing Canada and facing the world today are profoundly serious. We see that there's massive inflation going on, Canadian families are struggling. We see what's happening in Ukraine. We know the threat of China on our country and our Western democracies. And the Prime Minister at this particular point in time has lost international credibility.

• (1520)

Where is the leadership, Senator Gold? Where is the Prime Minister's sense of personal responsibility for all that has happened over the last few weeks? Does the Prime Minister believe this is yet another learning experience for everyone except himself? When will this government take any accountability in either one of these chambers?

**Senator Gold:** The Government of Canada has acted responsibly to protect Canadians and protect our country from a situation that could not have been managed and was not being managed otherwise. I, as the Government Representative, stand here not at all uncomfortable with the actions that the government has taken. I remain proud and privileged to represent this government in this chamber.

[*Translation*]

**Hon. Renée Dupuis:** Would Senator Gold take a question?

**Senator Gold:** I have to answer and would be happy to.

**Senator Dupuis:** Senator Gold, we've gotten a number of emails in recent days and weeks. I am still hearing today in the Senate that you're being asked about the Emergencies Act being revoked. For the benefit of anyone who is watching these proceedings, and perhaps also for senators, could you clarify what the government revoked yesterday?

**Senator Gold:** Yesterday afternoon, the Governor General of Canada signed an order putting an end to the public order emergency that had been declared on February 14. By signing this order, the Governor General was acting in accordance with the Emergencies Act, which states that the public order emergency ends as soon as the government makes the decision and the order is signed by the Governor General.

[*English*]

## FOREIGN AFFAIRS

### UKRAINE—RUSSIA'S ACTIONS

**Hon. Marilou McPhedran:** Honourable senators, my question is to the Government Representative in the Senate, Senator Gold.

Let me first thank you, Senator Gold, for your measured responses and for acknowledging that the voices of many senators of racialized origins are essentially being ignored by some of the commentary in questions today.

My question is about Ukraine and, specifically, it's about Ukrainian women. We know that, in war, rape is a weapon of war far too often.

We also know that Canada is an expert and a leader on gender-based analysis, and we have a feminist foreign policy.

Senator Gold, may I ask for assurance by way of this question that Canada is using gender-based analysis and employing the principles of our feminist foreign policy in everything that is being considered by Canada in relation to the illegal invasion of Ukraine?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question. I will certainly have to make inquiries in order to answer your very specific question about the measures that are being taken, have been taken and the additional measures that may very well be called upon to be taken.

I can say two things. First, the government stands committed to that feminist foreign policy, to take into account the disproportionate and unique impact of circumstances of war on women, which you properly underlined. Second, the government announced today additional measures from those announced earlier — serious, strong measures, economic and military, providing military support and economic measures in concert with its NATO allies. It will continue to stand up for the rights of the Ukrainian people and the sovereignty of the Ukrainian nation.

## ORDERS OF THE DAY

### BILL RESPECTING CERTAIN MEASURES RELATED TO COVID-19

SECOND READING—DEBATE ADJOURNED

**Hon. Marc Gold (Government Representative in the Senate)** moved second reading of Bill C-10, An Act respecting certain measures related to COVID-19.

He said: Honourable senators, I am pleased to rise as the Senate sponsor for Bill C-10, An Act respecting certain measures related to COVID-19.

Unfortunately, COVID-19 continues to have a significant impact on the lives of all Canadians due to the emergence of the Omicron variant. It continues to remain an unparalleled threat to the health, social and economic well-being of Canadians and indeed of the global community.

Therefore, our government, the Government of Canada, has an obligation to ensure that the health care system, including its medical practitioners and emergency service providers, are properly equipped to respond to COVID-19. This includes the identification and treatment of the virus through effective testing capacity.

As such, I believe that it is important that the Senate consider this legislation in a timely and effective manner.

I would like to reiterate and underline why I believe passing Bill C-10 is an urgent priority and why it should receive our due consideration.

There is no disputing that COVID-19 testing and screening have helped immeasurably to accelerate the country's ability to recover and move out of the pandemic. Bill C-10 provides the necessary funding so that tests are in the hands of any and all Canadians who want to use them. It will ensure that federal, provincial and territorial distribution programs can provide these tests to health care providers, long-term care residents, teachers and students and the broader population. These tests are a tool to enable Canadians to independently manage their testing needs.

Testing has been a way to empower Canadians by providing them with the ability to determine whether they have COVID-19 and to take any and all additional steps to minimize transmission to others.

Through Bill C-10, the Minister of Health will have the statutory authority to purchase and distribute up to \$2.5-billion worth of COVID-19 rapid tests for distribution across the country. These are critical to the ongoing response to the pandemic.

Testing and screening remain a vital component of Canada's response to COVID-19 and the ongoing observance of critical public health measures. The government supported the testing regime from the beginning. It was an information source for

those possibly infected, and it was a data source so that governments and health authorities could look ahead and plan the most optimal responses.

In the fall of 2020, the federal government provided provinces and territories with \$3 billion in direct transfers through the Safe Restart Agreement to increase Canada's testing and contact-tracing capacity in support of the provincial and territorial efforts.

The government also invested \$1.28 billion to support testing, contact tracing and data management initiatives. This funding included \$906.2 million that the Public Health Agency of Canada used to procure 92 million tests between October 2020 and November 2021. The vast majority of these tests were distributed to provinces and territories to use in their respective efforts to combat COVID-19.

In the winter of 2021, in order to optimize its portion of the Safe Restart Agreement, Health Canada made funding available under three streams: innovative testing, contact tracing and data management.

• (1530)

On the testing innovation front, the government funded clinical trials and pilots relating to self-testing, expansion of waste water surveillance and the use of innovative technologies. Specific projects included use of point-of-care tests in long-term care and pediatric emergency departments, waste water surveillance of congregated living settings and waste water surveillance at airports.

To support the widest possible availability of approved COVID-19 tests, Health Canada established a streamlined process for the review and approval of new medical devices in its role as the regulator. It implemented an interim order whereby manufacturers can submit an abbreviated application with information and material that support the safety, effectiveness and quality of their medical advice. In addition, Health Canada worked closely with other international regulators by exchanging information on new COVID-19 testing and increasing engagement with manufacturers to closely monitor advancements in new technology and the factors impacting global markets.

As of February 15, 2022, Health Canada has authorized 107 testing devices, including 10 self-tests and 28 tests that can be used in a point-of-care setting. We have leveraged domestic and international partnerships in order to share technical expertise, exchange information and learn from the experiences of others. The government is committed to working with the provinces and territories on all efforts, including information sharing, so that any potential issues can be addressed as effectively and quickly as possible.

Throughout the COVID-19 pandemic, the government worked with province and territories, workplaces and non-profit organizations to expand the use of COVID-19 tests. The Creative Destruction Lab's Rapid Screening Consortium initiative set the stage for the expansion of workplace testing. Building on the success of this initiative, and to support broader access to testing for Canadians in their places of work, the federal government



provided more than 4 million rapid tests directly to employers and more than 1.7 million to pharmacies for distribution to small and medium-sized organizations.

Since May 2021, the government has been working with the Canadian Red Cross to support voluntary testing in non-profit organizations by providing guidance and resources, including COVID-19 tests. During this time, the Canadian Red Cross has supported 234 organizations across the country.

Northern, remote and isolated communities in Canada often experience obstacles with timely access to conventional health care services such as diagnostic testing and linkage to care. On-site services may not be available, and challenges with specimen transport can lead to increased turnaround time and delays in diagnosis and treatment. Any delays invariably lead to further challenges in contact tracing and the implementation of effective public health measures to contain or halt transmission.

In response to the COVID-19 pandemic, the northern, remote and isolated initiative was established in early 2020 to ensure equitable access to health care for people living in northern, remote and isolated communities across Canada. This initiative prioritizes distribution of point-of-care diagnostic testing supplies to communities which are home to many First Nations, Métis and Inuit peoples.

In consultation with provinces and territories, the initiative works closely with community leadership and councils in identifying community testing requirements to ensure testing and screening functions within their coordinated public health systems. As of January 16, 2022, a total of 651 testing instruments and 1,196,039 tests have been deployed to support testing in more than 300 northern, remote and isolated communities. The National Microbiology Laboratory continues to receive requests for engagement, instruments, training and support.

As has been stated by the Minister of Health, Canada has seen an exponential increase in the demand for rapid tests and the need for expanded testing. Provinces and territories have also adjusted their programs to rely more heavily on rapid tests. In a matter of weeks in November 2021, provincial and territorial demand for rapid antigen tests greatly increased as all provincial and territorial lab-based diagnostic PCR testing capacity was overwhelmed. Provinces and territories turned to COVID-19 rapid tests for confirmation of positive cases. Ongoing procurement to ensure equitable access to COVID-19 tests is therefore required. We need to increase access to these tests, and we need to do it now.

Honourable senators, the provinces and territories have asked for help. They have requested millions of rapid tests, and they need them quickly. More and more, Canadians are taking responsibility for their own health and the protection of the health of those they care about. We all saw the news reports of long lines and high demand for rapid tests when they were released for distribution. People stood for hours in frigid temperatures to obtain them. Many outlets simply did not have adequate supply. Bill C-10 will give the necessary authority to Health Canada to purchase and distribute the millions of tests required so that Canadians can keep themselves and their loved ones safe.

The passage of Bill C-10 would also allow Health Canada to ensure equitable access in all provinces and territories. It would build on commitments made in the 2021 Economic and Fiscal Update, which proposed an additional \$1.7 billion in funding for the purchase and distribution of rapid tests in Canada, which is presently contained in Bill C-8 currently before the other place.

The government has been buying and providing COVID-19 rapid tests free of charge to the provinces and territories since October 2020, in line with the authorization of the first COVID-19 rapid test. Given the high demand and to accelerate the delivery of them in the coming months, Bill C-10 is seeking authority for \$2.5 billion in funding to purchase tests and to provide the expanded warehousing and logistic support required in order to ensure timely delivery of COVID-19 rapid tests. The government will continue, in every way possible, to work with provincial and territorial governments, Indigenous partners and other stakeholders to put the health and safety of Canadians first. Given the constrained global supply and the government's commitment to equitable access by all Canadians to tests, Bill C-10 seeks the additional funding for rapid test procurement through the winter and into the spring.

As Canada moves towards relaxing public health measures, I respectfully ask that we move this legislation forward expeditiously so that the government can fulfill the growing requests of the provinces and territories for rapid tests. These are a valuable tool in their toolboxes, allowing them to gradually lift public health measures while continuing to ensure that Canadians stay safe and healthy. Thank you, honourable colleagues.

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

(On motion of Senator Wells, debate adjourned.)

## OLD AGE SECURITY ACT

BILL TO AMEND—SECOND READING—DEBATE ADJOURNED

**Hon. Jane Cordy** moved second reading of Bill C-12, An Act to amend the Old Age Security Act (Guaranteed Income Supplement).

She said: Honourable senators, it is my pleasure to rise in the Senate today on the traditional territory of the Algonquin Anishinaabe people to discuss Bill C-12, An Act to amend the Old Age Security Act (Guaranteed Income Supplement).

The aim of this bill is to exempt pandemic benefits from the calculation of guaranteed income supplement, or GIS, or allowance benefits beginning in July 2022. In other words, vulnerable, low-income seniors will not see reductions in their guaranteed income supplement or allowance benefits as a result of accessing pandemic benefits. Honourable senators, I will explain the bill a little more and expand on why this change is needed.

The bill is very short, but as you would know, it is extremely important to many seniors in Canada who receive the GIS or allowance benefit. As honourable senators know, the government introduced pandemic benefits, such as the Canada Emergency Response Benefit, better known as CERB, and the Canada Recovery Benefit, or CRB, to support Canadians who lost jobs during the pandemic.

Parliament approved the Canada Emergency Response Benefit quickly in 2020 to help people avoid catastrophic income loss.

• (1540)

Honourable senators, it had to be passed quickly as many Canadians were hurting financially due to the pandemic. I believe that we all understood, when we were evaluating the CERB benefit, how important it was to Canadians.

The CERB and then the Canada Recovery Benefit did help Canadians. The legislation indeed helped millions of Canadians, young and old, through unprecedented times.

These financial supports were set up quickly to respond to the pandemic, and the benefits were made taxable to prevent misuse of the program.

Honourable senators, the following are the specific benefits that will be exempt from the calculation of income for GIS or allowance purposes in future years: The Canada Emergency Response Benefit, or CERB, including any amount that was issued under the Employment Insurance Act; the Canada Recovery Sickness Benefit; the Canada Recovery Caregiving Benefit and the Canada Worker Lockdown Benefit.

Unfortunately, because these benefits were made taxable, some of our most vulnerable seniors have been negatively impacted financially as a result of accessing these support programs. A reduction of their monthly income is significant as too many of Canada's seniors have limited monthly income. That is because the Guaranteed Income Supplement is an income-tested benefit payable to low-income seniors who also receive the Old Age Security pension.

The allowances are income-tested benefits paid to 60 to 64-year-olds who are spouses or common-law partners of GIS recipients, or who are widows or widowers.

Every July, an individual's entitlement for these income-tested benefits is reassessed based on their individual income or combined income from the previous year. The design of these benefits means that they can increase, decrease or even cease according to changes in a person's annual net income. This ensures that benefits are provided to those most in need — lowest-income seniors.

Here is the inequity that Bill C-12 would address. The Income Tax Act defines pandemic relief benefits as taxable income. Unfortunately, that meant that some GIS and allowance recipients are facing lower monthly benefit payments because of the income they received from these pandemic benefits.

It was recognized that some seniors were hurt financially because of this and it is essential, I believe, to rectify the situation before the next reassessment in July of 2022. This would mean that the financial loss seniors were faced with last year would not be repeated.

The government addressed this financial loss to low-income seniors in the previous year. In their Economic and Fiscal Update 2021, the government allotted funds to those seniors who were negatively impacted by giving a non-taxable, one-time lump payment to compensate for the full amount of the loss.

These seniors will receive their lump sum payment in May of 2022. Officials are working hard to issue some payments earlier than that to seniors who are in dire financial need.

The one-time payment will help alleviate the financial hardship of GIS and allowance recipients who receive pandemic relief benefits in 2020 and who faced a reduction or loss of the GIS or allowance benefits as of July 2021.

The amount of each payment will vary and will be equal to the annualized amount of the reduction in their GIS or allowance benefits. Clearly, this approach is not an efficient way to move forward for future reassessments. So the legislation before us today is necessary to make automatic payments to those most vulnerable seniors, and the funds will be paid in a timely manner.

Honourable senators, the process should be as simple as possible. This legislation will make the process automatic and those seniors who are entitled to the one-time payment will get it automatically, in the same way they received their GIS or allowance benefits, which is monthly.

Honourable senators, Bill C-12 corrects an unforeseen inequity within the pandemic financial support programs. It will ensure that seniors will not see a reduction in their Guaranteed Income Supplement or allowance benefits again if they received or are receiving pandemic benefits.

Honourable senators, that is the purpose of this bill. If Bill C-12 passes, federal pandemic benefits would be exempt from the calculation of GIS and allowance benefits beginning in July of this year. Bill C-12 will give seniors peace of mind and certainty knowing that their Guaranteed Income Supplement will be protected and that pandemic benefits won't negatively impact their GIS in the future.

As I mentioned earlier, honourable senators, Bill C-12 may be a short bill, but it is extremely important to many seniors in Canada and I hope that you will support this bill. Thank you.

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

**The Hon. the Speaker:** Senator Cordy, a couple of senators have raised their hand to ask a question. Would you take a question?

**Senator Cordy:** Yes, I will.

**The Hon. the Speaker:** Senator Tannas, Senator Cordy will take a question.

**Hon. Scott Tannas:** Thank you, Senator Cordy. This is an important bill. I'm keen to see it go to committee and understand that it will be there soon.

I just wondered what you thought about a scenario and whether the committee should look into it. I'm worried about seniors who were on income supplement, and potentially still are today, who might have been advised by people at Service Canada or an accountant or a relative not to apply for the CERB during that time because it was clear that it would affect their income supplement. Are we setting ourselves up to have a group of people who followed the rules or were advised to follow the rules or understood what the rules were and chose reluctantly not to take the CERB who will now be left behind, while the others who were unaware of the rules and took the CERB will now be compensated for that?

**Senator Cordy:** Thank you, Senator Tannas. That is indeed a very interesting question. I had thought about it. I read a few things about situations like that where people may or may not have applied for CERB.

In reading reports from other panels that had listened to discussions about this bill, when that question was asked, they said it's very difficult to go back two years. It's challenging to go back to the "what ifs" and say maybe this, maybe that. But I think that you raised a good question. I believe that somebody in your group is deputy chair of that committee. I know the minister and government officials will be appearing some time before we come back next week, and I think that would be a relevant question for them to answer, more so than me.

But the comments I did hear were about the challenge it would be to go back and say maybe yes, maybe no, but I think somebody from your group might be willing to ask that question at committee.

**Hon. Ratna Omidvar:** Thank you, if Senator Cordy will accept a question. Senator Cordy, this is a simple but important bill. Thank you so much for making it simple for us to grasp.

My question is about the GIS recipients who experienced a fall in their monthly income. As we all know, when someone is on a tight monthly income, every \$10 counts.

• (1550)

I am just wondering if you can share with us what proportion of the GIS community experienced the cutbacks.

**Senator Cordy:** I'm not able to answer that question about how many. I read a number somewhere. I paid attention to it. It probably wasn't as high as I thought it would be, but that would be another good question to ask.

It was very challenging for seniors who are living on a fixed income and suddenly are not receiving the Guaranteed Income Supplement. I think that's why this has come forward, because they recognized that indeed was a problem. Seniors and many are not able to work, and are suddenly not receiving the Guaranteed Income Supplement. So that's why they will be receiving a one-time payment in May or hopefully a little before May, but March or April for those who are in dire circumstances. They will receive the one-time payment to make up for the fiscal year 2020 into 2021.

If this bill passes, then it will become automatic, and it will be included, as it was previously, on their monthly old age pension income that they receive.

**Hon. Kim Pate:** Thank you, Senator Cordy, for introducing this bill.

Honourable senators, Bill C-12 builds upon the vital direct income supports provided by the government throughout this pandemic.

All of these programs, particularly the Canada Emergency Response Benefit, made a crucial difference for many who had lost jobs or income as a result of the pandemic. It enabled people to prioritize the health and well-being of themselves, their families and their communities, with less worry about such fundamentals as how to feed their families or the spectre of eviction.

We continue to applaud the government for the CERB and similar measures, as well as the expressed intention to leave no one behind.

We must also continue to challenge the government to make good on that promise by urging action to address the shameful inadequacies and inequalities that continue to stigmatize, exclude and abandon millions of people below the poverty line.

Bill C-12 is another in a series of adjustments and patches designed to ensure that the income supports flow to people in need, who are too often struggling through the vagaries of a system for responding to poverty that is cruelly distrustful, complex, inflexible and wholly inadequate.

This legislation illuminates how restrictive, competing and contradictory rules around programs meant to provide economic support to those in need, especially those in dire need, too often collide in ways that push those most in need of assistance further into precarity and poverty.

For more than 200,000 of the lowest-income seniors in Canada, accepting the CERB payments they were entitled to in order to try to stay out of financial crisis in 2020 resulted in them losing part or all of the Guaranteed Income Supplement payments they needed to make ends meet in 2021.

In case it was not clear, let us remind ourselves, dear colleagues, that in order to qualify for CERB, these seniors are some of the most economically marginalized in Canada. They are poor past retirement age, who are obliged to work to make ends meet, yet who are working the type of minimum wage and precarious jobs that do not pay them enough to raise them above the poverty line.

Many other types of income supports for those most marginalized have similarly resulted in cuts or clawbacks for those who received the CERB, from social assistance and disability payments in many provinces and one territory, to the Canada Child Benefit.

Bill C-12 would ensure that, in future, seniors should not be penalized with GIS payment reductions for having accepted CERB or similar pandemic supports. This is a wonderful and much-needed step in the right direction.

Most income support programs provide minimal financial support and aggressively and punitively claw back already inadequate assistance if recipients manage to have access to any other sources of income. This design is based on assuming the worst of people in poverty, assuming that they are looking to game the system instead of simply trying to feed, clothe, house and provide for their families. Worse yet, this design keeps people trapped, not just in poverty, but in the near-perpetual crisis of too little to survive on and punitive clawbacks of any monies earned.

Bill C-12 resiles from this approach. It is a welcome step toward anti-poverty policy focused on meeting people's needs rather than on leaving them in abject poverty.

With this in mind, I speak today to add my voice to the chorus of support for Bill C-12, but also urging further and decisive action to eradicate poverty, including through the guaranteed livable basic income proposed by Bill S-233 and Bill C-223.

Throughout the pandemic, the government has demonstrated a laudable openness to adjusting its income supports to better reach those falling through the gaps. Unfortunately, however, the more than 3.5 million Canadians living below the poverty line have disproportionately borne the consequences of the time that it takes to adjust coverage under this step-by-step approach.

Bill C-12 is a vital measure, but the relief under this legislation, along with a planned one-off reimbursement for past GIS clawbacks, will arrive far too late for too many who have been forced to go without food, shelter or medication since July 2021. As detailed by Campaign 2000, many seniors have had to turn to usurious payday loans to afford rent. Many more have been evicted or face the threat of eviction before these new government measures take effect. Elderly people who lost their housing during the pandemic — and dealt with an unusually cold winter — have been left with absolutely nowhere to go.

For many, the loss of GIS payments also means the loss of other provincial and territorial benefits and services available only to those who qualify for the GIS.

Even once Bill C-12 comes into force, seniors who claimed CERB in good faith and later found out that they were not eligible are still facing the prospect of having to make repayments to the government. The CERB payments they received have long since been used to secure food, shelter and other necessities for survival. At a time when the government too rarely enforces prohibitions on corporate tax avoidance and evasion that cost Canadians billions of dollars, will impoverished seniors be expected to use their vitally needed GIS incomes to make CERB repayments?

It bears mentioning that when we talk about CERB eligibility for those below the poverty line, most of those who were ineligible did not qualify because they had too little income. They did not make at least \$5,000 in the previous year.

The CERB was created because of the inadequacy of current responses to poverty. When millions of Canadians who weren't already in poverty faced sudden economic loss as a result of the pandemic, the CERB was necessary to prevent them from having nowhere to turn but to those wholly inadequate, dehumanizing and stigmatizing provincial and territorial social assistance programs — programs that cannot be accessed until people exhaust all their savings and lose all of their assets and that keep people trapped in deep, deep poverty.

In the absence of more permanent and inclusive measures like a guaranteed livable basic income, 1 in 10 Canadians continue to be abandoned to this unacceptable status quo. How can we justify a program like the CERB that so clearly recognizes that existing systems for responding to poverty are untenable and yet deny supports to the very people trapped within those systems?

The government has already taken vital steps toward more inclusive forms of income support. Last Parliament, it introduced legislation proposing a form of guaranteed livable basic income for persons with disabilities, and it has committed to reintroducing this legislation.

The Guaranteed Income Supplement at issue in Bill C-12, which also operates as a limited form of guaranteed livable basic income, demonstrates what the Canada disability benefit has to offer both in itself and as a further step toward guaranteed livable basic income for all Canadians.

While the circumstances surrounding Bill C-12 reinforce that the GIS has not eradicated poverty and economic uncertainty for seniors, the program has resulted in significantly lower rates of poverty, such that approximately 8% of single seniors now live in poverty, compared to about 32% of single adults under the age of 65.

The government introduced the GIS in the late 1960s, during a time of bold action to address poverty and inequality, seeing it as particularly reprehensible to abandon elderly people in Canada to hunger and homelessness. The lack of more robust support for working-aged Canadians means, however, that too many remain trapped in poverty their entire lives.

• (1600)

To illustrate the difference between social assistance programs available to younger adults and the Guaranteed Income Supplement, or GIS, Dr. Evelyn Forget, an economist and one of Canada's leading experts on guaranteed livable basic income, refers to the lived experiences of people — people like Bill.

Bill worked at a Winnipeg food bank. He was also on social assistance and a client of the food bank. He lived in a tiny, insecure residential hotel with a shared, unusable shower until his life suddenly changed. On his sixty-fifth birthday, he qualified for GIS. Even though GIS has often failed to raise people above the poverty line, in Bill's case, it doubled his income. His GIS entitlements provided him with twice what he used to receive on social assistance. As a result, he was able to rent a small apartment with a door that locked and a working bathroom. He no longer had to wear all of his clothes all the time out of fear that others might take his belongings. He had access to his own cooking facilities for the first time and could purchase several cans of beans or chili at a time, preparing his own food at home instead of having to pay extra for food he could eat from a package or lining up for hours at a soup kitchen.

The travesty of Bill's story is that he had to wait so long, until old age, before he could access supports sufficient to provide even this small amount of stability. Guaranteed livable basic income would give people a meaningful chance to escape cycles of poverty much earlier in life. It would provide people the security and resources needed to regroup and plan for the future that can help people keep poverty temporary instead of permanent.

Those people include children transitioning out of the care of the state with no one to support them; young adults unable to afford post-secondary education or having to balance their studies with full-time work; recent graduates hoping to find a secure job in their field but forced to turn to gig work to try and survive; young families trying to care for children; single moms leaving a home they shared with an abusive partner; workers in struggling industries and people dealing with sudden illness or caregiving responsibilities. These are just some of the people in Canada who face economic uncertainty and for whom Canada's current support systems too often work like a spider's web to ensnare them instead of a trampoline that allows them opportunities to bounce back.

Honourable senators, Bill C-12 will ensure that seniors with the least do not lose the income supports that they rely on to survive.

Right now, let's pass this bill. Going forward, let's work together with renewed urgency to assist the government to continue the critical work that it has started by ensuring seniors and all in Canada currently struggling below the poverty line have access to the health, social and economic supports they need to not merely survive subsistence but to thrive.

In this way, we can sow the seeds of inclusion and help diminish the divisions that the pandemic and recent events have brought into sharp relief. I look forward to pursuing this with all of you. As the folks in P.E.I. are urging us, let's get it done.

*Meegwetch*, thank you.

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

**The Hon. the Speaker:** Senator Pate, would you take a question?

**Senator Pate:** Yes, I will.

**Hon. Marilou McPhedran:** Senator Pate, to your point about the overall impact of expanding guaranteed livable income, could you comment, please, on populism and the fact that the research available to us now is that populism, including what we have seen in Canada in the last two weeks, has roots in economic disparity and opportunity disparity?

**Senator Pate:** That was a very good summary of the research that does exist. Thank you very much for raising it.

Yes, as I mentioned in my speech recently regarding some of these issues, it's key. It certainly is seen as one of the key issues stoking the flames of discontent and assisting in drawing people to go toward individuals and groups that they believe are interested in assisting them but don't necessarily support their overall well-being.

**Senator McPhedran:** Thank you.

**Senator Omidvar:** Senator Pate, let me start by saying that I admire your consistent advocacy for low-income people. I think you point out, rightly, that it is a failure of policy and political imagination that results in these aggressive and punitive clawbacks to income-tested regimes. I'm wondering, though, if you believe that this bill sets the stage to amend policies in other related regimes such as the Canada Child Benefit and disability benefits on clawbacks.

**Senator Pate:** I certainly hope so. Thank you very much for your advocacy on this and in so many other areas as well.

**Hon. Diane F. Griffin:** I rise today to speak in support of Bill C-12 receiving second reading and being referred to committee to be studied and potentially amended to correct a drafting error.

On November 24, I raised the issue of this drafting error to Senator Gold here in the Senate during Question Period. The Budget Implementation Act, 2021, No. 1 contains a drafting error related to clause numbers due to an amendment made in the House of Commons that deleted a clause of the bill.

When the bill arrived in the Senate, the government requested that the Senate not refer the bill to committee, where normally our law clerk's office would have quickly identified such an error and flagged it for the Senate to correct. Had the law clerk's office not caught the error, I'm confident that Senator Marshall would have. However, because the government asked us to rush, we did not undertake a basic function of our role as a revising chamber. Senators, I see us now, in a rush to pass Bill C-12, making the same mistake all over again.

Colleagues, I'll leave it to others who are more proficient in financial matters and government databases to challenge the claim by Employment and Social Development Canada that it is unable to implement changes to the Old Age Security, or OAS, system if the bill does not receive Royal Assent by March 4. That rationale will be assessed in the committee examination process.

Rather, colleagues, I would like to go back to this drafting error and discuss why it should cause discomfort. In short, it's because officials are presently violating the law. What is this error? Under Division 31 of the 2021 Budget Implementation Act, entitled "Increase to Old Age Security Pension and Payment," section 268 exempts from the calculation of annual income the \$500 one-time OAS payment for seniors aged 75 and above. This means that the benefit would not impact the OAS clawback threshold or other income-tested benefits, like the Guaranteed Income Supplement. However, this section incorrectly references section 276 rather than section 275 from the exemption. Section 275 refers to the \$500 one-time payment under the Consolidated Revenue Fund. Section 276 refers to unrelated amendments to the Public Service Employment Act.

On November 24, in response to my question, Senator Gold stated:

I have been assured by the government that there will be no impact on the benefits paid or to be paid to Canadian seniors arising from the issue that had been identified following parliamentary approval of Bill C-30.

However, when I spoke with officials in a recent technical briefing, they actually acknowledged the drafting error and said that the government is not following the letter of the law where technically the one-time \$500 payment could be counted against OAS and GIS benefits.

• (1610)

Their rationale for why it was acceptable to ignore the law was because they expected, at some point in the future, that this drafting error would be corrected by the Miscellaneous Statute Law Amendment Program. I point out to you that the last time this program was used was in 2017. Generally, it is not used for one small item; it's used for a grouping of items.

Honourable senators, according to the Justice Canada website, this program is limited to minor, non-controversial amendments to be made to a number of federal statutes at once — in one bill — instead of making such amendments incrementally. The program also relies on the premise that not a single member of the Standing Senate Legal and Constitutional Affairs Committee will object to a change being deemed non-controversial.

[ Senator Griffin ]

Colleagues, if a drafting error resulting in an act referring to a completely different statute, it goes beyond merely being a technical amendment.

ESDC is violating the law in directing its employees to program the database in a manner inconsistent with the law on the premise that, at some point in the future, the drafting error will be corrected. This situation is unacceptable, and the obvious solution is before us right here in Bill C-12.

Bill C-12 is designed to ensure that certain benefits provided during the pandemic do not impact the OAS and GIS benefits of seniors by exempting them from the classification of income under the Old Age Security Act. This is the exact bill that should be amended to fix the error for the one-time \$500 payment.

I remind you that the purpose of the Miscellaneous Statute Law Amendment Program is to make a series of changes when it is not possible to open up the parent act. But the parent act is open here right now. We can fix this error and demonstrate the purpose of the Senate as a revising body.

Colleagues, it's impossible to reconcile the stated goal of officials to rush the passage of Bill C-12 to be in compliance with an arbitrary — dare I say, artificial — deadline of March 4 so that they can program the database accordingly with the fact that those same officials are also ignoring the legal text of the law respecting the \$500 payment. If ESDC doesn't seem bothered by an actual drafting error, and it's ignoring the legal consequences of the rule of the law, why is it in a rush to pass Bill C-12 by March 4? That's a good question.

Honourable senators, I propose the following solution: We take our time to amend the bill and fix the drafting error but also amend the coming-into-force provision to state that the bill is deemed to have come into force effective March 4, effectively undertaking legal retroactivity. ESDC could make its changes, including the correction of the drafting error, with the knowledge that their actions would be legally valid.

Honourable senators, perhaps this is something that the committee may wish to explore so that we are able to do our jobs and ESDC is able to do theirs. Thank you.

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

**Hon. Marc Gold (Government Representative in the Senate):** Would the senator take a question?

**Senator Griffin:** Most certainly.

**Senator Gold:** Thank you for raising this issue.

With respect, I believe that the numbering issue you refer to engages a different section of the Old Age Security Act. I'm also advised that officials already noted that it had no material impact on the delivery of the benefits for seniors and that the government is prepared to correct this measure through future legislative action.

Therefore, isn't it important that we ensure seniors are not negatively impacted so as to ensure there's an operational runway so that tens of thousands of seniors are not negatively affected?

**Senator Griffin:** Thank you for your question. Yes, I agree that this is very important, which is why I want it to go to committee and have it done correctly.

You mentioned future legislative action. Am I to infer from that that you're referring to the upcoming anticipated budget implementation act?

**The Hon. the Speaker:** Senator Gold, I'm not so sure this is a time in debate for you to be answering questions. Either you have another question for Senator Griffin or we move on.

**Senator Gold:** I have no further questions. Thank you.

**Senator Cordy:** May I ask a question, senator?

**Senator Griffin:** Certainly.

**Senator Cordy:** Thank you, Senator Griffin, for pointing that out. I think a number of us who have been looking at it were certainly very much aware of that.

I was told that could be in the Miscellaneous Statute Law Amendment Program. We've all sat through them where it's on and on about minor and non-controversial changes that would be required — and Senator Gold referred to that in his question to you. But you also talked about it not really mattering when it passes — it would still be implemented in July, or the end of June for seniors.

Did you read the testimony of one of the officials in the House when he said that it is critical that this be passed by the beginning of March in order for it not to impact individual entitlements for GIS benefits, which would be effective in July? I'll go back to what his words were:

GIS benefits are renewed every July based on the previous tax year's income, and therefore the system changes that we make always occur in March, when we shift from the previous tax year to the most recent tax year.

I just wondered if you had read that information from the official and understand the implications of not allowing the change in numbering that you suggested be done through the miscellaneous statutes.

**Senator Griffin:** Yes, I understand what the official is saying. I come back to my point: The law is the law. We have a chance here to correct it very efficiently and expeditiously. Let's do it. It can go to committee. We can vote on sending it to committee today. The committee can meet next week. The committee can report back to this chamber and, theoretically, by Thursday, it can be out of this chamber and back over to the House of Commons.

I'm not sure where their break week lands — I know theirs is not always the same as ours — but the point is that they can fix it quickly and relatively easily via this act, or very shortly via the budget implementation act, and make it retroactive. It wouldn't be the first time governments have ever done something like that.

Thank you for the question.

**Hon. Pamela Wallin:** Senator Griffin, could you explain why this can't be done through the process you have just outlined, which is a very short time frame? Is there some suggestion that this could not or would not happen at committee?

**Senator Griffin:** Let me put it this way — I don't know if you were here the other day when I received the answer about Registered Education Savings Plans and why they can't be protected during bankruptcy proceedings. What I heard back via the Government Representative in the Senate were all the answers why they couldn't be done. My response to that was this: Let's find some reasons why we can do something as opposed to why we can't. If it's convenient or inconvenient, that doesn't count. What counts is what is for the betterment of our population. That's why we're here.

**Senator Wallin:** I'm genuinely asking this because we have had these issues many times before, but can you not propose an amendment? If it's not accepted in committee, could you not propose it on the floor of the Senate?

**Senator Griffin:** It could be proposed on the floor of the Senate if it's not accepted in committee. I have it in my briefcase.

• (1620)

**Hon. Donald Neil Plett (Leader of the Opposition):** Honourable senators, I rise today to speak to Bill C-12, An Act to amend the Old Age Security Act (Guaranteed Income Supplement).

As explained by Senator Cordy, this bill is straightforward. It contains only one clause that amends the definition of the word "income," and now even in one clause, Senator Griffin has found out that the government again has messed up. Nevertheless, the bill amends the definition of the word "income" in the Old Age Security Act in order to exempt pandemic relief benefits from the calculation of the Guaranteed Income Supplement or Allowance benefits beginning in July 2022.

Any payments received by seniors under the Canada Emergency Response Benefit Act, Part VIII.4 of the Employment Insurance Act, the Canada Recovery Benefits Act, or the Canada Worker Lockdown Benefit Act will not be counted as income when determining eligibility for benefits under the Old Age Security Act.

These changes will not impact Old Age Security payments because OAS benefits are not income tested. They will, however, impact Guaranteed Income Supplement benefits and Guaranteed Income Supplement Allowance benefits.

Colleagues, the Conservative caucus supports this initiative. We have been saying for months that seniors who relied on the pandemic relief programs should not be penalized for doing so. It is cruel public policy to offer support to our most vulnerable in the midst of a public health crisis only to claw it back later.

But we do not support the incompetence that made this bill necessary. We are again being asked to fix mistakes that have been made due to the Liberal government's bad management and habitual contempt for Parliament.

Let me remind you that no sooner had this pandemic begun than the government attempted to grant itself the power to raise taxes, debt and spending without parliamentary approval for almost two full years. January 1, 2022, is when the powers that they were asking Parliament to approve would have expired. Even wartime governments did not have such sweeping powers. Yet, on March 4, 2020, they had the nerve to ask for it in the very first COVID bill, Bill C-13.

It was in this same bill that Conservatives had to fight to get sunset clauses placed on COVID programs, because this government does not place value on being responsible regarding the expenditure of tax dollars. We had to insist that the government table regular COVID spending reports to the House of Commons Health and Finance Committees, because this government does not place value on transparency. We had to insist that the House of Commons Finance Committee have the right to recall Parliament if any abuses were identified, because this government does not place any value on accountability.

We should have known right there that we were in for quite a ride during the pandemic, because, as it turned out, this was only the beginning of their incompetence and their undisguised disdain for Parliament.

In bill after bill throughout this pandemic, the government quickly established a clear pattern of introducing flawed legislation at the last minute without consulting the other parties in Parliament and then demanding that it be rushed through. Senators — with a metaphorical gun to their heads — complied repeatedly for the sake of Canadians.

You may recall the Canada Emergency Commercial Rent Assistance program for small businesses. It was announced on May 20, 2020, as a program to “provide important relief for small businesses experiencing financial hardship . . . .” The only problem was that the program contained two major flaws that would limit its effectiveness.

First, the program was designed so that businesses would not be eligible for the rent assistance until they had a revenue drop of at least 70%. Second, only landlords could apply for the assistance, not businesses.

Although the Conservative Party flagged these problems within 24 hours of the Prime Minister's announcement and called on the government to fix them, the government did nothing for 26 weeks. It wasn't until November 19, 2020, when we found ourselves in this chamber considering legislation to fix the problem identified six months earlier.

The only problem was that the new legislation that introduced the Canada Emergency Rent Subsidy also had a fatal flaw. It required businesses to pay their rent before they could apply for assistance to pay that rent.

If you recall, the government was informed of the error after it had already introduced the bill in the House of Commons. They then scrambled to fix the error by creating an amendment. But after erring in the drafting of the bill, they also erred in the drafting of the amendment. So the Deputy Speaker of the House had to rule it out of order.

We ended up with a flawed bill being tabled in this chamber and had to watch the spectacle of the Minister of Finance telling us she was going to instruct the Canada Revenue Agency to ignore the problems in the bill we were about to pass, because the government was going to introduce legislation to fix it at some point in the future.

Let me give you one more example: Bill C-17. This bill was introduced in the House of Commons on June 10, 2020. It did four things: made changes to the Canada Emergency Wage Subsidy; enacted the Time Limits and Other Periods Act; authorized the Canada Revenue Agency to share information with other government departments to facilitate a one-time payment to persons with disabilities; and, finally, made amendments to the Canada Emergency Response Benefit Act. The problem was that it did none of these things well, because of the government's failure to consult.

At the time, the House of Commons was only sitting a couple of days a week. Conservative leader Andrew Scheer suggested that the government take a few more days to debate and amend the bill in order to get it right, but the government refused.

Bill C-17 never made it to second reading. Instead, the government reworked the bill in an attempt to fix the problems and reintroduced it six weeks later as Bill C-20. But once again, although improved, it was still flawed. The government had now delayed pandemic supports for a month and a half because of their refusal to work collaboratively.

Colleagues, I don't have time to go through all the examples of this government's incompetence, because I am scheduled to retire in a few more years; we would run out of time before I got to the end of the list. But suffice it to say that all through this pandemic we have had to fight with this government for accountability, transparency and reasonable time frames to consider legislation it wanted passed.

That brings us to the legislation before us today. Bill C-12 is the government's fix for a problem they created almost two years ago when they introduced the CERB program. Seniors who



qualified for CERB payments would find these benefits being included in the calculation of their income, which would impact their eligibility for the Guaranteed Income Supplement, or GIS.

In the Economic and Fiscal Update tabled in Parliament on December 14 last year, the government reported that approximately 204,000 seniors ended up having their GIS benefits cut for a cumulative total of \$742.4 million. This comes out to an average loss of about \$3,639 a year, or \$303 per month.

Colleagues, I want to underscore that the GIS is intended to help low-income seniors make ends meet. A single senior qualifies for GIS if they earn less than \$19,464 per year. In other words, they are trying to live on only \$1,622 per month, which I think most of us can appreciate is next to impossible.

But remember, this is the upper threshold, which means many GIS recipients live on even less. You can quickly see how a loss of \$303 per month would be a crushing loss of income for many seniors.

• (1630)

Now in fairness, this was the very beginning of the pandemic when we were all scrambling to deal with a very uncertain situation. The bill passed through the House in one day and the Senate the next day. There was an urgent need to reassure Canadians that there would be government support available for those who needed it throughout the pandemic. It was not a time to delay legislation in order to get things perfect.

That, colleagues, was almost two years ago. As early as May 12, 2020, the government acknowledged that these benefits were going to cause a problem for Guaranteed Income Supplement, or GIS, recipients. The benefits would be included in the calculation of their annual income, which would impact their eligibility for GIS.

In a briefing document from members of the House of Commons Standing Committee on Human Resources, the Minister of Seniors at the time noted the following:

The Canada Emergency Response Benefit is intended to replace income that has been lost due to COVID-19. It is considered to be taxable income and must be considered when determining entitlement to the Guaranteed Income Supplement (GIS) and the Allowances.

This being said, this will not affect the Guaranteed Income Supplement (GIS) and the Allowances for about a year. Income received from the Canada Emergency Response Benefit in 2020 will only affect GIS and Allowances benefit amounts beginning in July 2021, as those benefits will be based on 2020 income.

So they knew the problem was coming in May 2020. They knew well ahead that it would hit the pocketbooks of seniors in July 2021, and yet they did nothing about it until February 2022.

February 2022 was 23 months after the CERB program was created. It was 20 months since the government admitted that these benefits were going to diminish the income of hundreds of thousands of seniors receiving the Guaranteed Income Supplement and nothing was done to address this shortcoming until the government tabled Bill C-12 in the other place on February 8.

Still, then, they didn't move the bill to second reading for another seven days on February 15.

Then, before the bill even got to second reading, the government moved a programming motion in the House to shut down debate and deemed the bill referred to Committee of the Whole, considered in committee, reported without amendment, concurred at report stage, read a third time and passed. In other words, they just waved the bill through.

Then once the bill was headed our way, Senator Gold, our leader here, asked if we could shorten our speeches and maybe just have the sponsor and the critics speak so we could rush it through this chamber as well.

I found this curious at first, because the bill has nothing to do with getting the \$742 million back into the hands of seniors. That allocation will reimburse seniors for money clawed back from them during the July 2020 to June 2021 GIS program year and does not require additional statutory approval.

Yes, senators, you heard right. The \$742 million that will be paid out to seniors to reimburse them for GIS clawbacks can be disbursed to seniors with no additional approval by Parliament other than passing the usual interim supply bill that will come to us shortly. This expenditure is already authorized under section 7 of the Department of Employment and Social Development Act which reads:

The Minister may, in exercising the powers and performing the duties and functions assigned by this Act, establish and implement programs designed to support projects or other activities that contribute to the development of the human resources of Canada and the skills of Canadians, to the social development of Canada or to service delivery to the public, and the Minister may make grants and contributions in support of the programs.

If Bill C-12 contains no actual money for seniors and will not change any GIS payments before July of 2022, then why would the government be ramming this bill through the legislative process? The reason we were given was that it is imperative that this bill be passed by March 4 because the Canada Revenue Agency needs to make updates to its programming, which must be completed before that date. If the bill is not passed by March 4, then CRA will not have the legislative authority to make the necessary changes and the window to implement these changes for the next GIS benefit will close. This means seniors would have to endure another year of their GIS benefits being clawed back.

Colleagues, this is unbelievable. For almost two years, the government watched a train wreck approaching in slow motion. They saw it coming as early as May 2020 and yet did not bother to act until now. Now, just before the moment of impact, they are

running around flailing their arms in desperation because we have an urgent situation on our hands. We, senators, are compelled to comply with their now-urgent timetable in order to protect seniors from the impact of this government's incompetence and ambivalence.

Colleagues, as I said earlier, our caucus supports this initiative. It passed unanimously in the House of Commons, and I expect we may see the same outcome in this chamber. However, this support should not be conflated with confidence in the government. For seniors in general, this government is a disaster. Inflation is eating away their purchasing power while low interest rates pushed by the Minister of Finance are preventing seniors from getting a return on their investment that matches the inflation. Each year, seniors get further behind thanks to Justin Trudeau's reckless policies.

This is regrettable, colleagues, and before you write that off as a partisan viewpoint, I wish to point out that it is being shared by increasing numbers of Canadians, including prominent Liberals. Just two days ago, Stephen LeDrew, the longest-serving president of the Liberal Party of Canada, wrote the following:

The Canada that Canadians now view every day is not the sensible, reasonable, and generous society that Canadians of all stripes have built up over many generations.

It has become polarized, nasty and barely recognizable.

Just listen to people talking in stores, on the street, and in meeting places.

Just walk or drive through cities and villages and the countryside, and see the Canadian flags — paired with signs expressing vehement disapproval of our federal government. Loyal Canadians are fed up with their federal government.

And one person is responsible for this — Prime Minister Justin Trudeau.

He has drastically altered Canadian institutions and norms so considerably that usually calm people are raising their voices in protest.

The core of the protestors in Ottawa and other Canadian centres were angry not only about government heavy-handedness in its pandemic policies, but also the changes being brought about by Trudeau.

He has cheapened public discourse and public life.

He talks so high-minded, yet has a lifelong history of deplorable acts.

He has arbitrarily ruined the lives of many other people who have been supposedly guilty of far less egregious acts than have been proven by photographs against him — perhaps to deflect his own guilt?

Does “do as I say, not as I do” strike home? How about “one standard for the masses, and another for the elites like me?”

His intolerance, and high-handed and ill-founded rectitude has led many to regard the government with disdain, and doubt its ability to get things right.

• (1640)

Colleagues, Mr. LeDrew goes on, but I think I have read enough for you to understand his message. This government does not seem to have the ability to get things right, and the fact that this bill is before us today at the eleventh hour is just one more example of this.

I support this bill. I support it going to committee, but I reject the government's incompetent, cavalier approach to enacting public policy and I hope that all honourable senators will as well. Thank you.

**Senator Gold:** Would the senator take a question?

**Senator Plett:** Sure.

**Senator Gold:** Senator Plett, out of respect for you and this debate, I did not rise in the course of your debate to raise a point of order, and I will not do that. However, you made allusions to statements that I made about how this bill should be treated which I did not make in the chamber; and if I said anything on that subject, it would have been in the context of a confidential leaders' meeting. I have never, in the two years I have been Government Representative, treated those meetings as anything other than confidential. I'm going to assume that was inadvertent on your part and I simply want to now move to my question.

In the interests of making sure that the chamber is not under some confusion, I wonder if you could help clarify. Would you agree then that the drafting error to which Senator Griffin referred is not in fact a drafting error in Bill C-12 but is indeed another section of the Old Age Security Act? Would you agree that it is important that Bill C-12 be studied properly but implemented in a timely fashion so that the bottom line of our seniors is not negatively affected?

**Senator Plett:** I think I made that clear at the end of my speech. We support the bill and we support it moving to committee, and we support it moving to committee today, so we are again reluctantly helping this government. Yes, I would say that is in the affirmative to your question.

**The Hon. the Speaker:** Senator Plett, would you take another question?

**Senator Plett:** Sure.

[*Translation*]

**Hon. Renée Dupuis:** Senator Plett, I know that, as sponsor of this bill, you have access to more documentation than ordinary senators do. Have you asked the government for the gender-based analysis plus that would normally have been conducted when the bill was drafted and had to be submitted to cabinet?

[*English*]

**Senator Plett:** We attended briefings on this bill as we always do. No, I did not ask the government for anything personally.

[*Translation*]

**Senator Dupuis:** I wanted to know whether the government offered to provide you, as sponsor of this bill, with this analysis, either in its full version or in summary form.

[*English*]

**Senator Plett:** They have not offered it to me, no.

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

**Hon. Senators:** Agreed.

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

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

(On motion of Senator Cordy, bill referred to the Standing Senate Committee on Social Affairs, Science and Technology.)

ADJOURNMENT

MOTION ADOPTED

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

That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, March 1, 2022, at 2 p.m.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

## CUSTOMS TARIFF

BILL TO AMEND—SECOND READING—DEBATE ADJOURNED

**Hon. Leo Housakos** moved second reading of Bill S-204, An Act to amend the Customs Tariff (goods from Xinjiang).

He said: Honourable senators, I rise today to speak to Bill S-204, An Act to amend the Customs Tariff.

This bill is very straightforward. It seeks to amend the Customs Tariff Act to prohibit the importation of any and all goods produced in the Xinjiang Uyghur Autonomous Region of the People's Republic of China.

Some of you may be asking why I'm proposing this be done by the Parliament of Canada; others may wonder if it's necessary given current law; and others may wonder about retaliation, so I would like to address each and every one of those issues.

First, why am I proposing this ban? The answer is simple — because of the mounting evidence that a genocide is being committed in that region by the Communist Party of China, and it's being committed for no reason other than the people indigenous to the region are Muslims. They're being raped, enslaved, tortured and murdered because they're Muslim, full stop.

Integrated with this genocide is incontrovertible evidence that hundreds of thousands — perhaps up to 1 million — members of the Uighur minority are being compelled to engage in forced labour for the benefit of the Communist authorities and for the benefit of businesses that are implicated in this activity.

In my view, by not taking action, by remaining silent, we are being complicit — even if inadvertently — in the face of this outcry, and that is not who we are as Canadians. This bill is necessary to single out and further expose what may be the most serious violation of human rights occurring in our world today.

I will begin by quoting from only a few of the many eye witnesses testifying to what has been happening in Xinjiang.

Rukiye Turdush is a Canadian citizen who emigrated from China to Canada in the 1990s. She has testified that her brother was killed by Chinese soldiers in 1992, and she has talked about the brave decision she took to leave China in the 1990s. She has spoken about being expelled at gunpoint with her baby from her Beijing hotel room for no other reason than because she was a Uighur.

She has spoken openly about the continued harassment she has experienced, even here in Canada, at the hands of those who are in the service of, or supportive of, Chinese Communist authorities.

She has been harassed because of what she has dared to say about the repression that has accelerated since 2017, and I quote:

Since 2017 [the Chinese government] started to arrest everyone in East Turkestan [otherwise known as Xinjiang] . . . I asked my dad, how many of them are inside, and he said, you have to count how many are outside, because all of them are inside.

Mrs. Turdush's accounts are hardly unique.

• (1650)

The BBC has reported accounts of systematic rape and torture in those camps, and countless reports of rape and sexual abuse have been catalogued by human rights organizations.

Canada's own former minister of justice and attorney general, Irwin Cotler, has argued that in his view the Peoples Republic of China has committed every one of the five acts found in the United Nations Genocide Convention. Mr. Cotler stated:

Uyghurs suffer unlivable conditions, torture, and sexual violence inside the camps, and are subjected to institutionalized enslavement across China. Since 2017, the Chinese government has forcibly transferred Uyghur children — many of them 'orphaned' as a result of losing both parents to internment or forced labour — to a network of state-run facilities in Han Chinese settings.

In other words, the minority population is in the forced service of China's ethnic majority.

Mr. Cotler further states:

The government is simultaneously subjecting Uyghurs to systematic mass forced sterilization and coercive birth-prevention policies, destroying the group's reproductive capacity.

. . . Senior officials have issued orders to "eradicate tumors," "round up everyone," "wipe them out completely" . . .

Other Canadians have also witnessed first-hand what is going on in Xinjiang.

[*Translation*]

Canadians Gary and Andrea Dyck lived in the Xinjiang region from 2007 to 2018. They told Agence France-Presse what they saw when they arrived in China.

They noted that the traditional Uighur neighbourhoods had started to be dismantled and residents were being relocated to buildings far from their communities — and then the measures started to escalate. The couple said that in 2016 there was an increase in police presence, with checkpoints at all major intersections and more security cameras in the cities.

[ Senator Housakos ]

[*English*]

They personally saw the internment camps being built. Gary Dyck stated:

As the camps were being built, and people were being taken away months later, there was no pushback, there was no fight because there was so much security and they were overwhelmed as a people.

One detention centre was built close to their home. They described it as having a wall 15 feet high, topped with barbed wire and monitored by security cameras as well as guard patrols.

Gary said:

A few of our (then) 15-year-old son's friends were turning 18 soon, and they were fearful because they would be legal age and they were wondering if they were going to be taken to these camps next, and so they were actually dreading turning 18.

Where (else) in the world does a 17-year-old dread turning 18?

We just felt we were living in a huge penitentiary.

I very much regret to say, colleagues, that the body of evidence supporting this very disturbing assertion is considerable.

I want to quote from what international human rights organizations, who have been cataloguing the witnesses' testimony, have told us. Last June, Amnesty International released a 160-page report on the scope of the repression. That report concluded:

Uyghurs, Kazakhs and other predominantly Muslim ethnic minorities in China's Xinjiang Uyghur Autonomous Region face systematic state-organized mass imprisonment, torture and persecution amounting to crimes against humanity . . .

Other research work carried out by Human Rights Watch, together with Stanford University's Law School, found that the Chinese government has committed — and continues to commit — crimes against humanity against the Turkic Muslim people. Human Rights Watch noted that under the Rome Statute of the International Criminal Court, ICC, crimes against humanity:

. . . serious specified offenses that are knowingly committed as part of a widespread or systematic attack against any civilian population.

Crimes against humanity are considered among the gravest human rights abuses under international law. The specific crimes against humanity documented in this report include imprisonment or other deprivation of liberty in violation of international law; persecution of an identifiable ethnic or religious group; enforced disappearance; torture; murder; and alleged inhumane acts intentionally causing great suffering or serious injury to mental or physical health, notably forced labor and sexual violence.

Here in Canada, in 2021 the NGO Above Ground published a study on forced labour around the world. As part of its study, it found that in Xinjiang Chinese communist authorities have sent:

... hundreds of thousands of the region's Uyghurs and other Turkic ethnic minorities, who are predominantly Muslim, to detention camps to have their thoughts "transformed." Survivors of camps report being kept in crowded dorms, deprived of food, forbidden from praying or speaking their language, and harshly punished for transgressions.

The study noted that Chinese authorities have also allegedly:

... transferred hundreds of thousands of ethnic minority citizens, including former detainees, into involuntary work placements across China.

The workers are said to have little choice but to comply given the ever-present threat of extrajudicial detention.

Also, last year, the Raoul Wallenberg Centre for Human Rights released a report by more than 50 independent global experts in international law. The report concluded:

... the People's Republic of China ... bears state responsibility for committing genocide against the Uyghurs, in breach of the Genocide Convention.

Colleagues, democratic states and international organizations are taking note of these reports. Last June, the White House issued the following statement:

... The United States believes that state-sponsored forced labour in Xinjiang is both an affront to human dignity and an example of the PRC's unfair economic practices. The PRC's use of forced labour in Xinjiang is an integral part of its systematic abuses against the Uyghur population and other ethnic and religious minority groups, and addressing these abuses will remain a high priority for the Biden-Harris administration. These systematic abuses go beyond forced labour to include sexual violence and large-scale detentions, and the PRC continues to commit genocide and crimes against humanity in Xinjiang.

The British Foreign and Commonwealth Office, in turn, has stated the following in relation to the position of the British Government:

We are seriously concerned about the widespread and systematic human rights violations in Xinjiang. These violations include — but are not limited to — the extrajudicial internment of over 1 million Uyghurs and other ethnic minorities; severe restrictions on culture, religion and language; pervasive surveillance and monitoring; the use of Uyghurs and other ethnic minorities as forced labour; and the enforcement of birth prevention policies.

Evidence of gross human rights violations and extra-judicial detention and forced labour has been growing, including leaks of China's own classified internal documents.

Colleagues, a December 2020 Resolution by the European Parliament states:

... the suffering of the Uyghurs also extends to the younger generation ... young children have been sent to state-run orphanages even if only one of their parents has been detained in the internment camps ... by the end of 2019, over 880,000 Uyghur children had been placed in boarding facilities ...

[*Translation*]

The resolution of the European Parliament also emphasizes the Orwellian nature of the Chinese government's surveillance measures, namely, and I quote:

... measures to ensure the 'comprehensive supervision' of Xianjiang through the installation of Skynet electronic surveillance in major urban areas and GPS trackers in all motor vehicles, the use of facial recognition scanners at checkpoints and train and petrol stations, using software based on artificial intelligence camera systems aimed at identifying Uyghurs and other members of ethnic minority groups ...

Finally, I would like to mention a statement issued this June by the United Nations Office of the High Commissioner for Human Rights on the findings of human rights experts. It referred directly to, and I quote:

... exploitative working and abusive living conditions that may constitute arbitrary detention, human trafficking, forced labour and enslavement by the use of forced labour.

It also recognized the following, and I quote:

... hundreds of thousands of members of the Uyghur minority have been held in "re-education" facilities. Many have also reportedly been forcibly transferred to work in factories in the Xinjiang Uyghur Autonomous Region and in other Chinese provinces.

"Uyghur workers have allegedly been forcibly employed in low-skilled, labor-intensive industries, such as agribusiness, textile and garment, automotive and technological sectors" ...

• (1700)

[*English*]

Colleagues, this is the evidence we have before us, and it is evidence that both world bodies and democratic countries are acknowledging as credible.

I submit that what is happening in Xinjiang should terrify us all the more because the actions we are hearing about now are consistent with actions that Communist authorities in the People's Republic have taken for many years. My intent is not to be inflammatory or dramatic, but I believe we need to be honest

when it comes to the historical record, because the historical record helps us to fully comprehend what is happening in Xinjiang today.

The Chinese Communist Party has ruled mainland China for more than 70 years. The generally accepted fact is, in that period of time, it has murdered between 30 and 45 million people. Some argue that the number is even higher. No one will likely ever know the precise number. It doesn't matter what the exact number is; it is horrifying.

[*Translation*]

The thing that concerns us in the history of the Communist Party is that the regime that committed these acts is still in power today. It has never been held accountable for its actions. We have nonetheless decided to strengthen our relationship with that regime. I wonder why. I imagine that we wanted to believe the regime would change on its own, that it would recognize the need to change. Although it now says mistakes were made in the past, this does not change one of the core guiding principles of the regime, specifically, that any action to defend the interests of the Communist Party is justified.

This fundamental position is what makes what is happening in Xinjiang so terrifying. That is why we cannot simply turn a blind eye yet again. We cannot convince ourselves that the regime will change on its own. It has sent a clear message that it does not believe it needs to change. That is the difference between what is happening in Xinjiang and what is happened to residential school survivors in Canada, for those who want to make that comparison. I would say that it is because of our own history and the deeply rooted repercussions that are still felt today, that we feel compelled to denounce the situation when we see it elsewhere.

[*English*]

Unlike Canada, the Communist regime in China doesn't believe it is doing anything wrong. They believe their actions are justified. A few months ago, published secret remarks reportedly delivered by Chinese President Xi Jinping show his active engagement in the actions being carried out in Xinjiang today.

According to *The Guardian* newspaper, the leaked documents include three speeches delivered by the Chinese president in April 2014. These reference security, population control and the need to punish the Uighur population. Some of these leaked documents were reportedly marked "top secret."

The transcript of one speech from May 2014 quotes President Xi as saying that the Communist Party "must not hesitate or waver in the use of the weapons of the people's democratic dictatorship and focus our energy on executing a crushing blow" against the forces of so-called religious extremism in Xinjiang. When one considers the history of the Communist Party in China, these remarks are chilling.

[ Senator Housakos ]

Last year, when my motion concerning the genocide of the Uighurs was considered in this chamber, it was rejected by the majority — which I think was a shame. I believe part of that is because there has not been a full appreciation as to the scope of what has been happening in Xinjiang. Perhaps it is because we have been so hopeful for a People's Republic of China that, with time, would more closely resemble our values, that we have lost sight of what the Communist regime has done in the past and of what it is capable of doing today.

As I have said, the regime has never been held to account for its past atrocities, yet there appears to be a tendency to forget them.

Recall that our Prime Minister once called Communist China the country he admired most in the world. I'm not recalling that remark in an attempt to be cheeky — it shows our naïveté and misguided approach. I cite it as an example of that naïveté, engendered by the blind eye that we turn to this history of the Communist Party of China — a naïveté that I find extremely worrisome and dangerous. This naïveté has even given rise to a belief that there is a moral equivalence between democratic states and tyrannical regimes.

In this regard, last June, the former leader of the government spoke of the supposed "tone of moral superiority and self-righteousness contained in the motion," in reference to my motion concerning the Uighur genocide.

The argument that somehow, because Canada has not been perfect, we then have no right to judge what is taking place in Xinjiang today, is one of the most morally paralyzed responses I've ever heard.

As I said earlier, it is because of our own history of residential schools and the ongoing damage and trauma caused by them that Canada is not only well positioned but is actually obligated to call out and take action against what is happening to the Uighur people.

Imagine the consequences for the entire world were such a position adopted during the 1930s. Could we have ever opposed the rise of fascism?

Then there is the naïve — if not spurious — argument that we must "engage" with the Chinese regime and help them understand that the path they are on will not be successful for them.

My colleague Senator Woo made this very argument last June, saying that he preferred to seek to convince the Communist regime that their methods are unlikely to achieve a successful outcome. As I said, spurious or, at the very least, extremely naïve.

With all due respect, Senator Woo, I would perhaps be disquieted had I been one of the senators who, last June, was complimented by the Chinese ambassador as "people of vision," people who were described by the ambassador as having "seen through the despicable schemes of a few anti-China forces."

The regime does not acknowledge the truth, or even the facts, of what is going on in Xinjiang. How, then, are we to somehow convince them to change their ways?

I fear that our government's own moral ambivalence — by abstaining on a motion in the House of Commons last year that condemned the Uighur genocide — has only encouraged further repression. There are not many Western governments, colleagues, that have refused to recognize what is going on there as a genocide. The Canadian government continues to refuse.

[*Translation*]

What is happening in Xinjiang is reminiscent of similar actions we've seen from this regime in the past, and it is terrifying. Much has been written about what the Chinese Communist Party's ultimate goals in Xinjiang might be. Is it simply to suppress and eradicate a minority culture? Does it have a broader objective, for example, to replace the Uighur population with a majority Han Chinese population? No one knows for sure. What we do know, however, is that millions of people who are part of a minority population are being detained and subjected to intensive re-education. That is one of the findings of a recent study by the Brookings Institution.

[*English*]

In the face of that, I believe we must respond, and we must respond firmly. In my view, we must actively oppose and sanction what is happening in order to begin to protect the Uighur people and other ethnic minorities.

I agree with what former senator Roméo Dallaire has argued in a very morally clear way. He said:

When there is massive abuses of human rights by a state . . . we all have the responsibility to go in and protect them.

What does “protecting them” mean in the context of a great power like the Chinese Communist state? In my view, at a minimum, it means we should not be co-participants in their repression, even if inadvertently.

This bill proposes to stop the importation of goods from a region where crimes of genocide are taking place and forced labour practices are evident. This is certainly a modest measure, but I believe the bill can play a part in opposing what is happening in Xinjiang. In my view, the measure proposed in this bill is entirely consistent with Canada's obligations to the World Trade Organization, or WTO.

• (1710)

Article 21(b)(iii) of the WTO permits member states to take trade actions to protect essential security interests in a time of war or in order to respond to other emergencies in international relations. The existence of a genocide, one that is widely reported and acknowledged, must certainly be regarded as one of those international relations emergencies. Historically, Canada has taken such measures before, for instance, against

Myanmar/Burma in the face of egregious human rights abuses. I submit that what is happening in Xinjiang also constitutes an egregious abuse of human rights.

Many of Canada's allies agree and are already acting. Just to reference some examples, in 2020, the U.S. House of Representatives adopted the Uyghur Forced Labor Prevention Act imposing various restrictions on the import of goods from Xinjiang. The senate in Australia has passed a bill seeking to prohibit the importation of all goods produced, in whole or in part, by forced labour. The European Parliament has called on the European Commission to adopt measures, including a prohibition on goods produced through forced labour, in the European market.

Just as is occurring in relation to those measures, as this bill advances, I am certainly more than willing to listen to suggestions to improve the bill and to strengthen it. However, in my view, what is most important at this stage is to move the bill forward from second reading to committee consideration.

I know there are some concerns that this bill goes too far and that we should be focused on stopping the import of products that we know are specifically manufactured using forced labour. Some opponents will argue that we already have a law in place to deal with just that. The problem is that the current law isn't sufficient or simply isn't being enforced. Whether that's through lack of resources or lack of political will, only the Minister of Public Safety, previously Bill Blair and now Minister Marco Mendicino, can tell us for sure.

Consider that in the year since we changed our customs law, the Canada Border Services Agency, or CBSA, has stopped only one shipment from China with goods deemed to have been manufactured using slave labour. Colleagues, something's clearly not working — whether it's the law itself or the inability to enforce it. I'm referring to the changes that were made to our customs law after an agreement to halt the importation of goods manufactured with forced labour as part of the Canada-United States-Mexico Agreement, or CUSMA.

In the United States, the onus is on anyone importing certain goods from the Xinjiang region to prove that those goods aren't the product of forced labour. Whereas, here in Canada, CBSA has taken the position that it doesn't have the authority to put the onus on the importers. Would it surprise my colleagues to know that CBSA argued this position before the Federal Court after a refugee group filed legal action last year?

That's why I wanted to introduce this bill. I want to make sure it is very clear to CBSA that they have the authority to stop all goods from Xinjiang and that there is no onus on anyone to prove anything. I want to make it as clear and as simple as possible for our agents on the front lines to be able to do their job in fighting this egregious behaviour, and I want to send a clear and unequivocal message to the communist regime of China that we, a G7 country, will no longer tolerate China's egregious and outrageous human rights abuses. We will use the leverage we have, which is access to our wealthy consumer markets and which is considerable leverage, colleagues.

I acknowledge that if this bill is enacted, the communist regime will retaliate. We should be under no illusions about that since, in the face of the arrest of Meng Wanzhou in 2018, the regime retaliated against Canada by taking two Canadians hostage. It's ironic that I speak of this during anti-bullying week here in Canada, because there is no perpetual bully in the world right now bigger than the Chinese regime.

We know and should expect that the regime may take similar bullying steps again. It is also likely to impose its own economic measures against Canada, just as it has done in the past in order to intimidate Canada, Australia and many other of our allies. Australia, however, has responded confidently by diversifying its markets. It has engaged closely with like-minded allies in order to make its stance even more effective against this brutal regime. This is what Canada must do as well. We should partner with like-minded allies, countries like Australia, the United States, Japan, India and others. The government should take steps to protect Canadians by urging them not to travel to China if at all possible or to leave that country as soon as possible.

I agree we need to act multilaterally, but we must also be prepared to lead. That's what Canada has done in the past. In the face of the moral challenges we are facing, I do not believe that we have any other option. That also includes calling on Canadian companies to stop investing in Chinese companies implicated in gross human rights violations.

Thanks to the research and subsequent report done by Hong Kong Watch, we know that some of the largest Western pension funds, including CPP Investments, the British Columbia Investment Management Corporation and Caisse de dépôt et placement du Québec maintain substantial investments in Chinese banking and business concerns that are allegedly complicit in human rights violations, including a number of Chinese companies that have been sanctioned by our allies around the world, like the United States.

We know that many well-known Western companies are heavily invested in Xinjiang and are benefiting from direct and indirect forced labour. Well-known figures, such as basketball star Enes Freedom, formerly Enes Kanter, have been speaking out against Nike and other major corporations who have been implicated as a result of their investments in China, activities that only serve to strengthen and embolden a communist regime. We should not permit these activities to continue, because if we do, we are complicit in these human rights violations and in this genocide.

Colleagues, I believe that we have a moral obligation to act, as well as have a legal obligation.

As Sarah Teich, an international human rights lawyer and legal adviser to the Uyghur Rights Advocacy Project has pointed out, Canada has not only ratified several treaties that impose international legal obligations to suppress and eliminate forced labour, but are also a state party to the UN Genocide Convention, which means that we are obligated not just to not commit genocide but also to prevent it, to speak out against it, to take action against it.

Article 1 of the UN Convention on the Prevention and Punishment of the Crime of Genocide states:

The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

"Undertake to prevent," colleagues. It is not enough to wait for the punishment to be doled out once the UN has established that a genocide has been committed. We are obliged under the law and obligated to prevent it from happening in the first place. Canada should not be signatories to these agreements for fun. They should mean something. Our word, our signature, should mean something.

I know that many of you are disquieted by the idea of confronting China. The communist regime is a powerful one. They have their economic tentacles in all areas of our society and institutions in Canada and around the Western democratic world, but this regime is also increasing its repression, not just against the Uighurs and other ethnic minorities, but also in Hong Kong and against all dissenters throughout China and around the world. Simultaneously, the regime is becoming more bellicose in its actions against neighbouring states such as Taiwan, India and Japan, and against neighbours in the South China Sea.

Threats and intimidation are a hallmark of this bully, but we can no longer be silent in the face of repression. We have a moral and legal responsibility to do the right thing. We know the millions facing repression in Xinjiang are calling on us to do the right thing. They're calling for help. We shouldn't bury our heads in the sand. We shouldn't turn our backs on them. We should hear their cries. These are people who are being tortured, oppressed and used in labour camps. Often many of those products find their way to our shelves.

Canada can lead by example, and I believe this bill is just one step in doing that. In that spirit, honourable colleagues, I urge you all to support this legislation and send a message to the Uighur people that the Senate of Canada and the Parliament of Canada hear their cries, and we are ready to do something about it. Thank you.

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

**Hon. Peter M. Boehm:** Will Senator Housakos take a question?

**Senator Housakos:** Absolutely.

**Senator Boehm:** Thank you very much for an interesting and, I would say, comprehensive speech. My concern, of course, is also with the treatment of the Uighur minority in Xinjiang province, and I have worked on this for some years and in fact, on the famous case of Hussein Jalil, I go back to 2006.

• (1720)

My question is, however, a very specific one. I ask because I simply don't know the answer. You cited some U.S. legislation and measures that other countries have taken. I know there was a declaration from the European Parliament because I have read that as well. But I'm wondering whether you have any sense of the impact of that legislation in the U.S. — in other words, how it has been applied — because it would raise, I think, certain



resource questions — and I don't have answers to that either — but in terms of how, whether it is through CBSA or other entities or in fact through our missions and consulates in China that this would be applied. I'm just very curious. Thanks.

**Senator Housakos:** As you know, it has only been a few months now since the United States legislature passed their legislation banning all products coming in from Xinjiang. The truth of the matter is I'm not sure how that legislation on the U.S. side has been applied. I'm by no means an expert on how the Americans conduct their trade.

One thing I do believe is that this particular bill will make it a lot less time-consuming and a lot less bureaucratic for CBSA because any bill of lading coming to any Canadian port would be turned back. This is an acknowledgment, after tons and tons of international evidence from groups of everything that's going on right now in the food industry, in the cotton industry, in that area — all of that activity is being done using forced labour of the Uighur people.

I think this would be the simplest thing. Right now, we have a complicated bill in place which places the onus of proof on CBSA to come up with evidence that the products coming in from Xinjiang are basically products that have been manufactured or put together by slave labour.

This bill simplifies the actual application of what we're trying to do, which is to make sure that no product made by forced labour comes to our shores. No one can convince me that, over the last two or three years, with the law that we currently have on the books, only one container identified as having products manufactured in Xinjiang by slave labour has arrived here. I find that outrageous. It's hypocritical for us, knowing all the evidence of what's going on in that region to assume that the vast majority of products — as I said, tomatoes from the agricultural industry, cotton from the area, solar platforms, industrial equipment — that nothing else has been imported from Xinjiang. All of this stuff is well known around the world. There's nobody that denies that these products are being built, manufactured and produced, on the backs of slave labour of the Uighur people.

I hope I answered your question. I think this bill will simplify our response for managing the risks of accepting products that are coming here, having been manufactured by slave labour.

**The Hon. the Speaker pro tempore:** Senator Housakos, two other senators have questions. Will you take more questions?

**Senator Housakos:** Absolutely.

**Hon. Marilou McPhedran:** Senator Housakos, may I commend you on both your determination and your dedication to addressing what is happening to the Uighurs in China.

My question relates to technical human rights terms — “genocide” and “crimes against humanity.” When I discussed your bill with other parliamentarians, this question has arisen. I have a second question if time allows.

About a month after you tabled this bill, in this place, President Biden signed the *Uyghur Forced Labor Prevention Act*, as you mentioned. There is no specific reference in that act to

genocide per se. We know your position on naming what is happening to Uighurs in China. Could I ask you, please, to help us understand better the terminology that you've chosen to use in this particular bill?

**Senator Housakos:** Regarding the terminology of recognizing that what's going on in Xinjiang right now is a genocide, I literally just stole that from experts, like Amnesty International and from Irwin Cotler of the Raoul Wallenberg Centre. When they have done their evaluation of all the evidence that's before us, they will tell you that every single criterion recognizing this as genocide has been met in this particular instance.

My bill, of course, is not so much preoccupied by that reality as by the reality of forced labour camps that are used in the area right now. I think, at the end of the day, if we want to send a message that Canada will not tolerate this kind of egregious behaviour and using forced labour of men, women and children, for whatever the reasons may be, this is the best way to do it. I think there's no ambiguity. It's not flexible. It sends a clear message to the regime that, in their industrial capacity in Xinjiang, in their agriculture centres and everything they're doing and producing and exporting, that we will not be complicit and a partner in encouraging the abuse of these people.

**Senator McPhedran:** In the act that President Biden signed into law in December, it specifically mentions coordination with Mexico and Canada to effectively implement Article 23.6 of the United States-Mexico-Canada Agreement to prohibit the importation of goods produced in whole or in part by forced or compulsory labour.

I wonder if you might comment on the nature of your bill in relation to the American bill in this regard.

**Senator Housakos:** This bill is very similar. Obviously, the bill we have on the books right now, which we passed only a couple of years ago, was in response to, of course, the Canada-United States-Mexico free trade agreement. It was done as a reflex, trying to be compliant with the agreement. But, again, was this done — implicitly, explicitly, I really don't know — by our government, but that bill certainly doesn't meet the objective of combating forced labour. The American bill is far more rigid, the one that was just passed, than what we currently have in the bill.

You will forgive my ignorance, but I don't know what the Mexican position is in regard to this. It just became, to me, common sense: Why is the onus on CBSA agents to try to implement what currently is on the books, when it cannot be implemented? They, themselves, in all good faith, have expressed that view. I've had discussions with people from CBSA who tell me that they consider this bill really window dressing because the government knows that they can't actually execute this in an effective fashion. The proof is in the pudding because, over the last year and a half while the law has been on the books, they have confiscated and stopped one container of what I suspect is a significant amount of imports that come in from that region.

[Translation]

## CRIMINAL CODE

**Hon. Julie Miville-Dechêne:** I'd like to start by thanking you for this initiative, Senator Housakos. Like you, I think Canada should do more to help the Uighurs. That said, I would like to ask you a more specific question about your bill and compare it to the bill the U.S. passed in December.

In the United States, as in your bill, the importation of all goods manufactured in whole or in part in the province of Xinjiang is prohibited. However, the U.S. bill includes one important exception. It lifts the prohibition if the importing company is able to prove to customs officers that the goods were not manufactured using forced labour. In the United States, this bill was viewed as very aggressive, and it was the subject of intense debate, which led to this compromise of giving the importer a chance to defend itself with good arguments. Why don't you try putting a clause to that effect in your bill? I understand that the existing legislation is complex and hasn't been brought into effect. However, this is about reversing the burden of proof.

**Senator Housakos:** Thank you for the question, senator. First, I don't want to copy the American law. I wanted this bill to be very strict.

As I said in my speech, I'm very open to looking at other options or amendments that could add something to the objectives of this bill. I'm very open if you want to propose an amendment so the bill can be studied and referred to the committee for study. The only problem is that, in my experience with the Chinese, they always find ways to bend the rules and circumvent the law.

• (1730)

For instance, I think they realized a few months ago that Canadians, Americans, the British and Australians are taking tough action. According to many sources, the Chinese are moving Uighurs from Xinjiang to other locations in China to again use them for forced labour. At the same time, they are clever enough to say that conditions are being put in place that will reduce the importation of products from Xinjiang.

I'm not entirely against your proposal. However, it's important to remember that the Chinese government is very innovative when it comes to circumventing the laws of various countries and at various times.

**Senator Miville-Dechêne:** Thank you very much for the answer, Senator Housakos.

(On motion of Senator Miville-Dechêne, debate adjourned.)

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Boisvenu, seconded by the Honourable Senator Plett, for the second reading of Bill S-205, An Act to amend the Criminal Code and to make consequential amendments to another Act (interim release and domestic violence recognizance orders).

**Hon. Julie Miville-Dechêne:** Honourable senators, I rise to speak to Bill S-205, which was introduced in this place by my colleague Senator Boisvenu. With this bill, he is starting another chapter in his mission to defend abused women. I salute his long-standing commitment.

Like everyone else, I was horrified by the 18 alleged femicides committed by intimate partners in Quebec in 2021 alone. Domestic violence is a scourge that illustrates how little progress we have made towards achieving gender equality. It can even become a matter of life or death. According to Statistics Canada, 47% of female murder victims in Canada were killed by an intimate partner, compared to only 6% for men.

Eighteen femicides is eighteen too many, but that is just a drop in the ocean. Every year, a staggering 20,000 offences against the person are reported and committed in a domestic violence context in Quebec. That is extremely difficult for the police and the justice system to manage, given that they are constantly struggling with limited resources and somewhat subjective risk assessments.

For years, I have been trying to come up with possible solutions to this fear that too many women experience.

I am not a supporter of minimum sentences and harsher sentences. There is no evidence demonstrating that an even more punitive approach would have a deterrent effect and reduce the number of such crimes.

However, I have seen the pervasive fear in victims of domestic violence when their partner or former partner is released. I have met these women and listened to them. They constantly relive the trauma of being spied on, monitored and attacked by an abusive partner, and fearing for the safety of their children.

Until attitudes change and assault is no longer used as a means of control by violent men, there absolutely needs to be better prevention and a system that supports and protects victims as much as possible.

It is for this reason that I am prejudiced in favour of using electronic monitoring devices, as Bill S-205 proposes. I see it as one more tool, though not a magic solution, so victims do not have to live in fear when their former partner is released. Many women's groups have been calling for these monitoring devices for years.

However, it is important to note that Bill S-205 would allow a judge to require an accused to wear the electronic device at every stage of the legal process, including before the verdict. After some consultation, I think it would be more appropriate if the device were only required as part of the parole conditions for persons found guilty of domestic violence, at least initially. I will come back to that.

I also think that the addition of the electronic monitoring device could represent a wise use of our technological advances. For once, technology would be used for the public interest, to protect vulnerable individuals, rather than for inappropriate surveillance, whether it be for commercial or security reasons.

Some people are concerned that these monitoring devices may be too intrusive and may negatively affect the offenders' rehabilitation. Based on a study conducted by Spanish criminologist Lorea Arenas, it seems those concerns are unfounded. The offenders who participated in the study found that wearing the monitoring device was not as bad as prison. They felt that there were more advantages to not being in prison, even if wearing the device 24-7 can be uncomfortable or disrupt their family life.

Electronic monitoring devices use geolocation technology. They are made up of two parts: a bracelet worn by the offender and a device provided to the victim. The device establishes two zones: a pre-alert zone and an alert zone. As soon as the offender enters the pre-alert zone, he receives a call telling him to turn back. If he does not comply and enters the alert zone, the police will intervene.

What is most reassuring about the way the electronic monitoring device would be used is that it puts the women at the centre of decision making. Subclause 2(3.1) of Bill S-205 states that victims must be consulted about their safety and security needs before the justice makes a decision.

As I was saying earlier, electronic monitoring devices cannot be seen as a magic solution. Yes, there were some very positive results in Spain, where only 2 of the 800 women equipped with the monitoring device were killed. However, there may have been other factors involved, such as the existence of specialized courts, training for judges, support for victims, and police resources.

I want to point out that the bill introduced by Senator Boisvenu goes further than Bill 24, which is currently being studied in the Quebec National Assembly. Quebec wants offenders to be required to wear one of these electronic monitoring devices once they are convicted of domestic violence, serve their sentence in a provincial jail and become eligible for parole.

Bill S-205 would expand that requirement to the accused in cases of domestic violence.

According to the experts I spoke to, the use of an electronic monitoring device before a verdict is much more controversial. I want to share a quote from the Regroupement des maisons pour femmes victimes de violence conjugale au Québec. I quote:

. . . in many cases, these former partners will do whatever it takes to try to maintain their hold over their former partners. It is actually at the time of separation, when the abuser feels like their partner is slipping away from them, that the woman and her children face the greatest risk of lethal violence.

Abusive spouses are more dangerous, more likely to act out, when there is a change in their situation. This may be when the separation occurs or the abuser is reported to the police, when they lose control over their partner, when their life falls apart and financial and housing problems start to pile up.

All this usually happens before the trial, that is, before the verdict is pronounced. According to the people I consulted, this is when releasing the accused with an electronic monitoring device would be too risky, because it could give the victim a false sense of security in the face of a former partner who is still far too dangerous.

An alarm going off at the police station does not guarantee a response in time to prevent tragedy every time. For this reason, again according to the people I consulted, it is better to keep the accused in prison than to release them with an ankle bracelet.

I would again like to quote the Regroupement des maisons pour femmes victimes de violence conjugale on the use of ankle bracelets prior to the trial:

. . . there may be a temptation to use [the electronic monitoring device] when the abusive partner would otherwise have been kept in custody because of the danger he poses to his former partner or children.

• (1740)

In many cases, violent men become less dangerous over time, especially if they have served a sentence. At that point, the authorities are in a better position to assess the actual risk of release because these men are monitored for a longer time by various agencies. The electronic monitoring devices seem like a useful tool for correctional services.

There is another reason these devices might not be a cure-all, especially in the many parts of our vast country that have low population density.

In cities, where population density is high and everything is close, it seems likely the police could respond in time when alerted that the offender is in the prohibited zone. However, the devices may be much less effective in rural areas, where there are fewer police officers and greater distances to cover. It's far less likely that an alert will enable officers to get to the victim in time. In addition, remote areas have very bad cell service.

That said, it's clear that the only option available right now, a peace bond, also known as an 810, does a poor job of keeping women safe.

Every stakeholder told us that there is often no follow-up to the numerous complaints filed by victims and no proactive monitoring system because of staff shortages.

Abused women do not always want to resort to the courts to obtain justice. It is a lengthy and difficult process that, in many cases, prolongs the trauma. They want to move on. That is what makes the electronic monitoring device so attractive, but it would certainly be best to take it one step at a time.

First, we need to assess how this tool works for offenders released on parole after being convicted, before we start using it in cases where it is harder to do a risk assessment of the abuser.

I am aware that many femicides occur long before trial and that we are stuck using inadequate monitoring instruments in the short term.

Because of the presumption of innocence, the majority of accused are quickly released on bail. It is at this point that a serious evaluation of the danger they pose is essential. Bill S-205 provides that a judge can require an accused to attend domestic violence counselling or addiction treatment at the interim release stage.

I have not consulted experts on this aspect, so I will leave it to them to speak to the effectiveness and legality of requiring treatment before sentencing.

In closing, I believe that my colleague's bill deserves serious review in committee. We need to ensure that the measures we use strike a pragmatic balance, and not let ourselves be enticed by a trendy new gadget that is also not without risk.

True protection for victims needs to be the priority, in a manner respecting our rights and freedoms.

Thank you.

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

**The Hon. the Speaker pro tempore:** Would you take a question from Senator Boisvenu?

**Senator Miville-Dechêne:** Certainly.

**Hon. Pierre-Hugues Boisvenu:** Thank you, senator.

I very much enjoyed reading your brief. However, I have some questions about some of the information you provided.

Yes, it is true that most of the women, nearly three quarters, are murdered before the accused can appear before a judge. It is also worth noting that, in the majority of cases, there will be no trial. Instead, the court will impose an 810 — an order to keep the peace.

That means many of these women will never see their husband, partner or former partner go before a judge and be tried.

In many cases, 810s have replaced the trial process. Without a monitoring tool like the one I am proposing in the bill, I believe that many, many women will die in the next few years.

That said, you state in your brief that the electronic monitoring device could be dangerous and, in the same sentence, you state that in a Spanish study of 800 women who were given an electronic monitoring device only 2 were murdered.

Do you not see the contradiction in these two statements? On the one hand you say that the electronic monitoring device is dangerous but, on the other, there were only two murders in Spain where they have been using such a device for 15 years.

**Senator Miville-Dechêne:** Thank you for your question.

As I said in my speech, there are other criteria involved in the situation in Spain that we should probably take into account if we are to more closely examine the impact of a far broader use of these monitoring devices. That is one thing.

That being said, you are right that I have concerns. I am concerned because, as you know, the Government of Quebec has conducted a more thorough analysis of the situation and has also determined that electronic monitoring devices would be used after a verdict is rendered.

Obviously, I do not know all the reasons behind that, but I am fairly certain that the issue I raised is at the root of their concerns. For now, we need to know how electronic monitoring devices work.

If we give a whole lot of these out to the accused without assessing how dangerous those people really are, then the real danger is that the victims will take more risks because they believe they are protected by the device. That is where the danger lies, Senator Boisvenu. What it comes down to is that it is dangerous for the victims to put too much faith in a tool that does not fully protect them. Making this tool available could mean that judges let more of the accused go free when they are, in fact, dangerous.

With that in mind, I think that we must be prudent and implement this tool in stages.

**Senator Boisvenu:** Would the senator take another question?

**Senator Miville-Dechêne:** Yes.

**Senator Boisvenu:** Quebec will only require these devices for offenders who have been convicted because Quebec does not have jurisdiction over the accused.

My last question is the following. You say that the requirement for the electronic monitoring device would apply to offenders in federal custody.

That is not at all the case. My bill would apply to anyone who has been charged. Why did you say in your brief that the bill applies to offenders in federal custody?

**The Hon. the Speaker pro tempore:** I'm sorry, Senator Miville-Dechéne, but your time is up.

(On motion of Senator Duncan, debate adjourned.)

[English]

## LANGUAGE SKILLS ACT

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Carignan, P.C., seconded by the Honourable Senator Housakos, for the second reading of Bill S-220, An Act to amend the Languages Skills Act (Governor General).

**Hon. Mary Jane McCallum:** Honourable senators, I rise today to speak at second reading of S-220. I would like to thank Senator Carignan for introducing this bill, thereby giving senators the opportunity to discuss and debate bilingualism. It also gives senators the chance to confront the elephant in the room: the central question around the history of languages in Canada, their uses in the historical and current colonization of First Nations, Métis, Inuit and non-status peoples, and the effects of this continuing assimilation and oppression in the present day.

• (1750)

As parliamentarians, we have an opportunity to end the ongoing subordination of Indigenous languages and identities in Canada. I first want to reiterate, as expressed by Senators Downe and Dalphond in their speeches, that the French and English were not the founding nations of Canada, as was stated by Senator Carignan in his speech. The First Nations and Inuit have been living here on these lands from time immemorial. They had their own distinct systems of government, including laws and constitutions, their own distinct societal structures and functions in their strong collectives, and a close link to territories and surrounding natural resources.

The Métis were to come later as the children of First Nations and Europeans. Initially, the Métis had the great gift of being a bridge between the two worlds until racism and competition marginalized them. There were no non-status people at that time, as the Indian Act was not yet an idea.

As you will know, this law would come to have a profoundly negative effect on First Nations, paving the way for the sustained disenfranchisement of the original peoples and their descendants.

First Nations and Inuit were the original inhabitants of this land, so why are their languages not officially recognized as are French and English? First Nations, Métis, Inuit and non-status have their own ancient, unique and unparalleled traditional knowledge that is passed down through language and culture. We are not saying that everyone must learn these languages; we are saying that our languages are just as important as English and French. We have struggled greatly to maintain them through centuries of colonialism. We now have federal legislation supporting their survival and resurgence. Should we not, then,

entrenched them accordingly? In South Africa, as an example, 11 languages hold official status under their 1996 constitution, and an additional 11 are to be promoted and developed.

Honourable senators, First Nations no longer want to be prevented from the ability to integrate and reflect our own ethnocultural diversity. Language plays an important role in giving identity but also in removing it. The dominance of the French and English languages and the power they carry continue to lessen and diminish Indigenous cultures. I do not want our future generations to continue to exist for others.

The prevalence of language domination is a form of exerting one's sovereignty. In that case, why are Indigenous peoples expected to continue to suppress ourselves as a third level of government and suppress our languages? First Nations, Inuit and Métis are self-determining peoples and sovereign nations. The word "sovereign" in Cree is *e-ti-pee-thi-mi-soot*, which means "he or she belongs to themselves."

At its foundation, colleagues, language is used for connection. It is meaningful because it is useful. Language is powerful. That is why the fight exists for some to retain their mother tongue while others work to suppress or extinguish it.

Honourable senators, you are all aware that I was interred in a residential school for 11 years, from age 5 to 16. I was prevented from speaking my language, immersed into an English-speaking world and forced to adopt the English language by French nuns and priests.

When I was about eight, I was home for the summer and speaking Cree to my dad, and he turned to me and said, "Speak English." I remember being surprised. I was later to learn that he meant for me to master the English language, because we had no choice. In residential school, the use of Cree resulted in punishment. My dad later told me that I could relearn my Cree language, as it would always be with me since I had been fluent in it at one time. I am still relearning how to speak it to this day.

Colleagues, do you know how difficult it is to relearn your mother tongue once it has been forcibly removed from you? I have the words clearly in my head, but I'm unable to voice them, mostly from shame but also because it has been a long time since I have used the muscles required to pronounce them.

My language was made foreign to me. I still carry the shame of being told at a very young age that my language was that of the savage and uncivilized person. By whom? By the French nuns and priests who ran Guy Hill School, a residential school.

Overcoming shame is a difficult and convoluted process, especially if you do not know the genesis of that shame. My difficulty in relearning my language is deeply entrenched in shame.

On December 10, 2021, I headed out by car to Saint-Hyacinthe, Quebec, travelling alone for the first time. I have travelled there on different occasions with my daughter to visit the nuns that had been at Guy Hill. These were nuns with whom I had a spirit-bound relationship. One in particular, Sister Evelyn, was a surrogate mom to me because of the loss of my own mom at the age of five.

In my search for Sister Evelyn, I tracked her down in 2013 at the retirement home of Sisters of Saint Joseph and Saint-Hyacinthe. As I drove into Quebec and saw the French-only signs, a language that I am not well versed in, the feeling of fear and vulnerability overcame me. It was truly an “a-ha moment” for me. I realized I still remembered deep within me the fear of French people and the French language. My loneliness came back in waves as if I were back in residential school, with little control over my life and decisions.

On that day, the weather was inclement, and since all the signage was in French, I was unable to determine what the roadside warnings were saying. I thought, “For all this talk about respecting bilingualism, why are the signs in Quebec not bilingual?”

Honourable senators, as I had previously mentioned, my mother was Métis and her family fled to Brochet, Manitoba, when they were forced off their land in Selkirk, Manitoba. I had my family tree done in 2018 and found out that my mother’s side was traced back to France, where my ancestor departed in 1500. I thought, “Now I have a reason to learn French. But first, I must relearn my mother tongue, the Cree language.”

As part of my own journey of reconciling myself with my Cree identity, I have looked at ways of dissecting why structures in Canada, inadvertently or not, continue to contribute to the elimination of First Nations, Métis, Inuit and non-status cultures, politics, identity and connection to the land.

First Nations, Métis, Inuit and non-status peoples cherish their language the same way the French and English do theirs. We see language as inseparable from our bodies and minds, our culture, our history, our land and our environment, as do you. And yet, we have two separate histories. Yours is more privileged than mine, and it seems that we will be forced to continue down these two separate paths.

The French retain their culture and language because they had that privilege through the unilateral application of legislation based on the incorrect assumption that they are a founding nation. But we could not keep ours, even though we were the original inhabitants. Instead, both the French and English conveyed their thoughts, beliefs and customs through language as a cultural tool of oppression. Yet, the First Nations people have never fully accepted this violent, cultural and linguistic sovereignty. Instead, we continue to make our own way back to our own sovereignty as more and more of us retain our languages.

In his second reading speech, Senator Carignan stated that he wants to add the Governor General of Canada to the list of the 10 officers of Parliament who must be bilingual at the time of their appointment. The Governor General, Mary Simons, is currently bilingual; she speaks English and Inuktitut. I heard from many people across the land about the pride and hope they had that one of their own was now at the top of our constitutional hierarchy. I wish Indigenous peoples had a commissioner of languages so we could hear both sides of this conversation.

[ Senator McCallum ]

• (1800)

Mary Simon is the ideal person to lead the reconciliation-conciliation process in Canada. It is important that she —

**The Hon. the Speaker pro tempore:** Senator McCallum, I must interrupt you.

Honourable senators, it is now six o’clock, and pursuant to rule 3-3(1) and the order adopted on November 25, 2021, I am obliged to leave the chair until seven o’clock unless there is leave that the sitting continues.

If you wish the sitting to be suspended, please say “suspend.”

Then we will continue.

**Senator McCallum:** Canada should be proud of an Inuit woman appointed as our Governor General. This will deepen people-to-people ties and strengthen Canada’s relationships both domestically as well as internationally with partners who have their own Indigenous populations.

I would like to state that I understand the ongoing fight of the French for linguistic rights and recognition. Indigenous languages deserve those rights and considerations as well. If we want Indigenous youth to be encouraged and empowered to retain their own languages, it should be signalled by codification into the Constitution. Doing so would bring further social cohesion to this country. It is worth repeating that one of the Senate’s constitutional roles is to protect and uphold the voices of minorities, such as Indigenous populations.

Colleagues, I believe this bill should be voted on and subsequently sent to committee where it would be well served to hear from the Indigenous and all other perspectives. Thank you.

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

**The Hon. the Speaker pro tempore:** Senator Mercer has a question for you, Senator McCallum. Would you take a question?

**Senator McCallum:** Yes.

**Hon. Terry M. Mercer:** Senator McCallum, I appreciate your speech and where you want to go with this. I just wanted to raise a point. I don’t know whether you’re aware of this or not, but the use of Aboriginal languages has been allowed in the Senate for years, and we encourage it. We do have to arrange for translators so that it can be translated into English and French and vice versa. I would encourage any of our colleagues who speak one of the Aboriginal languages to explore this and help expose the rest of us to your languages.

This is more by way of information as opposed to a question. I don’t know if you are aware of it or not. Since I’ve been in the Senate, I’ve heard Aboriginal languages spoken a number of times, but again, we need to make arrangements to have the proper people here who can do the translation for the rest of us in English, French and the Aboriginal language.

**Senator McCallum:** Thank you for that. I wanted to take this further than speaking the language in the Senate, and that it be codified into the Constitution and recognized like other countries have done. Thank you very much for your comment.

**Senator Mercer:** You're welcome.

**The Hon. the Speaker pro tempore:** Senator Downe, do you have a question?

**Hon. Percy E. Downe:** My concern, Senator McCallum, about this bill is the intention. Although it's very credible, I'm concerned that the unintended impact is that it is restrictive. It doesn't recognize that when French and English came to this part of North America, there were already at least 90 Indigenous languages. This has become more a bill of exclusion than the original intent. I'm wondering if you share my concern on that.

**Senator McCallum:** Yes, I do share your concern. That's why I said it should go to committee, because we need to explore all the areas around language and see where it is that we need to go with the Aboriginal languages. Thank you.

(On motion of Senator Wells, debate adjourned.)

## NATIONAL FRAMEWORK FOR A GUARANTEED LIVABLE BASIC INCOME BILL

### SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Pate, seconded by the Honourable Senator Dean, for the second reading of Bill S-233, An Act to develop a national framework for a guaranteed livable basic income.

**Hon. Diane F. Griffin:** Honourable senators, I rise today to speak to Senator Pate's bill, Bill S-233, An Act to develop a national framework for a guaranteed livable basic income.

The bill stipulates that the minister must develop a national framework for the implementation of a guaranteed basic livable income program throughout Canada for any person over the age of 17, including temporary workers, permanent residents and refugee claimants.

I recognize that for some colleagues the idea of a guaranteed livable income in Canada may seem radical, but I believe that implementing a guaranteed livable income would have meaningful long-term, positive impacts on Canadian life.

When I was thinking about policies that have a profound impact, what came to mind was the Canada Health Act. In a chapter of the interim report of the Commission on the Future of Health Care in Canada entitled Values and How They Shape Canadians' Views, Commissioner Roy Romanow notes:

Almost all Canadians I have heard from to date want to ensure that the poorest in our society have access to health care. They also believe Canadians should not be bankrupted

by the costs of acquiring needed health care services, and that all Canadians should be protected against catastrophic illnesses and injuries. . . .

In a paper entitled *Waiting For Romanow: Canada's Health Care Values Under Fire*, Arthur Schafer at the University of Manitoba notes that:

. . . it is one of the inestimable virtues of Canadian Medicare that those who lose their jobs don't face the catastrophe of also losing their public health insurance. In good times and in bad, the principle of universality translates as health care security.

There are two additional benefits of our universal system: Canadian workers, unlike their American counterparts, are not forced, by fear of losing health insurance, to stay in jobs they hate, and thus the labour market becomes more flexible and efficient.

A good example of how health care security can result in human flourishing is Hank Green, an American author and entrepreneur who has colitis, which is extremely expensive to treat. He couldn't get health care insurance and thought he would have to get a job at a big company so as not to go bankrupt from medical bills. But thanks to Obamacare and to legislation in Montana, Hank was able to get health insurance. In the years since, he has written two bestselling novels, started several businesses and created two educational YouTube channels called "Crash Course" and "SciShow."

Your kids and grandkids have probably watched some of his videos. According to his brother John, today those shows reach over a million learners per day and employ dozens of people.

Over-incentivizing people to work for large companies stifles entrepreneurship and job growth. It's not just wrong, it's also bad business.

• (1810)

If an additional benefit of our universal health care system is that Canadians are not forced by fear of losing insurance to stay in jobs they hate, I submit this would also be an additional benefit of a guaranteed livable income.

There are real psychological consequences to financial insecurity. A common metric for measuring financial security is the ability to cover an unexpected expense. The Financial Consumer Agency of Canada, in its 2019 Canadian Financial Capability Survey, found that individuals who are living with a common-law partner, separated, divorced or who have never been married are less likely to have emergency funds to be able to cover an unexpected expense of \$2,000, especially if they are lone parents. Women are less confident that they would be able to cover a sudden expense of \$2,000.

The American Psychological Association notes that scarcity drains mental resources, narrowing our focus and impacting our choices; increases negative emotions which affect our decisions and its effects contribute to the cycle of poverty. Financial scarcity, the APA notes, is really problematic. When low-income people are asked to think about financial dilemmas, their

problem-solving ability decreases. High-income people do not show the same effect. Chronic deprivation can diminish psychological bandwidth, harming cognitive capacity and decision-making.

Individuals without a safety net — and you've heard Senator Pate say this in the past, in fact, tonight — are using so much of their mental bandwidth to survive that it's even more challenging for them to allocate bandwidth to do things that would help them to thrive.

What benefit might a guaranteed livable income have for these folks? Data from Finland sheds some light. A study by researchers at University of Helsinki paid 2,000 randomly selected unemployed people an income of 560 euros a month, with no obligation to seek a job and no reductions in their payment if they accepted one.

An article in *The Guardian*, in the U.K., summarized the study's outcomes. While there was significant diversity in recipients' experiences, they were generally more satisfied with their lives and experienced less mental strain, depression, sadness and loneliness than the control group. As for employment, researchers noted a mild positive effect in that participants also tended to score better on other measures of well-being, including greater feelings of autonomy, financial security and confidence in the future.

The improvements in mental health are particularly important to me. Unfortunately, mental health resources are scarce in our country. Addressing mental health problems that are rooted in financial insecurity by addressing the financial insecurity itself would help to take some pressure off of our overwhelmed mental health resources system.

Senator Pate's bill is a first step. I thank her for it.

In November 2020, the Legislative Assembly of Prince Edward Island Special Committee on Poverty tabled a report whose central recommendation was the creation of a basic income guarantee. The province of Prince Edward Island is willing and eager to play a role in developing a guaranteed livable income framework and in being the venue for a project to demonstrate its utility. We need to run this experiment, work out the mechanisms and figure out how it can be scaled up to a Canada-wide program.

In an interview with another paper called *The Guardian* — this time in Charlottetown — Premier Dennis King noted that a guaranteed livable income could have a positive impact on labour force participation in P.E.I. because folks wouldn't fear losing their benefits if they picked up a part-time job. Premier King would like to see an experiment run in the province but emphasized the need for the federal government to get on board:

. . . I really wish we could find a way to get the federal government to sit down more seriously to talk to us about it.

. . . the other side of this that we need to be thinking about . . . is the labour shortage that we have. Is there a way for us to be able to change some of our programs — whether they're social assistance or others — to allow people to work

a little bit more and keep some of their money, as opposed to having these antiquated programs that actually discourage people from getting into the labour force?

In 2019 and 2020, the Honourable Ernie Hudson, then P.E.I.'s Minister of Social Development and Housing, wrote twice — twice — to his federal counterpart. This was followed by a letter from the premier to the Prime Minister to explore what a basic income might look like for P.E.I.

By the way, the P.E.I. government has not been idly sitting by while waiting for a federal partner. It has implemented a targeted basic income pilot at 85% of Market Basket Measure that supports eligible social assistance clients, youth aging out of care and Islanders with disabilities.

So far, 590 Islanders have benefited from this targeted basic income program, which has helped the people living with disabilities and limitations entering into the workforce to have their basic needs met and enjoy a better quality of life.

There is an inspirational quote that you've probably seen in a classroom or a fitness studio that asks: "What would you attempt to do if you knew you could not fail?" I wonder what new career paths folks might try if they knew that they wouldn't miss their rent payments if it didn't work out. I wonder what new businesses people might open if they knew they'd still be able to buy groceries if the business didn't turn a profit in the first few months. How might children and elders be better cared for? How might people's mental and physical health improve?

Colleagues, I can't wait to find out. Please join me in supporting Senator Pate's bill so that we can make a start down this exciting path.

Thank you.

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

**Hon. David Richards:** Would Senator Griffin take a question, please?

**Senator Griffin:** Most certainly.

**Senator Richards:** I've been struggling with this for quite a while on both sides. Would the cost of living go up, in terms of interest rates and rent, for all these people without government regulations coming into play and, if so, would it be a benefit in the long run?

**Senator Griffin:** Senator, that is an excellent question. I'm not an economist, but the people we are asking to work this out certainly are. That's why the premier and his minister were contacting the federal government, asking them to help them develop such a framework that would actually work out what this would look like.

We don't want to cause inflation. We don't want to cause rents to go up; they've gone up anyway, and so has all housing. We don't want to accelerate that.



The people who have the knowledge to work on this, it's important to bring them to Prince Edward Island to help work all of this out and then scale it up at a national level. I believe Senator Pate has already cited some examples in her second reading speech on this. I can get that for you, Senator Richards.

Thank you.

**Senator Richards:** Thank you.

(On motion of Senator Duncan, debate adjourned.)

• (1820)

### ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

#### MOTION TO AUTHORIZE COMMITTEE TO STUDY THE CUMULATIVE IMPACTS OF RESOURCE EXTRACTION AND DEVELOPMENT—DEBATE CONTINUED

Leave having been given to revert to Other Business, Motions, Order No. 12:

On the Order:

Resuming debate on the motion of the Honourable Senator McCallum, seconded by the Honourable Senator LaBoucane-Benson:

That the Standing Senate Committee on Energy, the Environment and Natural Resources be authorized to examine and report on the cumulative positive and negative impacts of resource extraction and development, and their effects on environmental, economic and social considerations, when and if the committee is formed; and

That the committee submit its final report no later than December 31, 2022.

**Hon. Rosa Galvez:** Honourable senators, I rise to speak in support of Motion No. 12 introduced by Senator McCallum requesting that the Standing Senate Committee on Energy, the Environment and Natural Resources be authorized to examine and report on the cumulative positive and negative impacts of resource extraction and development, and their effects on environmental, economic and social considerations.

I'm convinced this study could bring great value in understanding the overall impacts of resource extraction and development in Canada. I say "overall impacts" because Canadians, and especially parliamentarians, are often bombarded by the one-sided promotion of the positive contributions of resource extraction, namely on Canada's GDP, employment and government revenues.

Next to these amplified voices, communities, NGOs and academics can barely pierce through the noise to present other aspects, positive or negative, and have to resort to protests to get media attention.

I have been teaching engineering students how to conduct and complete environmental impact assessments for almost 30 years. A project that considers and integrates the needs of a host community from its early conception and design will result in a project that is technically sound, cost-efficient, safe, prosperous for all and healthy for the community and the environment. On the contrary, a project that is conceived independently without considering community issues puts at risk the implementation of the entire project and will most certainly create irritants and opposition, which can lead to wasting important investments. Nobody wants this, yet this is still what happens so often.

Effective and successful decision making requires in-depth analysis assessing economic, technical, social and environmental factors with equal consideration.

This study proposal is important because it will encourage conversation around the type of development we want as Canadians. For that, we need to study what happens before, during and after resource-extraction projects arrive in communities. Who benefits? How are communities impacted? If there are negative impacts, what attenuation or compensation measures are being deployed? Is everybody happy with the project?

As parliamentarians, we do our best work when we approach issues holistically, taking into consideration every factor — positive, negative, but also neutral — and making well-informed decisions backed by in-depth studies.

[*Translation*]

I'll reiterate one of the points I made during the previous Parliament. The ignorance that prevails when decisions are being made about resource extraction results in the unequal distribution of profits and losses. Some people might think that doesn't happen or happens only in developing countries, but that's not true. My work took me to many places around the world and most of the provinces in Canada specifically to address situations involving negotiations with stakeholders, impact mitigation, contamination clean-up, human exposure to toxic products and many other very serious situations.

Here's one of hundreds of examples. The people of Limoilou, which is in Quebec City, were exposed to wind-borne nickel particles from activities at the Port of Quebec. Neither government nor the industry deny it. The government's proposed solution is to okay a higher exposure level, a decision that is making headlines these days. It wants to increase the limit to 60 times the current allowable level. Knowing that, esteemed colleagues, would you go live in Limoilou?

Quite often, too much focus is placed on the economic advantages. From 2014 to 2019, the oil and gas industry achieved record production while reducing its workforce by 23%. This

industry receives billions of dollars in subsidies every year. It recently received \$1.7 billion in public funds to clean up abandoned wells. However, that money did not increase the number of wells that were cleaned up, because companies just used the government's money for the clean-up efforts rather than their own. Whatever happened to the polluter pays principle?

What is more, the industry is on the verge of getting approval to discharge 1.4 trillion litres of liquid effluent into the environment in areas where Indigenous people live. Humans do not drink oil or its pollutants. We need clean air and clean water to survive.

Other impacts include climate instability, because of greenhouse gas emissions, and the destabilization of our economy, because of extreme weather events. Just think of the destruction caused by the recent flooding in B.C. and Newfoundland and the impact these floods had on supply chains and inflation.

As senators, we have a responsibility to understand the positive, negative and neutral effects in order to be better legislators and promote the well-being of all Canadians.

[*English*]

Colleagues, I have worked all my career with industry in several areas, from infrastructure to mining and the oil and gas sector. Please believe me, I understand the value of engineering work in increasing the quality of life, and I see how society trusts engineers to help build resilience and reduce vulnerability in adapting infrastructure to extreme weather events brought by climate change. Of course I know that.

We can make intelligent, holistic decisions when we analyze all the impacts — positive, negative, cumulative, direct, indirect. It would be for the benefit of our communities and our industries. When the needs of our communities are addressed, industry can thrive instead of fighting Canadians.

I encourage you to support this motion so we can offer the federal government and all Canadians a thoughtful and balanced study on successful extractive resource development. Thank you, *meegwetch*.

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

(On motion of Senator Wells, debate adjourned.)

[ Senator Galvez ]

• (1830)

## FOREIGN AFFAIRS AND INTERNATIONAL TRADE

COMMITTEE AUTHORIZED TO STUDY THE CANADIAN FOREIGN SERVICE AND ELEMENTS OF THE FOREIGN POLICY MACHINERY WITHIN GLOBAL AFFAIRS

**Hon. Peter M. Boehm**, pursuant to notice of February 10, 2022, moved:

That the Standing Senate Committee on Foreign Affairs and International Trade be authorized to examine and report on the Canadian foreign service and elements of the foreign policy machinery within Global Affairs Canada, and on other related matters; and

That the committee submit its final report no later than March 30, 2023, and that it retain all powers necessary to publicize its findings for 180 days after the tabling of the final report.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

[*Translation*]

## ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

COMMITTEE AUTHORIZED TO STUDY EMERGING ISSUES RELATED TO ITS MANDATE AND MINISTERIAL MANDATE LETTERS

**Hon. Paul J. Massicotte**, pursuant to notice of February 10, 2022, moved:

That the Standing Senate Committee on Energy, the Environment and Natural Resources be authorized to examine and report on emerging issues related to its mandate:

- (a) The current state and future direction of production, distribution, consumption, trade, security and sustainability of Canada's energy resources;
- (b) Environmental challenges facing Canadians including responses and adaptation to global climate change, pollution, biodiversity, and ecological integrity, and the cumulative environmental effects of energy and natural resource development;

- (c) Sustainable development and management of renewable and non-renewable natural resources including but not limited to water, minerals, soils, flora and fauna;
- (d) Pathways to net-zero greenhouse gas emissions and ways to address the human and environmental impacts of climate change and manage the transition to a low carbon economy;
- (e) Opportunities and challenges for women, Indigenous Peoples, Black and racialized Canadians, newcomers, persons with disabilities, and LGBTQ2 Canadians, in the energy and natural resource sectors; and
- (f) Canada's international treaty obligations affecting energy, the environment and natural resources and their influence on Canada's economic and social development; and

That the committee submit its final report no later than December 31, 2025 and that the committee retain all powers necessary to publicize its findings until 180 days after the tabling of the final report.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

[*English*]

## FEDERAL PUBLIC SERVICE JOBS

### INQUIRY—DEBATE ADJOURNED

**Hon. Percy E. Downe** rose pursuant to notice of December 9, 2021:

That he will call the attention of the Senate to:

- (a) The importance of the federal government as Canada's largest single employer, with over 230,000 civilian employees;
- (b) The fact that, although everyone understands that a significant portion of federal employees would be based in the nation's capital, in recent years a trend has developed whereby the distribution of jobs between Ottawa and the regions has become more and more disproportionate in favour of the National Capital Region; and
- (c) The role of the Senate in examining and discussing the opportunities for decentralizing federal government jobs and services, and urging the Government of Canada to restore the historical distribution of employment to one third of jobs in the

National Capital Region and two thirds in the rest of the country, thereby contributing to the economic growth and stability of the regions of Canada.

He said: Honourable senators, I want to take this opportunity because I'm the last on the Order Paper and this opportunity may not present itself for a number of weeks. I want to say a few short words about decentralization of government departments across Canada. Basically, the message will be anticipation that the federal government will reallocate departments as they have done for Prince Edward Island, and other provinces and regions can benefit from that.

The Government of Canada, colleagues, is the largest employer in the country. Even without counting the Canadian Armed Forces and the RCMP, over 246,000 Canadians work for the federal government. From the Atlantic to the Pacific to the high Arctic, Canadian public servants are spread throughout the country performing the various tasks that make a nation function.

That said, these public servants are considerably less spread throughout the country than has been the case historically. Not surprising, a significant proportion of federal employees have been concentrated in the Ottawa area, many within sight of Parliament Hill. This is understandable. One would expect the nation's capital to have a large number of federal employees.

However, the various provinces and regions of Canada also value the well-paid and stable workforce that the federal public service represents. Such a workforce can provide a foundation around which a healthy regional economy can flourish. Indeed, that has been the case in Ottawa and the National Capital Region.

Unfortunately, the economic benefits flowing from these jobs are not being shared as evenly as they used to be. Historically, one third of federal public jobs were based in the Ottawa area while the remaining two thirds were across the rest of Canada. However, statistics show that ratio changing to the favour of the National Capital Region, rising to 47% last year. So instead of one third of Government of Canada jobs being located in the Ottawa area, we are closer to one half.

This change has come at the expense of the regions. For example, in the period 2008 to 2021, the federal public service experienced a net gain of over 46,000 jobs. Of that number, over 30,000 — almost two thirds of that total — ended up in the National Capital Region.

This presents two related problems for Canada's regions and the people who live there. The first is that the financial benefits of the federal workforce are concentrated, like the jobs themselves, in one area of the country. All regions of Canada should share in this prosperity and opportunities to work in their own region, particularly for young people who are trying to start their careers.

The best example of the beneficial impact of the decentralization of government jobs was the 1976 relocation of the national headquarters of Veterans Affairs Canada to Charlottetown in Prince Edward Island. Prince Edward Island was very fortunate decades ago with that decision. Veterans Affairs Canada is the only national department headquartered outside the Ottawa region. That long-ago decision to move

Veterans Affairs to a province had a profound and lasting impact on P.E.I. both economically and socially. Currently some 1,600 people work for Veterans Affairs on Prince Edward Island. That represents a yearly payroll of \$122 million. These employees buy cars, homes and the various goods and services associated with everyday life — \$122 million flowing through the Prince Edward Island economy year after year that would not exist were it not for a decision made 45 years ago.

Obviously, there is more to a healthy economy than federal government jobs. Meaningful economic development can only come from a balanced economy that respects and welcomes the role of a robust private sector, which invests the time and money necessary to create the jobs that will keep Canadians at home, building their futures.

That said, a balanced economy also means there is an important role for government to play. Hundreds of thousands of federal jobs and the purchasing power they represent make the federal government a significant buyer in the Canadian economy. The way those jobs are distributed across Canada has a major impact on regional economies. Thus, it is theirs and our responsibility to ensure that distribution is fair.

Colleagues, beyond the economic contribution, the presence of Veterans Affairs has also made a significant contribution socially to Prince Edward Island. Veterans Affairs has broadened the Prince Edward Island society to include a vast array of highly trained professional public servants who contribute their every working day to public affairs and their evenings and weekends to Prince Edward Island's society. One of the many positive effects of Veterans Affairs' relocation to Charlottetown can be seen in the remarkable growth and the use of the French language. Prince Edward Island has always had a thriving Acadian community, but the addition of Veterans Affairs deepened the role of the French language.

According to Statistics Canada, Prince Edward Islanders are third among the provinces in English-French bilingualism after Quebec and New Brunswick. There is no doubt that the strength of the Acadian community assisted in that regard, but the single greatest contribution to the growth of the French language in P.E.I. in the last 40-plus years is the presence of Veterans Affairs.

One cannot talk about decentralization without talking about the past two years. With every aspect of life, the pandemic has profoundly changed work for many Canadians. For example,

Shopify, one of Canada's top companies — it used to be located down the street on Elgin Street — has shifted its operation to allow its employees to work remotely as much as possible. Technology helps. Indeed, five years ago the Government of Canada itself stated in a response to a written question that “with video messaging and email, there are several avenues available for virtual and instant communications between offices.” That was long before we ever heard the words “Zoom” or “MS Teams.” Colleagues, it can be done.

We need to ask why the Department of Fisheries and Oceans, with some 1,500 employees, has hundreds of their employees located in an office tower on Kent Street in downtown Ottawa and not, say, in downtown Sydney, Cape Breton. Why is the federal Department of Agriculture located in Ottawa and not Saskatchewan? Why is the Department of Environment located in Gatineau as opposed to Newfoundland and Labrador? Why, given a growing trade with Asia, is the Export Development Canada office on O'Connor Street rather than in British Columbia?

• (1840)

Colleagues, relocation makes sense, not only as an economic development tool, but also because it reflects the challenges of a geography that is as diverse as our nation. Canadians are looking for a fair distribution of federal service jobs. By the government's own logic, there is no reason for so many of these jobs to be in Ottawa's National Capital Region. They can just as easily be performed in any corner or region of our country.

Continued pressure on the government, particularly from the Senate, with our regional responsibilities, can help bring this about and spread the benefits of public service employment throughout Canada. If we decentralize government employment and departments, all regions of Canada can enjoy the same benefits Prince Edward Islanders are currently enjoying and have enjoyed for the last four decades. Thank you, honourable senators.

(On motion of Senator Griffin, debate adjourned.)

*(At 6:41 p.m., the Senate was continued until Tuesday, March 1, 2022, at 2 p.m.)*

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