



# DEBATES OF THE SENATE

---

1st SESSION



44th PARLIAMENT



VOLUME 153



NUMBER 121

---

OFFICIAL REPORT  
(HANSARD)

Tuesday, May 9, 2023

The Honourable GEORGE J. FUREY,  
Speaker

## CONTENTS

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

*Publications Centre:* [Publications@sen.parl.gc.ca](mailto:Publications@sen.parl.gc.ca)

---

Published by the Senate  
**Available on the Internet:** <http://www.parl.gc.ca>



## THE SENATE

Tuesday, May 9, 2023

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

Prayers.

### BUSINESS OF THE SENATE

**The Hon. the Speaker:** Honourable senators, there have been consultations and there is an agreement to allow a photographer in the Senate Chamber to photograph the introduction of a new senator.

Is it agreed, honourable senators?

**Hon. Senators:** Agreed.

### NEW SENATOR

**The Hon. the Speaker:** Honourable senators, I have the honour to inform the Senate that the Clerk of the Senate has received a certificate from the Registrar General of Canada showing that Iris G. Petten has been summoned to the Senate.

### INTRODUCTION

**The Hon. the Speaker** having informed the Senate that there was a senator without waiting to be introduced:

The following honourable senator was introduced; presented His Majesty's writ of summons; took the oath prescribed by law, which was administered by the Clerk of the Senate; and was seated:

**Hon. Iris G. Petten**, of St. John's, Newfoundland and Labrador, introduced between Hon. Marc Gold, P.C., and Hon. Fabian Manning.

**The Hon. the Speaker** informed the Senate that the honourable senator named above had made and subscribed the Declaration of Qualification required by the Constitution Act, 1867, in the presence of the Clerk of the Senate, the Commissioner appointed to receive and witness the said declaration.

### CONGRATULATIONS ON APPOINTMENT

**Hon. Marc Gold (Government Representative in the Senate):** Honourable senators, on behalf of the Government Representative Office, I rise today to welcome Senator Iris Petten to the Senate of Canada.

Senator Petten holds a Bachelor of Arts and a Bachelor of Vocational Education from Memorial University of Newfoundland. Later, her alma mater would honour her with an honorary degree, a Doctor of Laws.

An important part of Senator Petten's previous career was defined by her time in the business world and her success as an entrepreneur. In 1984, Senator Petten began her career in the fishing industry with Fishery Products International. She would then be a founding shareholder and serve as Vice-President of Grand Atlantic Seafoods. In 2000, she would co-found Ocean Choice International, where she remained until 2008.

• (1410)

It was as early as her childhood that Senator Petten began her apprenticeship in the world of fishing. Her father was a fisherman and a boatbuilder, as were generations before him.

Senator Petten, your deep roots will prove invaluable in advancing matters of importance to Newfoundlanders and Labradorians, but I suspect much of your knowledge and skills of the fishing industry are transferable, and they will surely serve as a boon and an asset to the Pacific and Arctic coastal regions and the maritime challenges that we know they face.

[*Translation*]

In addition to a long and brilliant career in the Atlantic fishing industry, Senator Petten has been an active member of her community, namely by serving three terms as the chair of the Board of Regents of Memorial University of Newfoundland from 2013 to 2022.

[*English*]

Senator Petten, once again, welcome to the Senate of Canada. We are honoured to count you among our colleagues. I speak for all of us, but I'm especially sure that Senators Manning, Marshall, Wells and Ravalia will ensure that you're made to feel very much at home here in Ottawa, as will we all.

Welcome, and thank you very much.

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

**Hon. Yonah Martin (Deputy Leader of the Opposition):** Honourable senators, on behalf of the opposition and the Senate Conservative caucus, I'm pleased to rise in this chamber and welcome our new colleague, who was sworn in just a few minutes ago.

Welcome to the Senate of Canada, Honourable Iris Petten. We look forward to working in a collaborative way with you in this chamber. I have no doubt that today will be busy, and yet it will also be humbling. When we welcome a new colleague, I find myself thinking back to the day when I was personally asked to serve in the upper chamber. It is a day, undoubtedly, that we all cherish, one filled with excitement and anticipation. For most of us, it is a day when we felt the weight of the responsibility which has been entrusted to us.

Senator Petten, I look forward to getting to know you. I look forward to hearing your unique perspectives in our debates and discussions, including your insights from your 35-plus years of experience in the fishing industry.

I trust that you will always keep in mind that our duty, as senators, is to protect the best interests of Canadians and, in your case, the best interests of the people of Newfoundland and Labrador.

Canadians count on us to ensure that their voices are being heard and represented in Parliament. Together, in this chamber, we must strive to ensure the best path forward for Canadians across our beautiful country. This chamber must provide hope for Canadians, and we cannot forget that we are here to serve them.

Senator Petten, please know that the Conservative caucus will be pleased to work with you, and if ever you were inclined to join the most effective and focused team in this chamber, please don't hesitate to reach out. I note that you are already well surrounded by wonderful senators from Newfoundland and Labrador.

On behalf of the opposition, as well as the Conservative caucus, I want to warmly welcome you as you embark on the journey with us in the Senate of Canada. Welcome to our Senate family.

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

**Hon. Raymonde Saint-Germain:** Honourable senators, it is my great pleasure to extend a warm welcome to the newest member of the Senate of Canada, Senator Iris G. Petten, and as well to your loved ones who are with us, present in the galley.

Her appointment to the chamber is a testament to her distinguished career as a businesswoman in a vital industry to Newfoundland and Labrador, as well as to Canada, and her proven commitment to her province as well as to our country.

Honourable Senator Petten, as a member of the Senate of Canada, you will have the opportunity to contribute your expertise and knowledge to the important work of this upper chamber of the Canadian Parliament.

Your experience in the fishing industry, as well as your service on Memorial University's Board of Regents will, without a doubt, prove invaluable as we tackle the pressing issues for our regions, for our fellow citizens as well as for our country.

To quote you:

Growing up, you weren't defined by how you looked like, what education you got, but you were defined by your work ethic.

Your proven work ethic, sense of duty and dedication to representing the interests of the people of your province and all Canadians will undoubtedly be a significant asset to the Senate's deliberations.

For nearly a decade, you have devoted your time and effort to giving back to Memorial University, the place where you studied. Your unwavering dedication stems from your strong belief in the importance of education, for the resilience of your province and the creation of opportunities for younger generations.

As the eldest of a family with three brothers and two sisters, you always made an effort to help, whether it was in your home or, later, in your career. Despite being far from home here in Ottawa, you have now joined a large family — the Senate of Canada family.

In the conclusion of your role as board chair at Memorial University, you cited Mother Teresa when she said, "I can do things you cannot, you can do things I cannot; together we can do great things."

As I am sure this phrase still resonates with you today, I am full of hope that, together, we will indeed do great things.

On behalf of all members of the Independent Senators Group, I extend our sincerest congratulations on your appointment. We look forward to working with you in the interests of all Canadians. Welcome.

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

**Hon. Scott Tannas:** Honourable senators, on behalf of my colleagues in the Canadian Senators Group, I welcome Senator Iris Petten to the Senate. Senator Petten is a resident of Port de Grave, Newfoundland and Labrador. She is a highly successful entrepreneur and a senior executive with over 35 years of experience in the fishing industry.

This announcement of your nomination was a particular delight for us, especially for Senator Black from our group, who up to now has been the only, lonely expert in food production in the Senate. The Senate desperately needs many strong voices from the food industry and especially those who know where food comes from. We will, no doubt, benefit greatly from your expertise as we review legislation and public policy.

Senator, you probably know this, but you are the third Petten to serve in the Senate. The first Petten was named to the Senate in 1949 with Newfoundland and Labrador joining Confederation. Then, interestingly, his son served as a senator until 1998.

I'm not sure if these are your family members, but we're interested in finding out, and I look forward to hearing more about that. For close to half of the 20th century, a Petten has sat in this place. Now, as our 21st-century Senator Petten, this place seems a little more complete with your arrival.

Senator Petten, welcome to the Senate. My colleagues and I look forward to working with you.

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

**Hon. Jane Cordy:** Honourable senators, I am delighted to rise today on behalf of the Progressive Senate Group and join with other leaders in welcoming a new colleague to this chamber.

We recently heard from Minister LeBlanc when he was in our chamber for Question Period that we would soon have more Atlantic Canadians among us, and I hope this is only the beginning for our Atlantic region.

Senator Petten, as we've heard, your career trajectory is nothing short of impressive. Dedicating yourself to hard work, to community, to family and to entrepreneurship has served you well. You have proven that an attitude of, "Well, why can't I do that" is a key ingredient to such success. When you received an honorary Doctor of Laws from Memorial University in Newfoundland, you told graduates how your mentors pushed you beyond your comfort zone. You said:

When they pushed me hard and expected me to learn more, to live up to the job at hand, I grew as a person. The best lessons I learned came from reaching beyond what I knew, and avoiding staying with what I was comfortable with.

Sometimes hard to do but really great advice, Senator Petten.

• (1420)

With your appointment, you have once again found yourself in a new situation. I suspect I speak for all senators when I say that we are looking forward to seeing how you meet this challenge. Based upon your track record, I know that we can expect great things.

Although you are not the first Senator Petten to represent Newfoundland and Labrador in this chamber, I do believe you will be the first senator to represent Port de Grave, and I am sure that they will be well served by your continued dedication to your home community.

Senator Petten, on behalf of the Progressive Senate Group, it is my pleasure to officially welcome you to the Senate of Canada.

By the way, I just found out that our very own Senator Audette was born in Labrador. I did not know that until this afternoon, just two minutes before I got up to speak.

Senator Petten, we look forward to working with you. Welcome.

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

## VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Senator Petten's partner, Justice Peter A. O'Flaherty; her son, Grayson M. Ewing and his partner, Tara Tobin; her brother, Ross T. Petten and his wife, Christina Petten; and her cousin, Renell Hart.

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

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

---

## SENATORS' STATEMENTS

### AFGHANISTAN CRISIS

**Hon. Salma Ataullahjan:** Honourable senators, I rise today to speak on the continued suffering of Afghans since the Taliban took over. I have spoken numerous times in the past about the erasure of women from society, the gnawing hunger taking innocent lives and the complete disregard for basic human rights.

I have also shared with you my memories of Afghanistan, a beautiful country filled with music, art and laughter. Kabul was once our favourite holiday destination.

Recently, when we thought things could not get any worse, we heard of babies dying from preventable diseases across the country. According to UNICEF, at least 167 Afghan babies die on a daily basis from illnesses that could be and should be cured with the right medication. Afghan hospitals are understaffed and overrun, with rooms filled with sick children, often two to a bed, and only two nurses to care for 60 children.

Colleagues, we are witnessing the complete collapse of Afghanistan's health care, which has relied on foreign funds and is facing dwindling funds since the Taliban banned women from working in NGOs. Health care workers must use what they have on hand, which is very little. Nurses are often working 24-hour shifts and cannot attend to sick babies in critical condition. Some children are dying from a simple lack of oxygen, since the hospital only has power at night and doesn't have enough supplies of raw materials to produce oxygen on-site.

Some cannot make it to the hospital in time because of the road conditions. Others cannot make the journey. In some cases, parents prefer to take their dying children home as the hospital cannot help them. They prefer to die with their loved ones.

Families are struggling to eat, and one father, watching his daughter struggle to breathe, explained that he cannot even afford to buy a single cup of tea. If it weren't for a lack of funds, his child would not have had to suffer that way.

Honourable senators, Afghan hospitals are no longer places of care and healing. They are now a place to die. Thank you.

### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Terry French and Darin King, former members of Newfoundland and Labrador's House of Assembly. They are the guests of the Honourable Senators Wells and Ravalia.

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

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

### BEAR WITNESS DAY

**Hon. Brian Francis:** Honourable senators, I rise today to draw your attention to Bear Witness Day, a national event created by the First Nations Child and Family Caring Society that calls on all people of all ages and backgrounds to support the full implementation of Jordan's Principle, a legal requirement that aims to ensure that First Nations children can access the products, services and supports they need when they need them.

It is named in memory of Jordan River Anderson, a boy from Norway House Cree Nation born with complex medical needs. He died at the age of five after staying unnecessarily in hospital for years while the provincial and federal governments argued over who should pay for his at-home care, which was only an issue because he was First Nations.

Held annually on May 10, Bear Witness Day marks an important date in the history of Jordan's Principle. In 2016, nine years after a complaint was filed, the Canadian Human Rights Tribunal found that chronic underfunding and the structure of child and family services on-reserve constituted systemic discrimination and ordered the federal government to fully implement Jordan's Principle by May 10.

It took much longer for progress to be made. This April, a revised final settlement agreement was reached to compensate First Nations children and families harmed, including through the unnecessary separation of families and the denial of critical wellness and life-saving care. In addition, negotiations continue on the long-term reform final settlement agreement to prevent further discrimination.

While nothing can undo the harm caused, those developments represent a long and hard-fought measure of justice that was made possible by Jordan River Anderson and his family, along with the representatives' plaintiffs, including Ashley Dawn Bach; Karen Osachoff; Melissa Walterson; Noah Buffalo-Jackson; Carolyn Buffalo; Richard Jackson; Xavier Moushoom; Jeremy Meawasige; Jonavon Meawasige; the late Maurina Beadle; Zacheus Trout and his two late children, Sanaye and Jacob; along with a coalition of leaders, activists and allies like Dr. Cindy Blackstock.

Colleagues, a lot more needs to change to ensure that Indigenous children grow up happy, healthy, proud and safe with their families and communities. We can and must take action.

Tomorrow, in collaboration with the First Nations Child and Family Caring Society, Senators Audette, Klyne and I will mark Bear Witness Day. We hope you will join us to remember and honour the victims and survivors of Canada's discrimination. Thank you. *Wela'lin.*

[*Translation*]

### VISITOR IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Mark Farrant, former juror and President of the Canadian Juries Commission. He is the guest of the Honourable Senator Moncion.

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

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

### JURY DUTY APPRECIATION

**Hon. Lucie Moncion:** Honourable colleagues, I rise today to mark, for the second consecutive year, Jury Duty Appreciation Week in Canada, which is taking place from May 7 to 13 this year. It's an opportunity to recognize and commemorate the experiences of thousands of Canadians.

I want to sincerely thank those who have served as jurors. The purpose of my statement today is to honour them and to express my great appreciation for them.

Serving as a juror requires investing a lot of time and effort during the period of the summons. This experience can also help people gain an appreciation for the justice system and a greater understanding of how it works.

Every year, thousands of Canadians are called to fulfill this civic duty, which depends on the collaboration of many parties. In performing their duties, jurors need the support of their employers, the federal, provincial and territorial governments, the justice system and their communities. The support of each of those parties is important and must be valued.

Jurors make a civic contribution, but it is also important for us to remember that jurors are people. Serving on a jury can often have a negative psychological impact on jurors both during and well after the trial, and many of them suffer in silence. We need to pay attention to these issues so that we can try to meet their needs.

We must also ensure that the administration of justice is fair and equitable, which involves, among other things, convening diverse and inclusive juries that are truly representative of the Canadian population.

[*English*]

Playing a vital role in the rule of law, the act of serving as a juror is an essential component of both our justice system and democracy. It is crucial for the administration of justice and the judicial system, and in some cases, it is necessary for Canadians

to exercise their constitutional rights. In fact, anyone accused of a criminal offence punishable by imprisonment of five years or more has the right to a trial by jury.

• (1430)

I would like to express my gratitude and admiration for Mark Farrant, former juror and the President of the Canadian Juries Commission, for his efforts in raising awareness and bringing attention to the significance of supporting this civic duty among governments, courts of law and the Canadian public.

I have had the opportunity to share my personal experience as a juror on multiple occasions in this chamber. I hope to have conveyed to my colleagues and the Canadian public about the importance of this civic duty, which is shared by many others who have served as jurors. Moving forward, I am hopeful to witness a continued and robust participation in this annual meeting dedicated to promoting and raising awareness of issues affecting jurors and former jurors. Thank you.

### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Brigadier-General Roger Scott, Colonel (Retired) Gisele Fontaine, Lieutenant-Colonel Carolyn Blanchard and Lieutenant-Commander Kristi Velthuisen. They are the guests of the Honourable Senator Patterson (*Ontario*).

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

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

### NATIONAL NURSING WEEK

**Hon. Rebecca Patterson:** Honourable senators, today I rise in honour of National Nursing Week, which coincides with the birthday of Florence Nightingale — the founder of modern nursing — on May 12. As many of you know, Nightingale is best known as the “Lady with the Lamp,” who nursed British soldiers during the Crimean War and transformed the profession of nursing.

In Canada, the first formal nursing program was started in 1874 at the General and Marine Hospital in St. Catharines, Ontario, which is the same school of nursing that I eventually graduated from — and that’s over 100 years later, if you’re counting.

This week recognizes the outstanding contributions that nurses have made and continue to make to their communities and to Canadians. Wherever the location and whomever the patient, the one thing all nurses have in common is their unwavering commitment to making a difference not just for their patients and their families, but also for their communities and Canada, too.

We celebrate nurses who are leaders in keeping vulnerable Canadians in their homes, and walking with them as they transition through this life. Simply put, nurses are essential health

care team members with their own independent body of knowledge and practice who contribute toward making Ontario, Canada and the world a healthier place.

In addition, I would be remiss if I didn’t note that military nurses have also provided care during times of conflict and peace. You see nursing officers, past and present, in the gallery as my guests today — all of whom served in Afghanistan.

Since 1885, thousands of Canadian nurses have provided compassionate care to the sick and wounded in conflict areas around the world, and now even in Canada. In 1904, nurses entered the Canadian Army Medical Corps as Nursing Sisters in France in World War I, where they were the first women in the British Empire to be designated as officers, as well as the first Canadian women to vote federally because of their status.

During the pandemic, Canadian Armed Forces Nursing Officers supported health care workers in providing care to Canadians in seniors’ homes, hospitals and Indigenous communities. They were at the forefront in providing observations and recommendations — at both provincial and federal inquiries — regarding the abysmal conditions in those seniors’ homes. I cannot thank them enough for their courage in stepping up to support our health care workers and our most vulnerable Canadians.

These examples bring us back to Florence Nightingale. She was not satisfied with merely saving the lives of those in her care. She understood the raw power and untapped potential of nursing. As said by Rawsi Williams, who happens to be a U.S. veteran and a registered nurse:

To do what nobody else will do, a way that nobody else can do, in spite of all we go through; that is to be a Nurse.

Throughout this week, let’s celebrate and recognize nurses. Thank you.

### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of the Sidiqi Family, Mahmudah Sahar, Yadullah Yasa, and Robert and Mary Fowler. They are the guests of the Honourable Senator Boehm.

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

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

### NEWCOMERS TO CANADA

**Hon. Peter M. Boehm:** Honourable senators, I rise today to call attention to the newcomers to Canada whom we have just recognized in the gallery. Like all refugees who come to our shores, they have stories of enduring hardship, suffering and danger related to their arrival here from their native Afghanistan. We heard a very powerful statement by Senator Ataullahjan just a few minutes ago on that subject.



I want to acknowledge the support of the Anglican Diocese of Ottawa, a long-time participant in the Private Sponsorship of Refugees program run by Immigration, Refugees and Citizenship Canada, or IRCC, and the key role played by Robert and Mary Fowler. Mr. Fowler and Mrs. Fowler are distinguished Canadians with great international experience and reputations in facilitating both the processing of applications through IRCC as well as the group's international travel and settlement in Canada.

Honourable senators, Mr. Amin Sidiqi came to Canada in July 2018, and his family — here with us today — joined him here after leaving Afghanistan on the last Canadian flight out of Kabul in August 2021. Holding a Master of Arts degree from New York University, he is now studying law at the University of Ottawa, as well as working part-time with the research team of the university's Refugee Hub and also as a court interpreter. His spouse, Nafisa, and sons Mahdi, Abbas and Hussain are settling in and learning our official languages. At school, the boys are enjoying essay writing and debating, and have taken up soccer and, of course, hockey, as one does in our country.

Mr. Yadullah Yasa came to us via Indonesia, and he is looking to continue his university studies in Canada and to work as a filmmaker — which was his passion at university when he was forced to leave Afghanistan.

Ms. Mahmudah Sahar fled her village in Afghanistan and arrived in Canada in November of last year. She attends the Adult High School here in Ottawa. I understand that it took some persuasion to get her here today because it means that she is missing some classes. Mahmudah is working part-time in a store and hopes to pursue a career in nursing.

Honourable senators, as I look around the chamber, I am reminded that several of our colleagues came to Canada from afar, and that many, like myself, are first-generation Canadians — being the children of immigrants or, in my case, refugees. As we have seen since 1867, our country has been enriched by newcomers of all kinds who contribute to and strengthen our society in all its diversity. Canadian society is also enriched by civil society and community organizations. I mentioned the Anglican Diocese of Ottawa, but there are other churches and community groups that are particularly active with respect to settling refugees from Afghanistan in this city. Of course, there are thousands of Canadians, like Robert and Mary Fowler, who have given selflessly of their time and energy in order to help newcomers come here and find their way.

May it continue to be so across our great country. Thank you.

[*Translation*]

#### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Chief Mike McKenzie, Chief of the Innu community Uashat mak Mani-Utenam and Jean-Claude Therrien Pinette, Chief of Staff for Chief McKenzie. They are the guests of the Honourable Senator Audette.

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

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

[*English*]

#### WORLD HEALTH ASSEMBLY

**Hon. Leo Housakos:** Honourable senators, late this month, from May 21 to 30, the Seventy-sixth World Health Assembly will convene, and, once again, it will do so without the participation of Taiwan.

Once again, I'm appealing to Canada's Minister of Foreign Affairs Mélanie Joly and her government to call for the inclusion of Taiwan in this international forum.

Time and time again, Taiwan has shown its commitment to global public humanitarianism. Days after Russia invaded Ukraine, Taiwan sent 27 tonnes of medical supplies to Poland for Ukrainian refugees, followed by another 650 tonnes of additional supplies shortly thereafter. Taiwan medical professionals have reached out to disadvantaged communities around the world to fight health inequities. Since the 1950s, they've provided medical aid and technical services to various African countries to help maintain maternal and child health. In 2022, participating hospitals saw newborn deaths drop from 234 to 189.

Taiwan continues to show its commitment to global public health. Over the past 20 years, the Taiwan International Healthcare Training Center has provided continuing education to more than 2,000 health care professionals from 77 countries. During the worst global health crisis of our lifetime, Taiwan stood at the ready to contribute wherever and whenever possible. In the early days of the COVID-19 pandemic, Taiwan was one of the first countries to send valuable life-saving personal protective equipment to Canada. We must not forget that.

• (1440)

Unfortunately, Taiwan continues to be excluded from participation in the World Health Assembly, or WHA, and other fora and mechanisms of the World Health Organization. This exclusion is to the detriment of the international community as we are not taking into consideration Taiwan's success in responding to COVID-19.

It is also to the detriment of the 23.5 million people living in Taiwan, whose welfare must also be taken into consideration. Furthermore, as a like-minded democracy, Canada has every reason to support Taiwan's inclusion in future WHA functions where Taiwan can be a valuable partner to jointly help improve global health.

Taiwan has proven itself to be an indispensable member of the international community and brings immeasurable value to vitally important global efforts such as the fight against COVID-19.

Canada has before us an opportunity to show moral and meaningful leadership on the global stage. We must act now to close gaps in the international system that jeopardize health, safety, security, prosperity and sustainability created by Taiwan's exclusion from international fora like the WHA76.

Thank you, colleagues.

### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Nora and Marie-Claire Harmsworth. They are the guests of the Honourable Senator Woo.

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

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

[*Translation*]

## ROUTINE PROCEEDINGS

### FEDERAL-PROVINCIAL FISCAL ARRANGEMENTS ACT INCOME TAX ACT

BILL TO AMEND—ELEVENTH REPORT OF NATIONAL FINANCE  
COMMITTEE PRESENTED

**Hon. Percy Mockler,** Chair of the Standing Senate Committee on National Finance, presented the following report:

Tuesday, May 9, 2023

The Standing Senate Committee on National Finance has the honour to present its

#### ELEVENTH REPORT

Your committee, to which was referred Bill C-46, An Act to amend the Federal-Provincial Fiscal Arrangements Act and the Income Tax Act, has, in obedience to the order of reference of May 3, 2023, examined the said bill and now reports the same without amendment.

Respectfully submitted,

PERCY MOCKLER

*Chair*

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

(On motion of Senator Gold, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.)

[ Senator Housakos ]

[*English*]

### STUDY ON EMERGING ISSUES RELATED TO ITS MANDATE

FOURTH REPORT OF ENERGY, THE ENVIRONMENT AND NATURAL  
RESOURCES COMMITTEE PRESENTED

**Hon. Rosa Galvez,** Chair of the Standing Senate Committee on Energy, the Environment and Natural Resources, presented the following report:

Tuesday, May 9, 2023

The Standing Senate Committee on Energy, the Environment and Natural Resources has the honour to present its

#### FOURTH REPORT

Your committee, which was authorized by the Senate on Thursday, February 24, 2022 to study emerging issues related to the committee's mandate, now presents its interim report entitled HYDROGEN: A Viable Option for a Net-Zero Canada in 2050?

Respectfully submitted,

ROSA GALVEZ

*Chair*

(*For text of report, see today's Journals of the Senate, p. 1503.*)

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

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

[*Translation*]

### THE SENATE

NOTICE OF MOTION TO AFFECT THIS THURSDAY'S SITTING

**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, notwithstanding rule 3-1(1), when the Senate sits on Thursday, May 11, 2023, it sit at 1:30 p.m.

[English]

## QUESTION PERIOD

### CAN'T BUY SILENCE BILL

#### FIRST READING

**Hon. Marilou McPhedran** introduced Bill S-261, An Act respecting non-disclosure agreements.

(Bill read first time.)

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

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

### CITIZENSHIP ACT

#### BILL TO AMEND—FIRST READING

**Hon. Ratna Omidvar** introduced Bill S-262, An Act to amend the Citizenship Act (Oath of Citizenship).

(Bill read first time.)

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

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

### NATIONAL STRATEGY TO COMBAT HUMAN TRAFFICKING BILL

#### FIRST READING

**Hon. Salma Atallahjan** introduced Bill S-263, An Act respecting the National Strategy to Combat Human Trafficking.

(Bill read first time.)

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

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

### PUBLIC SAFETY

#### FOREIGN INTERFERENCE

**Hon. Donald Neil Plett (Leader of the Opposition):** My question, of course, is again for the Liberal government leader in the Senate.

The Prime Minister claimed last week that CSIS never told anyone two years ago that an agent in Beijing's Toronto consulate had targeted MP Michael Chong and his family in Hong Kong.

Leader, you said the Prime Minister's words should be taken as true, when, in fact, his very words were false. There is a word for people who make false statements. The truth is that CSIS sent its July 2021 report to multiple government departments, as well as the Prime Minister's own National Security Advisor, leader. This was confirmed to Mr. Chong by the current National Security Advisor. This directly contradicts what the Prime Minister told Canadians.

• (1450)

The Prime Minister will not come clean about what he knows about Beijing's interference, and when he does say something, it's false, leader, untrue. How can Canadians trust anything that this Prime Minister has to say about Beijing's interference?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question, senator. The Prime Minister was clear, as was the foreign minister, that they became aware of the specifics from *The Globe and Mail* article.

When the Prime Minister made his remarks with regard to CSIS to which you referred, at that juncture he had not been made aware that in fact the information, it now appears, was sent to someone occupying the position, albeit on a temporary basis, of the National Security Advisor — not the current incumbent but someone who was there over the summer period. That was made clear and corrected soon thereafter.

The fact is this government continues to act properly, prudently and responsibly with regard to the serious threats of foreign interference and the allegations that have been made through the leaked CSIS documents to *The Globe and Mail*, and it will continue to do so in the best interests of Canadians.

**Senator Plett:** You started off by saying the Prime Minister was clear. He was, in fact, clear when he said something that wasn't true.

Yesterday, the Trudeau government was repeatedly asked how many parliamentarians and their families were targeted by Beijing's interference. The fact that they still refuse to answer this question shows their sheer incompetence, leader.

It's also incredible that the People's Republic of China diplomat, who CSIS says targeted an MP and his family, was only expelled from Canada yesterday. The Trudeau government was shamed into taking this decision, which should have happened two years ago, leader.

In two weeks, the Prime Minister's made-up Special Rapporteur is supposed to make his initial recommendations. I don't know how anyone who witnessed what has transpired just in the last week could conclude anything less than a public inquiry.

Now, of course, we'll find out what this Special Rapporteur will suggest. The Trudeau government failed; they failed in their duty to protect Mr. Chong and his family against threats from Beijing. How many other parliamentarians has this government similarly failed? Why can this government not answer this basic question?

**Senator Gold:** Thank you for your question. It is one thing to stand up, as oppositions do, to demand information that is classified, would be against the law and is against the law to publicly disclose. That is the partisan prerogative of this opposition.

The fact remains that the Government of Canada, the Prime Minister and the Minister of Foreign Affairs learned of this a week ago. Proper, prudent steps were taken to determine and evaluate the allegations that were made — again, I repeat — by leaked, not necessarily nuanced documents of a classified nature. The government, as Minister Joly also said, had a responsibility to the Canadians in China and to those here, as well as to the economic interests of those farmers and other producers whose livelihoods depend upon their continued access to markets in China, to at least assess the consequences that the government took, and properly so, in declaring this diplomat *persona non grata*.

The process took a week. It was done properly, in conformity with the Vienna Convention, in consultation with our allies, on whom we depend, to make sure that what happened to the two Michaels and reprisals against our farmers and producers would not be repeated.

**Hon. Denise Batters:** Senator Gold, Canadians are shocked at the reports that Beijing diplomatic officials in Canada targeted MP Michael Chong and his family in retaliation for his House of Commons motion condemning the Uighur genocide. Even more astonishing was that you repeated Prime Minister Trudeau's assertion last week that CSIS didn't think the threats to a sitting member of Parliament were "a significant enough concern in their judgment."

A CSIS intelligence assessment from July 2021 warned of the potential threats against MP Chong's family. At that time, Canadian citizens Michael Spavor and Michael Kovrig were still held hostage in China. Their sham trials had occurred only three months earlier. In that context, it is unbelievable that CSIS and the PM's National Security Advisor found threatened intimidation of a sitting MP and his family failed to pose "a significant enough concern" to warrant informing the Prime Minister, the Minister of Public Safety and the targeted MP himself.

Senator Gold, if what the Prime Minister is saying were true — that CSIS didn't think this threat to a sitting MP was serious enough — why hasn't anyone been fired for this? Is this because Prime Minister Trudeau has set up his senior security apparatus to treat him as a ceremonial Prime Minister?

**Senator Gold:** I will continue to make every effort to answer seriously the questions that raise serious issues, though it does somehow sometimes strain my creativity to do so in the face of some of the implications.

I'm about to answer it, colleagues, but you'll at least allow me the small indulgence to comment on the rhetoric that surrounds these otherwise important issues that you raise for your purposes.

The Prime Minister was very clear that although his government was not made aware until *The Globe and Mail* published the leaked documents, he instructed CSIS:

Going forward, we are making it very, very clear to CSIS and all our intelligence officials that when there are concerns that talk specifically about any MP, particularly about their family, those need to be elevated.

He also said:

Even if CSIS doesn't feel that it's a sufficient level of concern for them to take more direct action, we still need to know about it at the upper government level.

That is what this government has instructed CSIS. That is the way in which it expects the intelligence services to go forward.

**Senator Batters:** Senator Gold, Prime Minister Trudeau's Public Safety Minister Marco Mendicino plays fast and loose where facts are concerned. He recently claimed that the RCMP had ousted Beijing government police stations operating in Canada, but an article days later proved that wasn't the case.

During last year's convoy, Mendicino repeatedly insisted that police asked for the federal government to invoke the Emergencies Act, a claim that was flatly denied by police.

Now, after enduring opposition criticism on this issue, Minister Mendicino finally said last week that he has only known about the threats against MP Michael Chong since last Monday, even though the CSIS assessment was dated July 2021.

Whether the minister willfully failed to be informed, or whether his advisers failed to inform him, either way, it's a firing offence. The question is who will be fired. If the Minister of Public Safety is so unaware of what's going on in his portfolio, when will he finally be fired? If CSIS knew two years ago and failed to inform him until last week, who will lose their job there?

**Senator Gold:** Senator Batters, colleagues, my job is to answer questions, and I will. It is not to try to school this chamber on the basic elements of how security information is transmitted from CSIS or other agencies through various levels. Nor is it my obligation or desire to remind you that we are still dealing with leaked material, of which we actually have no notice how nuanced it was or wasn't — published and leaked information that has been taken seriously by this government and acted upon by this government upon its receipt.

• (1500)

With regard to the rest of your question, Senator Batters, the fact remains that this government is taking the steps necessary to protect Canadians from foreign interference. The actions it took in expelling the diplomat and declaring the individual persona non grata sends a strong signal not only to China but also to other countries who seek to interfere with our democratic processes.

## AGRICULTURE AND AGRI-FOOD

### USE OF FARMLAND

**Hon. Robert Black:** My question is for the Government Representative in the Senate. Senator Gold, Canada's farmland remains a finite and valuable resource for Canadians and the world. Despite your government repeatedly stating the importance and prioritization of agriculture and food security, I remain perplexed by the agreements and policies that we continue to see which undermine the capabilities and capacities of our processors and producers.

In a recent deal, a foreign company was given the green light for the procurement of 1,500 acres — the equivalent of 1,134 football fields — of prime agricultural land in southern Ontario. Around this deal was \$700 million from Ottawa to build a plant along with \$500 million from the Ontario government, plus \$13 billion in federal subsidies for this gigafactory. Let's not forget as well, colleagues, the \$34 million in tariffs taken from farmers' fertilizer purchases earlier this year, an essential product needed to feed the country and the world, which was not returned to our farmers.

While the province retains jurisdiction of land use planning, governments at all levels have permitted the land that grows our food to be swallowed up by urban sprawl, damaging valuable soils and reducing our food production capacities, all while subsidizing this destruction and financially limiting those who put food on our tables.

My question is this, Senator Gold: When will this government actually prioritize Canadian agriculture and food, stop financially depriving our farmers and stop giving monies to companies that will actively undermine and take away our crucial farmlands?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for the question. Let me answer it in two aspects.

First, the government recognizes the vital importance of a resilient agricultural and agri-food sector, including the need to preserve and protect farmland. Agriculture, as we know, is a shared jurisdiction in Canada. The provinces and territories have primary responsibility related to land use planning and resource management. Through the development of the Sustainable Development Strategy, Agriculture and Agri-food Canada will continue to work with industry, provinces and territories to explore opportunities to improve the resiliency of the agriculture and agri-food sector.

Colleague, though, if it is not unfair for me to parse your question a bit more, I think I understand correctly that you are talking about the recent investment into our economy by Volkswagen and the support that the government gave to that project.

There are a lot of factors that a government must consider when appraising and appraising these kinds of investments. As a whole, upon reflection, the government is more than proud that Volkswagen has chosen Canada for their first-ever battery factory in North America. Volkswagen's historic investment of \$7 billion is a major vote of confidence in Canadian workers and in our battery ecosystem. The deal shows that Canada is a green supplier of choice.

The scale of the site, which you alluded to in your question, will create thousands of direct and indirect jobs, and it will renew the auto sector in St. Thomas.

**Senator Black:** For my clarity, and for the clarity of our colleagues, is agriculture a priority for your government? Yes or no.

**Senator Gold:** The answer is yes. It is a priority, as are jobs, as is supporting Canadian workers, as is supporting our transition to a green economy. A government has responsibilities to all Canadians, to all regions and to all sectors. Governments and the art of governing is making choices.

The Government of Canada makes those choices and enjoys the confidence of the House of Commons. We have our job to do in evaluating the choices that they make when they come to us in the form of legislation when it is our role to do so.

## ENVIRONMENT AND CLIMATE CHANGE

### JANE GOODALL BILL

**Hon. Marty Klyne:** Senator Gold, Bill S-241, the Jane Goodall act, proposes the world's strongest legal protections for captive wild animals. This includes banning unlicensed ownership of big cats and phasing out elephants in Canada. The bill also supports action on wildlife trafficking, including elephant ivory and rhino horn.

As well, with 15 speeches and over four hours of debate spanning 13 months, Bill S-241 is the most debated bill at second reading in the Senate in the 44th Parliament and we await a critic's speech.

I note that Bill S-241 would fulfill two government election commitments reflected in Minister Guilbeault's mandate letter, namely, to protect captive wild animals and to curb wildlife trafficking, including elephant ivory and rhino horn.

With Dr. Goodall coming to Canada this month, can you confirm the government would like to see Bill S-241 moved to committee as soon as possible? Otherwise, will the government introduce their own version of the Jane Goodall act to save the bill?

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

In order to halt the growing global decline of biodiversity, legislation that improves animal protections is crucial. I have been advised that the minister looks forward to hearing the debates around this bill and how it fits within the government's mandate commitments to protect animals both at home and abroad.

[Translation]

#### PRIME MINISTER'S OFFICE

##### CRIME RATES AND COST OF LIVING

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

Leader, I was reading the news on the weekend and I saw headlines on Radio-Canada's website such as, "Judge shortage: 'The current situation is untenable,' decries Justice Wagner." He is the Chief Justice of the Supreme Court of Canada.

[English]

A headline from *The Toronto Star* reads, "Bank warns mortgage delinquencies could rise by more than one third as homeowners struggle to make payments." Further, the *National Post* states, "Drug fail: the Liberal government's 'safer supply' is fuelling a new opioid crisis."

[Translation]

A headline in *La Presse* read, "Beginning of 2023 marked by an increase in crime." That's in Montreal.

Meanwhile, at the Liberal Party convention here in Ottawa, the Prime Minister invited Hillary Clinton and Jean Chrétien to attend so they could hear him tell the party membership that everything is just fine and dandy, thank you very much, that there are no problems in Canada, that we are an exemplary country, and we can relax and head off to party in London.

[ Senator Klyne ]

Leader, how can the government be so out of touch with reality and seemingly unaware of all the disasters that are happening, especially in recent years, in Canada?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you, senator.

Respectfully, the government is not out of touch, on the contrary. The government's agenda, which I represent here in this chamber, is focused on helping Canadians and transitioning to a cleaner, sustainable energy future.

Simply put, the government is always aware that problems do exist. It is working closely with its provincial and territorial counterparts on the issue of rising street crime in Montreal and elsewhere. It is working hard on all the issues.

That doesn't sound like what you described. This is the government's view, and that's not what being out of touch looks like. This government continues to work hard for the well-being of Canadians.

**Senator Carignan:** Leader, last week, Toronto media showed images of several hundred people lined up outside of a food bank.

Given the answer you just gave me, what do you have to say to the hundreds of people who were waiting in line at the food bank so they could feed themselves?

**Senator Gold:** Although they become fewer with each passing month, there remain far too many challenges facing Canadians, especially with the cost of groceries and inflation in several sectors.

It is concerning, and that is why the government is moving forward with Bill C-46, which will be debated at third reading tomorrow, despite a translation error. This bill will help 11 million of the most vulnerable and marginalized Canadians, who need the government to give them a hand as part of a responsible budgetary framework.

• (1510)

#### IMMIGRATION, REFUGEES AND CITIZENSHIP

##### IMMIGRATION TO QUEBEC

**Hon. Julie Miville-Dechéne:** My question is for the Government Representative in the Senate. The *Journal de Montréal* has just published a whole section that characterizes the federal government's immigration goal as a trap for Quebec and an existential threat to the survival of French in America.

I personally reject this perspective, which fuels xenophobia and the fear of immigration in Quebec. That said, I don't believe that the federal government can simply ignore these alarmist scenarios. Ottawa has the responsibility to rebut these arguments and explain its objectives to reassure people. Senator Gold, what does the federal government intend to do to explain its policies, demonstrate the benefits of immigration and reassure people?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question. First of all, it should be noted that Quebec sets its own immigration targets and has exclusive authority over selecting the majority of its immigrants, and thanks to the agreement between Canada and Quebec, the government offers Quebec financial compensation to ensure the francization of newcomers. The government of Canada always respects Quebec's jurisdiction over immigration.

Ensuring the vitality of francophone communities remains a key priority for the federal government. The government is proud to announce that it has reached its target of 4.4% francophone immigration outside Quebec. In 2022, Canada admitted over 16,371 French-speaking immigrants outside Quebec. That is a nearly 450% increase since 2015, and that is the largest number of francophone immigrants admitted to Canada outside of Quebec since data tracking began in 2006.

The government firmly believes it can grow the economy while protecting the French culture and language.

**Senator Miville-Dechêne:** The public is still scared, however, and some people are happy to take those fears and exploit them. I don't think we can try to make them go away.

That was the point of my question. Is the federal government considering strong action to positively counter or correct the fearmongering about immigration? Unfortunately, the immigrants themselves are the ones who suffer from prejudice.

**Senator Gold:** Thank you for the question. As the Prime Minister recently said, and I quote: "Building a world free of racism requires deliberate, continuous efforts to change perceptions."

In that respect, the government has committed to building a more inclusive country where everyone has an equal opportunity to succeed. With the support of the Federal Anti-Racism Secretariat, the government is continuing to take steps to combat racial discrimination and its impacts on individuals and communities across the country, including in the health care system.

The government has put in place initiatives such as Promoting Health Equity: Mental Health of Black Canadians Fund, which supports community projects designed to promote mental health in Black communities; the Addressing Racism and Discrimination in Canada's Health Systems Program, which funds projects that fight systemic racism in our health care systems; and the Indigenous Health Equity Fund, which demonstrates Canada's commitment to implementing Joyce's Principle to bring in legislation on Indigenous health, address systemic inequities faced by Indigenous people and give them access to high-quality and culturally appropriate health care free from racism and discrimination.

[English]

## PUBLIC SAFETY

### FOREIGN INTERFERENCE

**Hon. Donald Neil Plett (Leader of the Opposition):** Government leader, in December 2021, Prime Minister Trudeau appointed Liberal MP Mark Gerretsen as the Parliamentary Secretary to the Leader of the Government in the House of Commons (Senate). According to the Library of Parliament, Mr. Gerretsen is the only parliamentary secretary in Canadian history to hold this title. I'm not entirely sure what this parliamentary secretary does to assist you in your work; I don't think he helps you prepare answers to our questions. I do know, however, that last week he made false claims about the information provided to Michael Chong about Beijing's threats against him and his family.

Leader, last year, you told this chamber the following:

Disinformation, in its various forms, is a really serious threat to our society, to our democracy and to all Canadians.

Given these words, do you agree with the false claims made in the other place by your parliamentary secretary?

**Hon. Marc Gold (Government Representative in the Senate):** I am not in a position to comment on the claims to which you are referring. However, I can tell you that Mr. Gerretsen is someone with whom I meet regularly, and who, indeed, is serving as the parliamentary secretary, as well as serving Minister Holland in an exemplary fashion and providing an additional link between the government and our office, which we use in our work.

**Senator Plett:** Well, I find it strange. He is your parliamentary secretary, and you don't know about claims that he has made.

**An Hon. Senator:** No —

**Senator Plett:** Well, yes, in fact, he is. It is similar to when the Prime Minister says that he isn't aware of information — the Prime Minister's Chief of Staff Katie Telford says that she ensures he receives everything that he needs and that he sees everything.

We have seen this before — as I just mentioned — from the Prime Minister and his government. Nothing is ever their fault — blame the victim, spread misinformation and never apologize unreservedly.

A few days after the SNC-Lavalin scandal was revealed in *The Globe and Mail*, the Trudeau government engaged in a smear campaign against Jody Wilson-Raybould. The Union of British Columbia Indian Chiefs rightly called it blatant sexism.

Minister O'Regan personally attacked veteran Sean Bruyey in a newspaper column. Vice-Admiral Mark Norman never received an apology for what the Trudeau government put him through.

**An Hon. Senator:** That's right.

**Senator Plett:** Now we see Michael Chong being discredited by the Trudeau government, including by your parliamentary secretary.

Will the Trudeau government stop hiding the truth about foreign interference, stop blaming Michael Chong and apologize to him, or are we going to hear the Prime Minister's infamous excuse — that people experience things differently — for his own bad behaviour?

**Senator Gold:** Well, that's quite the tour d'horizon, Senator Plett.

The government has put into place serious measures to address the issue of foreign interference. We are waiting, and it will only be a few short weeks until the report of the Right Honourable David Johnston — at which point Canadians will understand the next steps that the government may be advised to conduct in its continued effort to protect Canadians from foreign interference.

## PUBLIC SERVICES AND PROCUREMENT

### REHABILITATION OF 24 SUSSEX DRIVE

**Hon. Donald Neil Plett (Leader of the Opposition):** I will ask my first question. I won't receive an answer, but at least the question will be on the record.

Leader, it has been widely reported that the official residence of Canada's Prime Minister at 24 Sussex Drive is now formally closed, in part due to rodent infestation. In February, an answer provided to one of my written questions on the Senate Order Paper showed that the Trudeau government spent over \$800,000 of taxpayers' money trying to come up with a plan regarding what to do with 24 Sussex Drive.

The Trudeau government has had eight years and has spent over \$800,000, and they still don't have a plan. I can't think of a more fitting symbol for the entire Trudeau government than this: Even with decaying rat carcasses in the walls, and even after spending more than the average family home costs in Canada, they still don't know what to do.

How many more tax dollars will be spent before the Trudeau government comes forward with a plan?

**Senator Martin:** Hear, hear.

**Hon. Marc Gold (Government Representative in the Senate):** It is very regrettable, and I hope all Canadians would share the sentiment that 24 Sussex Drive has been allowed to run into such a state of disrepair that it is no longer fit for human habitation. It is unfortunate, but perhaps part of the political culture, at least in the other place, if indeed not in our country, that the previous prime ministers of both parties have been unwilling — both parties, Senator Plett, as Hansard will reveal. It is regrettable that previous governments and previous prime ministers who were aware of the deteriorating condition chose not to make investments in the ongoing maintenance of

24 Sussex for the benefit of future prime ministers. It is easy to punt the ball, because Canadians are mindful of taxpayers' money being spent.

• (1520)

The Prime Minister has never lived at 24 Sussex. By the time he was elected, it was clearly in such a state, and now, some years later, we find it completely uninhabitable.

[Translation]

## ORDERS OF THE DAY

### FOOD DAY IN CANADA BILL

#### MESSAGE FROM COMMONS

**The Hon. the Speaker** informed the Senate that a message had been received from the House of Commons returning Bill S-227, An Act to establish Food Day in Canada, and acquainting the Senate that they had passed this bill without amendment.

[English]

## CRIMINAL CODE

### SEX OFFENDER INFORMATION REGISTRATION ACT INTERNATIONAL TRANSFER OF OFFENDERS ACT

#### BILL TO AMEND—SECOND READING—DEBATE ADJOURNED

**Hon. Bev Busson** moved second reading of Bill S-12, An Act to amend the Criminal Code, the Sex Offender Information Registration Act and the International Transfer of Offenders Act.

She said: Honourable Senators, I am pleased to take the floor today to speak to Bill S-12, An Act to amend the Criminal Code, the Sex Offender Information Registration Act and the International Transfer of Offenders Act.

I'm pleased because I believe — and I hope you agree — that the goals this bill seeks to achieve go to the issue of the protection of the most vulnerable, as well as the quest by the victims of crime to have their rights considered as we strive to find the elusive balance of rights in our living Constitution.

Bill S-12 has three main objectives: first, to respond to the decision of the Supreme Court of Canada last October in *R. v. Ndhlovu*, which struck down elements of the National Sex Offender Registry; second, to strengthen the effectiveness of the registry; and third, to empower victims and survivors of crime by changing the rules governing publication bans and a victim's right to information.



The reforms relating to the National Sex Offender Registry proposed in this bill come to us with significant urgency. If Bill S-12 does not receive Royal Assent prior to October 28 of this year, courts will no longer be able to register convicted sex offenders to the National Sex Offender Registry, jeopardizing the police's ability to investigate and prevent sexual offences.

This bill is of special interest to me as a retired police officer. Early in my career, as a female member of the RCMP, many, if not all, sexual offences in my area were referred to me for investigation and interview. Under these circumstances, one might think you would become accustomed to hearing these heartbreaking details of abuse, but you never do. Any legislation that helps to investigate and prevent these crimes and support the survivors is important.

The National Sex Offender Registry was created in 2004. It provides police with the ability to access current and reliable information on registered sex offenders, including their names, aliases, addresses and descriptions of any distinguishing physical features. Police use the registry as a key tool to identify potential suspects after a sexual offence has been committed and to monitor movements of offenders in order to prevent future sexual crimes.

The registry operates under several federal laws. The Criminal Code outlines the power of the courts to order individuals to register, determines the length of the registration period and the consequences of breaching registration requirements, among other things.

The Sex Offender Information Registration Act, or SOIRA, lays out obligations of all registered offenders, which include presenting themselves in person to a registration centre every year and providing information to the police on an ongoing basis, including, for example, their address, the make and model of their vehicle and their place of work.

The other place's Standing Committee on Public Safety and National Security completed a review of SOIRA in 2009. The committee's goal was to strengthen SOIRA as a tool for law enforcement in the face of low registration numbers due to the high degree of discretion accorded to judges and prosecutors.

In fact, many prosecutors did not bother to address the issue at all in proceedings. To remedy this, the committee recommended amending SOIRA to mandate automatic registration but allow judges to use their discretion to deviate from this rule when registration would be grossly disproportionate to the public interest. The committee recommended removing prosecutorial discretion altogether.

In 2011, the government of the day went quite a bit further than the committee's recommendation by amending the Criminal Code to require automatic registration for all cases, without either prosecutorial or judicial discretion. This meant that registration was to occur in every case when someone was convicted of, or found not criminally responsible on account of mental disorder for, a designated sexual offence. These amendments allowed no exceptions in the application of the rule under any circumstances. This was one of the key issues that the Supreme Court of Canada considered in *R. v. Ndhlovu*. Ultimately, the court found that automatic registration in all cases

was inconsistent with the Charter because it captured offenders who posed no risk of reoffending. The court concluded that this was disconnected from the purpose of the registry and thus unconstitutional.

The court suspended the effect of its decision with respect to automatic registration for one year to give Parliament an opportunity to craft a constitutionally compliant regime. Bill S-12 strives to do just that.

In the same decision, the court struck down the second element of the Criminal Code relating to the length of time for which an offender was required to register. Specifically, the court invalidated the provision requiring mandatory lifetime registration for all individuals convicted of more than one designated offence in the same proceeding. This provision was struck down immediately with retroactive effect to 2011, the date of its original inception.

In order to meet the court's one-year deadline, we must move quickly with our study and consideration of this bill. As I noted, if a new legislative framework is not in place before October 29, 2023, the courts will no longer have the power to require sex offenders to register. This would create a dangerous gap, leaving law enforcement unable to rely on the registry for critical information that is necessary to prevent or investigate sexual crimes. We cannot allow this to happen. In this case, unfortunately, the old adage that "your urgency does not create my emergency" does not apply.

The bill proposes to retain automatic registration in two important circumstances: first, for repeat offenders; second, for those who commit child sexual offences and are sentenced to two or more years by indictment. These are two situations in which the government believes the automatic registration is justifiable as being directly related to and proportionate with the objectives of SOIRA. In this respect, these changes reflect the guidance provided by the Supreme Court of Canada and will promote public confidence in the criminal justice system's approach to sexual offences.

In all other cases, Bill S-12 provides that registration must be ordered unless an offender can demonstrate that registration would be overly broad and grossly disproportionate. This would create a presumption of registration or, in essence, a reverse onus on the offender, which would be displaced in certain narrow circumstances where it can be justified. I note that this new regime follows the Public Safety Committee's recommendation from their review of SOIRA in 2009.

The proposed reforms would also allow a court to order lifetime registration for individuals convicted of more than one designated offence in the same proceeding where the offences demonstrate an increased risk of recidivism. This allows courts to continue to order lifetime registration in appropriate cases, while also addressing the concerns of overreach expressed by the Supreme Court decision.

Colleagues, this brings me to the second objective of this bill, which is to strengthen the National Sex Offender Registry regime. I would like to highlight some of these proposed reforms that aim to ensure that the registry continues to be effective and efficient in law enforcement.

• (1530)

Bill S-12 adds to the list of offences that qualify a convicted offender for registration. Of particular note, the bill would add the offence of non-consensual distribution of intimate images to the list. This is also called “revenge porn” or “cyberharassment” and can have devastating effects on those targeted by this crime. The bill would also target so-called sextortion by adding extortion to the list when shown that it has been committed with intent to commit a sexual crime. This is an important step towards helping police identify perpetrators of offences which are becoming more and more prevalent in the digital age.

The bill also proposes a new arrest power in the Criminal Code to address the issue of non-compliance with registration obligations. Currently, it is estimated that up to 20% of individuals with obligations related to the National Sex Offender Registry are not compliant. This is not acceptable. The only legislative mechanism to facilitate compliance with the registry under the current law is to arrest the individual and lay a charge under the Criminal Code. However, laying a charge does not necessarily result in compliance. This bill would create a compliance warrant and allow the police to seek an arrest warrant to bring a non-compliant sex offender to a registration centre to fulfill their obligations under the Sex Offender Information Registration Act, or SOIRA. If the offender provides the required information, they will not be charged. This will give police the tools to bring offenders into compliance more effectively.

Another important change that the bill would accomplish would be to require registered sex offenders to provide police with 14 days’ advance notice prior to travelling as well as a list of the specific addresses where they will be staying during the course of their travels. This would allow the police enough time to conduct a risk assessment and notify appropriate law enforcement partners if necessary and allow the Canadian authorities to better fulfill their obligations, both domestic and international, under SOIRA.

I must tell you all that on a very recent visit to the RCMP’s National Child Exploitation Crime Centre, I, along with colleagues from both the Senate and the other place, heard accounts of registered offenders calling from the airport, advising of their travel plans, technically fulfilling their requirement under SOIRA but leaving no time for the police to offer effective warning to their policing partners that this potentially dangerous individual was on the way to their jurisdiction. This issue was on their wish list of changes needed and would be a welcome change to the sex offender registry regime.

This brings me to the third and equally important objective of this bill, designed to empower survivors and victims of crime through changes to the rules that govern publication bans and their right to information.

Bill S-12 proposes publication ban reforms that respond directly to calls from survivors of sexual violence, who are disproportionately women and girls. Victims deserve more agency in the criminal justice process and the ability to tell their own stories if they so choose.

The various publication ban provisions in the Criminal Code are intended to shield witnesses and victims from further harm by concealing their identity. On the one hand, a publication ban can encourage the testimony of witnesses and victims who may otherwise be fearful of coming forward and make them more likely to come forward. Some survivors and victims of crime, however, have found that publication bans have the effect of silencing or restricting them. I have been honoured to meet with victims of sexual offences who want to regain their own right to their own names. One group, called My Voice, My Choice, represented by Morrell Andrews and other survivors, put it this way:

Out of respect for the many victim-complainants who will go through the legal system to seek accountability for the harms committed against them, please remember that this is not a political issue.

We have an opportunity to be ambitious and create a better process that recognizes the inherent right of victims of sexual offences to share their stories without fear of being criminalized. It is their voice, and it should be their choice. These victims would seek consent rather than consultation in considering the publication ban, but this, I believe, is a focus for committee to consider.

Almost inconceivably, under the current system, we have seen victims charged with violating a publication ban intended for their sole protection and benefit — imagine! This is clearly unacceptable. These survivors deserve to be able to share their stories if they so choose. It’s important that it be their choice, and their choice alone. Their right to choose has been violated once by the crime itself and again by the ban, taking away their choice and their right to use their name.

In order to address this issue, Bill S-12 proposes that judges must ask prosecutors to confirm if reasonable steps have been taken to ensure that the victim has been consulted on whether or not a publication ban should be imposed. This proposal is in line with Recommendation 11 of the seventh report of the Standing Committee on Justice and Human Rights, entitled *Improving Support for Victims of Crime*.

In addition, Bill S-12 will clarify the process to modify or revoke a publication ban after one has been imposed by codifying a process that currently exists only in the common law. The bill will also ensure that publication bans are applicable to online material that may have been published before a ban was imposed. Both measures recognize that victims and survivors should benefit from their right to change their minds.

The choice to revoke or modify a publication ban should be dictated by the wishes of the victim or survivor. However, the bill imposes a residual discretion to be given to the judge to refuse such a request if it would, for example, possibly identify a second victim involved who wishes to remain anonymous. It is expected that these types of scenarios would be extremely rare and that, for the overwhelming majority of cases, a publication ban would be lifted in cases where the victim clearly does not want it in place.

There is no handbook on a good or right way to be a victim. The legislation recognizes the choice of victims and survivors and provides them with some decision-making power. Returning power to victims and survivors of sexual violence can be essential for the healing process. It can, in some victims' minds, prevent retraumatizing these people in the criminal justice process. In others, taking control of their names and identities is essential to their path to empowerment.

It is important that we get this right. I suspect many of you have already heard from survivors working on this issue, as I have. Survivors are looking to us to fix the publication ban regime to better empower them and treat them with dignity and respect. I look forward to working with you all to ensure we achieve this delicate balance. This is an area I think we can review at committee in consultation with these survivors to see if the language can be strengthened.

I would like to take a moment to speak to you about a victim's right to information about the case they are involved in and the offender who has harmed them. This right is enshrined in the Canadian Victims Bill of Rights in sections 6, 7 and 8. Bill S-12 will make it easier for victims to access information about their case after sentencing or after an accused has been found not criminally responsible on account of a mental disorder. This is incredibly important to victims and to the police who are responsible for protecting them.

To achieve this goal, the bill proposes several measures. First, it would require the judge to ask the prosecutor whether they have taken reasonable steps to determine whether the victim wishes to obtain this information. Second, the bill would allow victims to express an interest through their victim impact statement. Finally, the bill would require the court to provide Correctional Service Canada and the Parole Board with the victim's name and information if they have expressed a desire to receive this type of information.

Once again, this approach is respectful of the needs of victims and seeks to provide the flexibility required to obtain information at the time of their choosing. Note that this proposal received particular attention and support from the Federal Ombudsperson for Victims of Crime.

To conclude, colleagues, the changes contemplated by this bill will meet an urgent need to make the laws governing the National Sex Offender Registry compliant with the Charter. At the same time, the bill will make the registry better able to accomplish its vital purpose of providing police with current and reliable information to investigate and prevent crimes of a sexual nature. It will also take the opportunity to make the criminal justice system more responsive to survivors and victims of sexual offences.

These reforms are targeted, measured and sensible. They will make a tangible difference in the prevention and investigation of some of the most difficult offences under the law and will support the rights of victims who continue to struggle to recover from these life-changing crimes committed against them.

• (1540)

Some may suggest that the measures do not go far enough. Others will say that they go too far. However, I submit this bill will serve to help strike the balance between those two tensions and move the pendulum in a positive direction. I urge you, colleagues, to act with exigency in getting Bill S-12 to committee, where further study and survivor consultation can take place on the record. Thank you, *meegwetch*.

[*Translation*]

**Hon. Pierre-Hugues Boisvenu:** Would the senator agree to answer a question? Senator Busson, I have some experience with victims of sexual assault, particularly those who were murdered.

A few weeks ago, I was in Camrose, Alberta, where I met a family whose mother had been killed, as well as her four-year-old child, who was murdered a few hours later by a neighbour two doors down.

That neighbour was a criminal who had a lengthy record — he had already sexually assaulted and murdered a woman in the 1980s. He was in the system. He lived in an apartment building in town. In four and a half years, he changed locations four or five times; he never notified the authorities, which was part of his release conditions. What's more, his neighbour was a police officer.

I understand that the bill will continue to add sex offenders to the registry, but does it include a mechanism to monitor these criminals once they are in the system? The problem is that, even if we add thousands of men to the registry, once they're in the system and then released, if they aren't monitored, they will continue to assault children and women.

Does the bill include a mechanism to monitor these dangerous men?

[*English*]

**Senator Busson:** Thank you very much, senator. I heard that story on the news, and I was incredibly touched and offended by the fact that this was a repeat offender who victimized this woman and her child.

I believe that the new provisions of the sex offender registry will empower police to do more to make sure that they track these offenders. There is provision for stricter registration and powers that allow the police to track and register offenders who are non-compliant. I do believe this would be an impetus for police to spend more time making sure these offenders are complying with their restrictions and their conditions.

[Translation]

**Senator Boisvenu:** When the bill is studied in committee, you'll no doubt come to defend it. Is the government open to making a major change, through which recidivists who leave a penitentiary are automatically tried and we can go after them in the community?

[English]

**Senator Busson:** I'm not sure that I totally understand the question, but if you're asking whether or not the proposals in this regime will better help the police to identify, track and make compliant these offenders, I believe that is taking place. It's not my government, but I would hope there could be amendments that make this even more effective.

**Hon. Paula Simons:** Honourable senators, I too rise today to speak to Bill S-12, An Act to amend the Criminal Code, the Sex Offender Information Registration Act and the International Transfer of Offenders Act.

But I want to start at the beginning with how we got here, and a caution that some of these stories may be disturbing.

In March of 2011, 19-year-old Eugene Ndhlovu, an immigrant from Zimbabwe and a student at the Northern Alberta Institute of Technology, was invited by a female friend to a *Jersey Shore*-themed party in Edmonton. The party was billed online as a DTF event. That stands for "down to fraternize," except the F-word used in the advertising was not "fraternize." Ndhlovu said he didn't want to go, that he had too much to do the next day. But the friend insisted on his attendance and told him he could stay overnight and that she would arrange a ride to work for him in the morning.

Once at the party, Ndhlovu started to drink with the woman who had invited him and with another mutual female friend. According to the agreed statement of facts, the teenager touched that second girl on her buttock and thighs. Later the next morning, the first girl, the one who had invited him to the party, woke up and found Ndhlovu was trying to put his fingers inside her. She told him no. He tried to convince her. She said no again, so he stopped and left.

He was subsequently charged with two counts of sexual assault, the first count for attempting to put his fingers inside the first woman's vagina and the second count for touching the other friend's bottom and leg without her permission. The young man, who had no criminal record, pleaded guilty to two counts of sexual assault and was sentenced to six months. Those convictions should have automatically put him on the sex offender registry for life, with all the onerous and humiliating consequences that would entail.

But the trial judge in Edmonton, Madam Justice Andrea Moen, exercised her common sense and determined that placing the young man on the registry in such circumstances was unwarranted, given that he had taken responsibility for his actions and shown great remorse. She also noted that placement on the registry might make him especially vulnerable to racial profiling.

Madam Justice Andrea Moen said:

The law as it stands will now place Mr. Ndhlovu on police radar for the rest of his life anytime a sexual offence is committed by a black man of average height in his neighbourhood.

She added that putting his name on the registry would bear "... no connection to the object of assisting police officers in the investigation or prevention of future sex crimes. . . ."

This seems to me to have been a logical use of judicial discretion.

The sexual assault on the one woman was serious — serious enough that it led to jail time. But the second charge, the one that involved touching the second young woman on the bum and leg, was surely less so.

Indeed, one might legitimately wonder if there was some pressure on the Crown to charge Ndhlovu with two separate offences simply for the sake of putting him on the registry, especially since inclusion on the registry only became automatic in April of 2011, less than a month after the assaults took place.

The Crown appealed and won a split decision at the Court of Appeal of Alberta. It was, let me note, though, Madam Justice Ritu Khullar, who is now Alberta's Chief Justice, who dissented and supported the ruling of the original trial judge. This split decision helped to allow for a Supreme Court appeal, and in October of 2022, Canada's Supreme Court, in its own split decision, upheld the trial judge's original ruling and deemed the mandatory automatic placement of sex offenders on the national registry unconstitutional.

As we have heard, the court gave the government one year to come up with a response, so now we have Bill S-12 and the political imperative to pass the bill before the clock runs down.

Under the terms of the legislation, inclusion on the sex offender registry will still be automatic for repeat offenders or those who commit sex crimes against children. But in all other cases, the defendant will have the right to challenge the registration. If the offender can demonstrate that being put on the registry would be disproportionate to the offence, then the judge can opt not to include them. As Senator Busson has just explained, the onus is reversed, and the default is to be on the list unless you can make the case that you shouldn't be there. Then the judge will decide whether being placed on the registry is warranted, paying attention to factors including the nature and seriousness of the crime, the victim's age and other personal characteristics, the nature of the relationship between the victim and the perpetrator, the accused's own circumstances, whether or not the perpetrator has a criminal history and the opinions of expert witnesses.

Under Bill S-12, judges will at least be given back some of the autonomy and responsibility for passing judgment. Having heard all the trial testimony, they will then decide whether placement on the registry makes sense in a particular case, whether it's proportionate and whether such registration will protect public safety while respecting the rights of the defendant.

There are certainly those who would argue that the whole idea of a sex offender registry is counterproductive, that such a blacklist is a crude American import that has no place in Canadian society. One could certainly make an argument that these lists are a kind of security theatre that do little to protect the public or reduce recidivism, but that they stoke public fears and public hysteria while making it harder for those who have served their sentences to reintegrate into the community and stay out of trouble.

In the words of the Supreme Court itself on the topic of these lists:

Despite its long existence, there is little or no concrete evidence of the extent to which it assists police in the prevention and investigation of sex offences.

• (1550)

There are certainly those who would say that the reverse onus test puts an unfair burden on defendants, reversing the balance of our criminal justice system, which gives the state — the Crown — the legal burden of making its case.

Yet, from a political perspective, I can understand why the government might hesitate to abolish these problematic registries, and is instead taking this far more modest step to comply with the Supreme Court's direction. Still, once this bill is in committee, I hope that hard questions will be asked regarding the value of sex offender registries, or whether they are merely counterproductive political show.

The legislation before us also represents a fundamental and long overdue shift in the way we disempower and shame victims of sexual assault.

For too long, Canadian courts have slapped automatic publication bans on the names of sexual assault victims, without considering whether such bans are always in the interests of individual victims. The practice, which began almost 40 years ago, started as a noble one. The idea of so-called rape-shield laws was to protect sexual assault victims from public shame and public scrutiny, as well as to encourage them to come forward with charges by protecting their identities.

But sometimes victims want to be known. They don't necessarily want to be protected in perpetuity — in a way that infantilizes them and robs them of agency and self-determination.

Let me provide you with an example of what I mean — it's a case I wrote about back in my own days as a journalist.

In 2006, the kidnapping of a 10-year-old Saskatchewan boy shocked and horrified the country. The child had been snatched from his parents' home in Whitewood, Saskatchewan, by notorious serial sexual predator Peter Whitmore. Whitmore took the boy to an abandoned farmhouse near Kipling, where he'd been holding another prisoner: a 14-year-old boy he'd abducted weeks earlier.

The 10-year-old was rescued after two days — thanks to an alert farmer who noticed signs that someone was living in the abandoned house. The boy had been chained to a bed, and forced to walk around naked while wearing a dog leash. Even after

Whitmore was convicted, the boy's trials didn't end. He was so bullied in his small-town school — where the other children called him horrible homophobic names because of the sexual assault — that his parents finally had to withdraw him to homeschool him.

At the time of his abduction, his name and photograph were everywhere. But once the trial began, the court imposed a publication ban on his identity, and it became a criminal offence for any media outlet to print his name or picture. A decade later, it was still illegal for him to blog or post to Facebook about what he'd endured. The whole country knew the ghoulish details of his abduction, yet he was forbidden to talk about how he had survived, to share his story and to work through his pain.

Then, in late 2015, a Regina court finally gave Zachary Miller his name and his voice. Justice Catherine Dawson of the Saskatchewan Court of Queen's Bench granted Miller's application to lift the ban. Miller had argued that he wanted to be known as a survivor, not a victim, and that he wanted his story to help others coping with the aftermath of abuse.

Miller, who was 20 at the time, testified:

I feel a victim under this court's publication ban, because it has refused me the right to use my name in any form of media, which in a way has refused my rights of freedom of speech.

You may ask, "If victims can challenge bans, even if it's expensive and time-consuming, why do we need Bill S-12?"

Well, it's because victory isn't assured. Take another case I wrote about: It's the story of a young man, from the St. Paul area of Alberta, who had a sexual relationship with a female teacher when he was just 17. The teacher, who had insisted the sex was consensual, was eventually acquitted of sexual exploitation. In 2007, seven years after the trial, the young man, who was then 26, applied to have the publication ban lifted so he could finally speak out about the lasting psychological pain of being victimized by an adult he had trusted.

The Crown, to its credit, did not oppose the application, so you'd think this would have been easy. But the justice in the case refused to lift the ban, ruling that doing so — years later — would not be in the public interest. The man's only option was an appeal to the Supreme Court of Canada. He did so, but the court declined to hear his case.

Thus, when misapplied, the almost unliftable publication ban revictimizes victims in the name of protecting their privacy. It's patronizing and paternalistic. Even worse, it sends sexual assault survivors the explicit message that they have been so shamed and dishonoured — that what has happened to them is so peculiarly and uniquely disgraceful — that they must be hidden away from public view. It's a medieval attitude to rape, informed by misogyny and homophobia, and it belongs in our past.

Bill S-12 goes some way to righting the balance. It states that a victim must be consulted before a publication ban is imposed. It also states that a court must hold a hearing for any sexual assault victim who wishes to revoke or vary their own publication ban.

But this is, again, a compromise. The request is not granted automatically. The bill states that the court must consider any material change in circumstances including the victim's wishes. But ultimately, the court must rule not based on what the victim wants, but on whether lifting or varying the ban is "in the interests of justice."

While the bill goes some way to re-empowering those victims who choose to speak, it also includes broader provisions to protect the privacy of those who do not wish to have their identities known. The existing law bans the publication or broadcasting of any information that would serve to identify a sexual assault victim. In this social media age, Bill S-12 widens that provision to include anyone who transmits, or otherwise makes available, information about any victim, witness or justice system participant whose identity is protected by a publication ban — a provision that would seem to cover tweets, toots, Facebook posts and even group chat gossip. I'm sure this too will be an issue of much debate in committee, as it would potentially open up to sanction not just newspaper publishers and television stations, but also lots of ordinary citizens.

Due to the Supreme Court deadline, we are under some pressure to pass this law quickly. And yet, I hope that we will allow ourselves the necessary time to study its complexities and contradictions — because these are vitally important issues that speak to our civil liberties and the safety of our communities. Thank you. *Hiy hiy*.

(On motion of Senator Martin, debate adjourned.)

## GOVERNOR GENERAL'S 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 Plett, for the second reading of Bill S-221, An Act to amend the Governor General's Act (retiring annuity and other benefits).

**Hon. Yonah Martin (Deputy Leader of the Opposition):** With leave of the Senate and notwithstanding rule 4-15(3), I move the adjournment of the debate in the name of Senator Carignan for the balance of his time.

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

**Hon Senators:** Agreed.

(Debate adjourned.)

## NATIONAL FRAMEWORK FOR FETAL ALCOHOL SPECTRUM DISORDER BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Ravalia, seconded by the Honourable Senator Duncan, for the second reading of Bill S-253, An Act respecting a national framework for fetal alcohol spectrum disorder.

**Hon. Nancy J. Hartling:** Honourable senators, I rise today to support Bill S-253, An Act respecting a national framework for fetal alcohol spectrum disorder.

• (1600)

As a member of the Senate Human Rights Committee and the Indigenous Peoples Committee, and from my many years working in the community as a social worker, I am deeply aware of the impact of fetal alcohol spectrum disorder, or FASD, on our most vulnerable populations.

Congratulations to Senator Ravalia for initiating Bill S-253. I would like to recognize that this bill was developed through extensive consultation with the Canada Fetal Alcohol Spectrum Disorder Research Network, also known as CanFASD, which is a collaborative interdisciplinary research network with partners across the nation, so I am very confident that this bill is informed by the most up-to-date knowledge and expertise.

Thank you, CanFASD, for your incredible work and your ongoing commitment.

Thank you to our colleagues who have spoken in support of this bill. Today, following my speech, Senator Duncan will speak to this.

Fetal alcohol spectrum disorder is a lifelong neurological disorder that is caused when a fetus is exposed to alcohol in utero. It is the leading cause of developmental disability in Canada.

Health Canada estimates that between 1% and 5% of the population may have the disorder; however, given that it is difficult to diagnose, it often goes undetected. Some groups are more impacted by this than others. For instance, among Canada's prison population, the number of affected people ranges from 9.8% to 23.3% for the general prison population and could be as high as 50% for Indigenous offenders.

The disorder can affect many bodily systems, but its impacts are felt primarily in the brain. Many people with FASD show no outward signs of a disability, but this may mask a range of learning difficulties and memory impairments.

Here are some examples of what people with the disorder may demonstrate: forgetting how to do something they've already learned; problems with social communication despite, in many cases, having strong verbal skills; trouble reading social cues and understanding others; trouble understanding abstract concepts

and internalizing rules; difficulty concentrating due to impaired self-regulation, and this is made more difficult because they may find it harder to grasp abstract concepts, such as reasoning, problem solving and connecting cause and effect. People with the disorder often have disrupted school experiences, have trouble interacting with others and keeping their jobs and may encounter financial difficulties.

The impact of the social determinants of health leads to a higher risk of depression, drug and alcohol addiction, homelessness and poverty. Without adequate interventions and supports, people with FASD and their families and communities are at a greater risk of negative outcomes.

I believe prevention with a pan-Canadian approach is critical. The development of a national framework provides an opportunity to explore this further at committee.

Early intervention for women who are at risk is key to better pregnancy outcomes and also to better outcomes for children who are born with FASD. CanFASD and the Centre of Excellence for Women's Health co-developed a made-in-Canada model based on four levels of interventions focused on prevention where each level builds on the previous one. As time doesn't permit me to go into the details of all of their tremendous work, I will simply give you the highlights of the levels of intervention, prevention and treatment of FASD.

Briefly, the first level of intervention includes raising awareness about the risks of alcohol consumption during pregnancy and empowering women and communities with the information needed to make decisions. This can take the form of national media campaigns, developing health promotion materials and producing easy-to-understand and readily available low-risk drinking guidelines. Culturally appropriate and trauma-informed approaches are extremely important for community-based health promotion strategies, especially in the context of Indigenous communities. Increasing awareness is included as an element of the framework under Bill S-253.

The second level is a provision of safe, non-judgmental spaces for all women of child-bearing age to have discussions on reproductive health, contraception, pregnancy and substance use with their health providers. Research has pointed to the importance of "brief alcohol interventions," which are collaborative, often informal conversations that can occur between women and their health care providers and can provide an opportunity to engage openly on alcohol use and other risk factors that may not be immediately obvious.

These interventions can be the basis for lasting change by connecting women to the supportive services they need. They are valued by health practitioners as they are seen as less

stigmatizing than screening for alcohol use and as open opportunities to discuss issues related to substance use, such as mental wellness and gender-based violence.

It is critical that these conversations happen in a non-judgmental way because the factors that lead to women drinking can be highly complex. They are often driven by a number of social determinants of health. The stigma associated with drinking during pregnancy can result in women not seeking support, so it is important that women are able to participate in these interventions and follow-up treatments without the risk of losing custody of their children.

According to research by Dr. Shimi Kang, a professor at the University of British Columbia and a recent recipient of the Governor General's Persons Case Award, an opportunity exists in the prenatal period to help women with addiction issues as they are then more likely to engage with the health care system and are more likely to abstain or reduce their substance use during this time. However, many women face barriers such as stigma in the form of guilt or shame, fear of losing custody of their children, prejudice towards mothers with substance problems, responsibility for dependent families and lack of child care and transportation.

Two thirds of all women entering addiction treatment services report a history of sexual or physical abuse — quite a lot when you think about it — which points to the need for an assessment of abuse history among addiction patients so that their trauma-related symptoms could then be treated, resulting in better addiction outcomes and therefore reducing the risk of negative pregnancy outcomes.

Brief interventions are important because they embody the "no wrong door" approach to care, where women and girls can access resources at any juncture in their lifespan through family doctors, midwives, nurses, anti-violence support workers and social workers. This goes hand in hand with preventing intimate-partner violence.

The third and fourth levels include holistic supports for pregnant women and new mothers with alcohol abuse and other health and social problems, including supports for child development. In a study of the most effective programs for reaching pregnant women at risk, researchers noted that the provision of the following were associated with the best outcomes: access to basic needs such as food and clothing; supportive housing; child welfare support; substance use supports; trauma and violence support; women's health services, including parenting support; cultural programs; pre- and postnatal care and peer connection.

Colleagues, these interventions are at the core of the social determinants of health. These interventions can provide a strong base for future health of children with FASD because healthy mothers are more likely to be involved in care, are more likely to

adhere to treatment and have healthier attachments to their children. This healthy attachment and family cohesion is emphasized in the *Towards Healthy Outcomes for Individuals with FASD* model developed by the Intervention Network Action Team of the CanFASD Research Network. Children who suffer from impaired attachments are at a higher risk of negative outcomes later in life, so a sense of stability, security and high family cohesion can act as protective factors. This document also contains a wealth of effective interventions which the committee could explore in larger detail.

With so much knowledge on early intervention, why are parents and children with fetal alcohol spectrum disorder still struggling? As Senator Ravalia aptly explained, provinces and territories each have different standards and resources allocated to the disorder. Although there are 73 diagnostic clinics in Canada, none are in rural areas, and they are not evenly distributed.

Diagnosis remains elusive for many due to the lack of resources dedicated to FASD. Some parents might fear obtaining a diagnosis because of the stigma associated with drinking during pregnancy.

In my home province of New Brunswick, we are fortunate to have the Fetal Alcohol Spectrum Disorder Centre of Excellence, located in Dieppe. They provide a range of services including prevention, diagnosis, intervention and support services, with special attention given to mothers' needs and trauma. They now serve over 800 families a year. And although the centre of excellence is considered the gold standard in Canada, over 300 families in my region are still waiting for diagnosis, and many more cannot even get a referral because of circumstances out of their control. All of this is to note that with more than 4,000 youth in the school system in our area estimated to have FASD, most without a diagnosis, it is clear that the resources do not meet the needs.

Colleagues, there is a tremendous amount of research on FASD, and evidence-based best practices have been implemented in various ways across Canada. There may be other questions to explore, such as the father or male partner role in this issue. At committee, I hope that special attention will be paid to the social determinants of health for mothers, children and the family, and I hope the study will be bolstered with gender-based analysis and will take into consideration the many intersecting factors that lead to FASD.

The social determinants of health are at the core of prevention and lifetime interventions, and they deeply inform the treatment models that have emerged. Bill S-253 can provide a framework on which we can build, as an act of reconciliation and public health, to guide best practices in prevention, diagnosis and intervention across Canada.

I look forward to the next step by sending Bill S-253 to committee for further study. Thank you.

[ Senator Hartling ]

• (1610)

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

**Hon. Pat Duncan:** Honourable senators, I rise today to express my support for Bill S-253, An Act respecting a national framework for fetal alcohol spectrum disorder.

I will begin by expressing my sincere thanks to my friend Senator Ravalia, his team and my own staff for their work and efforts on this bill, as well as to my colleagues who have spoken on this initiative before me. They have eloquently covered the impacts and the data showing how severe the challenges are. I'm also grateful, colleagues, for your patience as I have gathered my thoughts to speak.

My understanding of fetal alcohol spectrum disorder, FASD, has evolved over the almost 30 years that I have been dealing with this. In 1998, my colleague in opposition, Yukon MLA Sue Edelman, the health critic, gave notice in the Yukon Legislative Assembly of a motion that read in part:

THAT it is the opinion of this House that:

- (1) there are no accurate or approximate numbers of Yukoners who suffer from fetal alcohol syndrome or fetal alcohol effects;
- (2) fetal alcohol syndrome and fetal alcohol effects are completely preventable if parents do not drink during pregnancy;
- (3) there are few if any supports for families and for those who suffer from fetal alcohol syndrome and fetal alcohol effects once they have left the education system — and this is particularly true in rural Yukon . . . .

The motion then called upon the Yukon government to provide support for early intervention and prenatal programs that prevent fetal alcohol syndrome, FAS, and fetal alcohol effects, FAE. In addition, she urged that the government:

. . . allow children who have been affected lead happy, productive lives in our society by being properly prepared for school and by giving their families ways to support these special children, then by examining the gaps in the service to youth and adults . . . by using our resources wisely by coordinating services to persons with fetal alcohol syndrome and fetal alcohol effects, and their families.

As honourable senators can tell, the language has changed since then. FAS and FAE are now FASD, recognizing the wide-ranging symptoms and conditions associated with FASD.

When in government with the opportunity to act upon the motion, I raised this issue at the national level. With the support of then-Alberta premier Ralph Klein and at our Yukon government's request, the Alberta Alcohol and Drug Abuse



Commission conducted a comprehensive review of Yukon's alcohol and drug addiction services and program delivery. Our government initiatives included taking a more aggressive and proactive approach in the Yukon's FAS/FAE strategy, one which recognized prevention as the only cure. We continued our work with our southern and western neighbours, initiating the Prairie Northern Conference on Fetal Alcohol Syndrome.

Honourable senators, a quarter of a century later, I find myself in the same discussions, albeit with changed terminology. Sadly, the statistics, such as we know them, remain the same, continuing or rising in this entirely preventable situation. Politicians, even those with a long history of good work, taking a great deal of time, might have thrown up their hands in despair. Thankfully, we have not and we are not giving up. The bill before us is an example of our commitment.

There has been progress over the past 25 years, and I would like to share some of the improvements we've seen. Specifically, in the Yukon, the story of progress is encouraging. In 2019, the Yukon government established the Yukon FASD Action Plan. Progress on the action plan was considerably slowed during the pandemic.

In January 2021, as part of a government-to-government relationship, the Council of Yukon First Nations, or CYFN, hired a coordinator for the FASD action plan. This individual works very closely with the director of the Fetal Alcohol Syndrome Society Yukon, FASSY. The director recently provided me with an update on their activities. The FASD action plan committees that have been established so far are awareness, prevention, diagnostic and, of course, the interagency committee. The knowledge exchange committee is anticipated to be developed as things progress. The groups are still looking to put together the family support committee, comprised of those who care for people with FASD, and an evaluation committee will also be established.

FASSY and CYFN will also be putting more pregnancy tests out in the communities and in Whitehorse. They are free of charge and available in bars and in the Yukon University buildings. The Yukon University has established campuses in most locations and communities in the Yukon. Information will also be publicly available in the form of posters at doctors' offices.

As the CYFN coordinator stated to me, "Blatant advertising will eventually drill the message of abstinence during pregnancy is best."

Honourable senators, this express message is included in another bill before us, Bill S-254, introduced by our colleague Senator Brazeau. Thank you, Senators Brazeau, Miville-Dechéne and others who have recognized Yukon's initiatives with regard to warning labels on alcohol. I will leave my further remarks on that issue to another day.

Honourable senators, Yukon was also the first jurisdiction in Canada to respond in a fulsome way to the National Inquiry into Missing and Murdered Indigenous Women and Girls. The Yukon strategy entitled *Changing the Story to Upholding Dignity and Justice: Yukon's Missing and Murdered Indigenous Women, Girls and Two-spirit+ People Strategy* from 2020 specifically mentioned FASD:

. . . it will take coordinated efforts to implement this Strategy. Women, girls, and Two-spirit+ individuals living with FASD or other disabilities will be fully included and considered.

The coordinator also shared with me that in the last six months the number of clientele that FASSY has been assisting went from 69 to 84 persons. Her educated guess is that this is just the tip of the proverbial iceberg. If they can manage to take the stigma off of FASD and educate people about it, the numbers should only go higher as people are made aware of their services.

Yukon has also dedicated funding — put the money where their mouth is — to FASD. The 2021 budget documents note that the FASSY received close to \$800,000 in funding, which included funding to the interagency committee.

Nationally, since these discussions in the Yukon — some more than 20 years ago — the Canada FASD Research Network, CanFASD, begun in 2013, has grown in strength. The network's initial intention was to increase the amount of FASD research within the provinces and territories of the Canada Northwest FASD Partnership.

The results significantly exceeded strategic goals, and, today, CanFASD operates across Canada. They support all stakeholders, finding innovative and practical ways to help persons with FASD, their families and their caregivers and assisting governments at all levels as well as practitioners and educational institutions in creating and disseminating evidence-based research and knowledge.

Another example of action was noted by our colleague Senator Colin Deacon: the Nova Scotia-based Strongest Families Institute. They offer their support services in the Yukon as well. They are truly a coast-to-coast-to-coast initiative.

Senators, I would be remiss if I did not acknowledge the volunteer efforts of FASSY and one volunteer in particular: Judy Pakozdy. This person has championed the cause of FASD for years, raising awareness in the Yukon and working with, supporting and showing up for those affected. A clear and direct individual, she has personally paid for newspaper advertising to raise awareness and urged governments to action. The ads were published as we gathered on the ninth day of the ninth month, FASD Awareness Day. She spoke to me at public events in a very clear way. She said, "We don't need more words. We don't need more plans. We need money and we need action."

The bill is the action we in the Senate can provide in response to Judy's plea. The money? That is not so simple. The Senate does not get to introduce a money item or demand that the government spend money, as we all know.

Today, I want to speak to the action.

The bill before us calls for a national strategy, a framework to coordinate our efforts to fight FASD. As Senator Ravalia, the sponsor, said in his speech to us, it will include measures to standardize guidelines, improve diagnostic and data reporting tools, expand knowledge bases, facilitate information exchanges and increase public and professional awareness, among other things. The bill is our specific action that we here in the Senate can provide in response to Ms. Pakozdy's plea. Senator Ravalia's bill is a major step in the right direction, and, perhaps, the longest and strongest step the Senate of Canada could take.

• (1620)

Today, I would like to strongly encourage senators to take this step, to walk together, to support the fetal alcohol spectrum disorder, or FASD, community and call upon the government for a national framework. Thank you. *Mahsi'cho. Gúnáłchîsh.*

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

(On motion of Senator Martin, debate adjourned.)

[*Translation*]

## NATIONAL STRATEGY RESPECTING ENVIRONMENTAL RACISM AND ENVIRONMENTAL JUSTICE BILL

### SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator McCallum, seconded by the Honourable Senator Boisvenu, for the second reading of Bill C-226, An Act respecting the development of a national strategy to assess, prevent and address environmental racism and to advance environmental justice.

**Hon. Michèle Audette:** [*Editor's Note: Senator Audette spoke in an Indigenous language.*]

Honourable senators, I rise today to speak to Bill C-226, An Act respecting the development of a national strategy to assess, prevent and address environmental racism and to advance environmental justice.

In preparation, I did my homework so I could understand this definition and where it comes from. According to Robert Bullard, the father of environmental justice, I have come to understand that it means the following, and I quote:

Any policy, practice or directive that differentially affects or disadvantages (where intended or unintended) individuals, groups or communities based on race.

[ Senator Duncan ]

As I continued my research, I read Elizabeth May's speech on this bill at second reading and I also came to understand the following, and I quote:

One of the things I know from cleaning up the Sydney tar ponds with Clotilda is that we can recognize as a reality that toxic chemicals do not discriminate. They do not pay attention to the colour of our skin when they lodge in our body, when they pass through placenta to children, when they cause cancer and when they cause birth defects. They do not care about the colour of our skin. However, the public policy that puts indigenous peoples and communities of colour far more frequently at risk of being exposed to toxic chemicals does notice skin colour. It does notice whether we are marginalized or not. It does notice whether we have money or not.

First Peoples have been experiencing environmental racism ever since the Doctrine of Discovery emerged from the papal bull *Romanus Pontifex* issued in 1455.

According to the UN Permanent Forum on Indigenous Issues, this doctrine, which relates to the older concept of *terra nullius*, has enshrined the principle whereby any Christian monarch who discovers non-Christian lands has the right to proclaim them his own, because they belong to no one.

It took the Vatican 568 years to repudiate the Doctrine of Discovery. I'm sure my colleagues will agree that this is one more step towards reconciliation — an important step.

However, today, in 2023, the pillaging of land and resources, the lack of access to or the isolation of reserves are still real. The damage and harmful impacts have continued to this day.

Environmental racism is also the cause of the community impoverishment, and the loss of our culture and our customs. This environmental racism has also diminished our food sources.

Environmental racism also plays a role in the creation of mining projects without the participation or consent of communities, and it pollutes the environment of these communities, their fauna, their flora and their waterways.

My home in Matimekush-Lac-John, Schefferville, has the biggest 18 holes in the world. However, I'm not talking about golf holes, but mining holes. In this very community, Conrad André, in an article published on June 8, 2022 on Radio-Canada's Internet site, asked the following question, and I quote:

How is it that IOC makes billions, but there is not one single Innu millionaire here?

In that very community, Mathieu André, an Innu born 50 kilometres northwest of Schefferville, discovered the first iron deposit near Knob Lake in the 1930s.

This discovery led in part to the iron rush in the border region of Labrador and Quebec. Mathieu André is now in Caribou country, but his son Luc says that after his father's discovery, Labrador Mining was able to develop the land, promising the people and the Innus a percentage of the profits it would make from the deposits.

However, he said, and I quote:

We never got anything. We met the mining company and we were told that if they had to give something to one person, they would have to give to everyone.

[English]

In Ontario, Aamjiwnaang First Nation is surrounded by 50 industrial plants within a 24-kilometre radius of its territory. Their people are disproportionately exposed to toxic substances such as sulphur dioxide, benzene, mercury and others. A 30-year-old chair of the local environment committee, Janelle Nahmabin, says she has grown increasingly frustrated at seeing her community shoulder the health risks of industries operating in the area:

Quite frankly, we've been here for a millennia — forever. For us to have to continuously be the ones accommodating, I'm done with that. I'm done with having to compromise our health, our mental well-being, our safety, for everybody else.

She also adds that asthma and other breathing problems, along with rashes, headaches and high cancer rates, are among the most prevalent health issues on the reserve.

Shelburne, Nova Scotia, according to a CBC interview with Louise Delisle, a resident of Shelburne, the community's history with cancer, disease and death are connected to the dumping ground for industrial and sometimes even medical waste just around the corner. Ms. Delisle said:

The majority of the black men in the community have died from cancer . . . There's a community of widows in Shelburne. That's what it is.

We also find a map compiled by the Environmental Noxiousness, Racial Inequities and Community Health Project showing dozens of waste disposal sites in close proximity to communities, either Black communities or Indigenous populations. The map also encompasses dozens of stories similar to Shelburne's story, where we can find a dump and slaughterhouse built near Halifax's Africville in the late 1700s, a paper mill's effluent pond next to the Pictou Landing First Nation and yet more landfills built in the Black community of Lincolnville in Guysborough County.

• (1630)

Dr. Ingrid Waldron, who also co-produced the film *There's Something in the Water*, says:

It's not only about health and stress. It's about lack of power, that you've placed certain industries in certain communities without consulting with them. You've taken away their power, you've taken away their voice, and you've placed it in communities that are not only racialized but that are also poor.

[Translation]

The Horne smelter in Rouyn-Noranda, Quebec, which has been singled out for releasing above-acceptable levels of 23 contaminants, is now planning to expand a buffer zone. A total of 200 homes will be demolished and the people who live there will have to relocate — families, children, Quebecers and many others. Why is this happening? Because the smelter is exempted from Quebec's airborne arsenic emission standard, as it was in operation long before these environmental standards came into effect.

Need I remind everyone that the concentration of arsenic in young children's fingernails is four times higher in this region? Need I remind everyone that in 1940, again in the same region, no one could swim in Osisko Lake, between Noranda and Rouyn? In 1979, the Quebec government was warned of the dangers the Horne smelter posed to children in the Notre-Dame district, who had two to three times higher levels of arsenic in their hair.

[English]

The same issues have been raised in *Canadian Family Physician*, the official journal of the College of Family Physicians of Canada, last August. The abstract to this article reads as follows:

*You are a family physician doing a locum in northwestern Ontario. Your next patient is a 6-year-old child who presents with chronic fatigue and paresthesia in their extremities. Upon physical examination, you also discover bilateral hearing impairment. You recall reading in the news that, years ago, 10,000 kg of mercury were dumped into the Wabigoon River, thereby polluting downstream water and poisoning the fish that sustain communities such as . . . (Grassy Narrows) First Nation. In addition to other investigations, you conduct a 24-h urine mercury test for the patient and ascertain that they have abnormal mercury levels. How do you treat this patient? How do you respond to this issue at the community level? To what extent do you consider how the environment, history, and economic factors contributed to this patient's presentation?*

This is despite the fact we know that Indigenous communities are often the most impacted when the worst happens, like the two oil spills in Alberta last year which were identified months before First Nations were notified.

[Translation]

The United Nations Declaration on the Rights of Indigenous Peoples sets the minimum standards for the survival, dignity and well-being of Indigenous peoples of the world, and it must be implemented in Canada.

A national strategy to assess and prevent environmental racism must absolutely be rooted in that declaration and carry the voices of the original stewards of these lands.

[English]

Other interesting solutions are put forward by the authors of the article in *Canadian Family Physician*, which the strategy should take into account:

First, as health care providers and Canadians, we need to educate ourselves about the true history of Canada. Second, we should become aware that environmental racism exists in our country, and as per the *CanMEDS-Family Medicine Indigenous Health Supplement*, we must “challenge the systems that we work in to make changes to racist processes and policy.” We know racialized communities are disproportionately affected by environmental hazards and we know this has profound health implications. If we want to address health from a proactive and preventive standpoint, we must advocate for sustainable change and listen to the voices of those who are affected.

[Translation]

A national strategy must also include provisions related to education, public input in environmental decision making, self-determination for communities in matters related to water, food production, housing distribution, energy, transportation and the creation of an environmental bill of rights.

Simply put, environmental racism is very much a reality in Canada. As the United Nations has declared, a healthy environment is a human right. Let’s give ourselves the means to counter environmental racism and move towards environmental justice.

I say to you once again, we cannot change history, but we can and we must change our present, to adopt a more responsible attitude in an effort to fix the mistakes of the past and to write a new chapter together.

Thank you, senator, for giving us the opportunity to have this debate. Of course I support this bill. Together, I know we have the power to change things, big and small.

Thank you.

(On motion of Senator Bernard, debate adjourned.)

[ Senator Audette ]

[English]

## GREENHOUSE GAS POLLUTION PRICING ACT

BILL TO AMEND—SECOND READING—DEBATE ADJOURNED

**Hon. David M. Wells** moved second reading of Bill C-234, An Act to amend the Greenhouse Gas Pollution Pricing Act.

He said: Honourable senators, I rise today as the Senate sponsor of Bill C-234, An Act to amend the Greenhouse Gas Pollution Pricing Act, which was introduced in the other place by member of Parliament Ben Lobb on February 7, 2022.

This bill was recently passed through the other place with the support of the Bloc Québécois, the Conservatives and the New Democratic Party, along with a few Liberal MPs. It is truly a cross-party effort and is a much-needed piece of legislation.

The objective of this bill is quite simple, and that is to create additional on-farm exemptions from the carbon tax for critical farming practices such as grain drying, heating and cooling livestock barns and greenhouses, steam flaking and irrigation.

When the Greenhouse Gas Pollution Pricing Act, or GGPPA for short, was adopted in June 2018, the bill imposed a fuel charge on fossil fuels like gasoline and natural gas. The fuel charge is applicable in all provinces and territories which do not have their own federally approved carbon pricing systems. This currently includes Alberta, Saskatchewan, Manitoba, Ontario, Yukon and Nunavut. On July 1 of this year, the Atlantic provinces will be added to that list as well.

Under the GGPPA, gasoline and diesel fuel used by farmers in eligible farming machinery such as trucks and tractors is already exempt from the carbon tax. In addition, the act provides an exemption for up to 80% of the carbon tax for natural gas and propane used to heat an eligible greenhouse.

But what the current legislation does not include is an exemption for natural gas or propane used for on-farm activities such as grain dryers and heating barns. This was a critical oversight which Bill C-234 seeks to correct.

Colleagues, as we all know, natural gas is a transition fuel. As Liberal MP Kody Blois, member for Kings—Hants, Nova Scotia, said in the other place:

... at the time the Greenhouse Gas Pollution Pricing Act was developed, it seems as though there was not necessarily a lot of thought given to grain drying and, particularly, to barn heating for livestock. That is exactly what this bill tries to do. It would extend to what a number of policy-makers feel was a small oversight at the time of the original drafting of the legislation that brought the carbon price into force.

As senators know, the purpose of the carbon tax is to provide an economic incentive through a price signal to encourage people to shift their energy consumption from fossil fuels to other sustainable energy options. However, when it comes to agriculture, this poses a number of problems.

• (1640)

The first is that farmers have no viable sources of alternative energy for their agricultural practices. This is widely recognized, as noted by New Democratic Party Member of Parliament Alistair MacGregor at the House Standing Committee on Agriculture and Agri-food. He noted that:

We realize that a price on carbon is there to incentivize a change in behaviour, but it doesn't work very well if there aren't commercially viable alternatives available.

This is the first fundamental reality which underscores the importance of Bill C-234: The law currently penalizes farmers for something over which they have no control. They cannot shift their energy use away from fossil fuels because alternatives are not yet available. This makes the current situation punitive and fundamentally unfair.

It is recognized, however, that the current lack of renewable energy options for farmers could change. Research and development is already under way to develop renewable energy sources for farm production including biomass, geothermal, hydroelectric, solar and wind power. Although these options have not yet reached the stage of development where they are workable options to replace the farm use of fossil fuels, that day will come.

For this reason, the bill includes an eight-year sunset clause. On the eighth anniversary of Bill C-234 coming into force, the changes made to the Greenhouse Gas Pollution Pricing Act by this bill will be automatically repealed, reverting the legislation to its current state. If, however, the government of the day believes they should not be repealed, then the legislation allows both houses of Parliament to debate and vote on a proposed extension. This would remove the need to relitigate a similar piece of legislation if at the time it's found that an exemption from the carbon tax on farm fuels is still needed.

The second reason the carbon tax imposes significant problems on farms is because farmers are price takers, not price makers. This is a long-standing and well-understood reality. Farmers must sell their production at the prevailing market price, and they have no control over that price. If their expenses are increased, they cannot pass those on. They must simply absorb them. This is the reality that farmers face today because of the lack of sufficient agriculture exemptions in the Greenhouse Gas Pollution Pricing Act.

Bloc Québécois Member of Parliament Yves Perron put it this way:

Without an alternative, if we impose a tax on these processes at this time, it would simply increase production costs and reduce farmers' profit margins since they have no other options.

This, colleagues, is the current reality on farms which are located in federal backstop provinces and territories. Farmers and ranchers require propane or natural gas to dry their grain, irrigate their land and heat or cool their barns and greenhouses in order to feed Canadians and drive our export market. Yet, they are unable to pass the cost of the carbon tax on to consumers and are left to absorb the additional expense.

In April 2022, the Parliamentary Budget Officer estimated that the cost of the carbon tax on natural gas and the propane used in the agricultural sector in Alberta, Saskatchewan, Manitoba and Ontario would cost agricultural producers \$235 million from 2020-21 to 2024-25. Over the next 10 years, this total will reach \$1.1 billion. This has been corroborated by studies completed by numerous agricultural organizations.

The Agricultural Producers Association of Saskatchewan calculated the carbon tax at \$50 per tonne to cost farmers between \$13,000 to \$17,000 annually, the equivalent of a 12% decrease in net income. At \$170 per tonne, they estimated the carbon tax will cost a grain farmer \$12.52 per acre by 2030.

The Keystone Agricultural Producers reported that Manitoba producers paid \$1.7 million in carbon taxes related to drying grain in 2019. Examples include a producer growing 250 acres of corn spending \$33,664 on propane to dry their crop with the carbon tax adding another \$1,043 to their fuel bill, and a chicken farmer heating a barn from October 24, 2019, to January 21, 2020, spending \$5,935 on natural gas with the carbon tax adding another \$1,300 to their fuel bill or 22.16%.

The Grain Farmers of Ontario have noted that, under the current legislation, the tax credit returns less than 20% of the carbon tax cost. They estimate when the carbon tax reaches \$170 per tonne some farmers could pay between \$50,000 and \$70,000 just in carbon taxes.

The Canadian Canola Growers Association calculated that the carbon tax would cost their industry \$52.1 million in 2022 at \$50 per tonne, and \$277.9 million in 2030 at \$170 per tonne. The cumulative cost of the carbon tax to the industry from 2022 to 2030 would be \$1.429 billion.

Colleagues, input costs are the greatest expenses on Canadian farms. Farmers and ranchers are already judicious in their use of natural gas and propane on farms. Carbon surcharges on these fuels only serve to reduce the financial resources available for producers to invest in efficiencies that mitigate costs and reduce emissions, such as a more efficient grain dryer, precision agriculture equipment, solar panels, LED lighting, heat exchangers for barns or anaerobic digesters, to name a few.

Remember colleagues, in southern Alberta in particular, where farms are plentiful, it can get to minus 40 in the winter and plus 40 in the summer. It can be used not only for heating but also for cooling, especially when livestock are involved.

It is a well-known fact that farmers have a record of being environmental stewards and innovators. They have adopted new technologies and proven their ability to continually lessen their environmental footprint while increasing production and maintaining their competitiveness, without a carbon price incentivizing them to do so. However, without the changes introduced by Bill C-234, the carbon tax will extract hundreds of millions of dollars from the agriculture sector reducing the ability of farmers to invest in the capital-intensive innovations and technologies that drive sustainability and productivity gains.

This was an unintentional impact of the Greenhouse Gas Pollution Pricing Act, and Bill C-234 seeks to rectify this oversight.

This is not the first time the Senate has had an opportunity to address this unintentional impact. In 2018, the carbon tax was brought in under Part 5 of the Budget Implementation Act, in Bill C-74. It was the Senate that was able to conduct a more in-depth study in how this affected agriculture. Unfortunately, this was not addressed as the legislation was pushed through the Finance Committee very quickly in the context of an omnibus bill.

Subsequently, our House and Senate colleagues similarly sought to correct this omission through Bill C-206, which was put forth by MP Philip Lawrence. As some of you may recall, it was also attempted by our former colleague the Honourable Diane Griffin. Her bill sought to amend the Greenhouse Gas Pollution Pricing Act to modify the definitions of “eligible farming machinery” and “qualifying farming fuel.”

Colleagues, here we are today with an opportunity to correct a lapse in the law that is now affecting the core of our agriculture system and, essentially, our food supply. Canada’s farmers sit at the heart of an agri-food system which contributes nearly \$140 billion to our economy annually and provides one in nine Canadian jobs. Agriculture is an international success story in terms of productivity and innovation, but requires a policy environment that enables our farms to thrive.

This bill is not about whether you like the carbon tax. Although Conservatives are opposed to the carbon tax in principle, the NDP, Bloc Québécois and the Green Party fully support it. Yet all these parties voted in favour of this bill, along with a number of Liberal members including the chair of the House Standing Committee on Agriculture and Agri-food, the committee that studied this bill.

This bill is not about politics, it is about Canadian farmers. It’s not about removing the carbon tax or diminishing its effectiveness. It’s about making sure the carbon tax is equitably applied and does not harm our agriculture industry.

Colleagues, the scope of this bill is narrow and targeted. It expands the existing list of “eligible farming machinery” to include property used for the purpose of providing heating or cooling to a building or similar structure used for raising or housing livestock or for growing crops and drying grain. Secondly, it expands the definition of “qualifying farming fuel” to include marketable natural gas and propane.

These are reasonable, moderate and necessary changes, and are badly needed and broadly supported across the agricultural sector. Here’s what agriculture organizations from across the country have had to say about the need and value of Bill C-234.

• (1650)

The Agriculture Carbon Alliance, known as the ACA, is a coalition of 15 national farm organizations representing more than 190,000 farm businesses. I was shocked that there were that many farm businesses in Canada. Agriculture Carbon Alliance members include members of the Canadian Canola Growers Association, Canadian Federation of Agriculture, Canadian Cattle Association, Grain Growers of Canada, Canadian Pork Council, Chicken Farmers of Canada, Turkey Farmers of Canada, Fruit and Vegetable Growers of Canada, Canadian Hatching Egg Producers, Canadian Forage and Grassland Association, National Sheep Network, National Cattle Feeders’ Association, Dairy Farmers of Canada, Canadian Seed Growers’ Association and Mushrooms Canada.

The Agriculture Carbon Alliance said:

As a national coalition of industry-wide farm organizations, we are focused on prioritising practical solutions to ensure our farmers and ranchers can remain competitive and utilize the tools available to them where no alternative fuel sources exist. . . . This Bill will provide economic relief for our members, freeing up the working capital they need to implement environmental innovations on farm.

By adopting policies that enable producers to remain competitive, they will be able to further their investments in the sustainability of their operations, which will augment the sector’s potential to further lower emissions and sequester carbon.

The Canadian Federation of Agriculture stated:

Producers across Canada are working every day to improve the sustainability of their operations. This continuous improvement is reliant on the commercialization of new viable on-farm technologies that come with significant capital expenses. This proposed legislation helps ensure farmers have the capital needed to make those investments and continue to realize the sector’s potential as climate solutions-providers.

The Chicken Farmers of Canada stated:

Canadian chicken farmers constantly advance our operations in order to improve bird health and welfare, and to ameliorate environmental stewardship and sustainability on the farm. Through the implementation of good production practices, chicken farmers are taking steps to ensure that our sector is environmentally sustainable for decades to come. We look to our partners in government and in the House of Commons to provide legislative and financial support for farmers so we can keep feeding Canadians.

The Canadian Pork Council stated:

Having barn heating costs subject to the carbon price is especially challenging for producers given that they are responsible for the welfare of their animals. In Canada's climate, producers have no choice but to manage the temperatures in barns to ensure the care of our animals.

The Grain Growers of Canada:

Canada's grain farmers welcome the introduction of this bill and appreciate the exemptions included for critical on-farm activities — including grain drying. Through this relief from the carbon tax, our farmer members would have additional capital to invest in innovative technologies and sustainable practices that reduce emissions.

Canadian Hatching Egg Producers stated:

Canada's hatching egg farmers represent an important segment of the poultry industry. Our farmers work hard to be at the forefront of innovation for sustainability while striving for efficiency at every opportunity. Bill C-234 will provide necessary support on farms to help alleviate financial pressures and ensure capital is available to reinvest in our farm operations . . . .

Canadian Canola Growers Association:

Canola farmers are committed to a sustainable future and have established production goals to support that commitment. I have made investments on my farm to retrofit my natural gas grain dryer, making it more energy efficient. While this is an important step, farmers today simply do not have viable fuel alternatives available for drying grain, which is why Bill C-234 is so important.

That's from Mike Ammeter, Chair of the Canadian Canola Growers Association.

The Canadian Cattlemen's Association:

Beef farmers and ranchers are continuously looking at ways to environmentally improve operations and further contribute positively to Canada's climate change objectives.

Colleagues, you see a trend in all of these. They want to take these savings and make their systems better. He went on to say:

Bill C-234 will provide the much needed exemptions for critical farming practices including heating and cooling of livestock barns and steam flaking.

The Fruit and Vegetable Growers of Canada said:

Canadian fruit and vegetable growers are committed to being a part of global climate solutions and the sustainability of their operations. We believe the support for farmers found in Bill C-234, will incentivize continued innovation, and recognizes that farmers need a range of feasible fuel and energy options. Ultimately, this will benefit the entire food value chain, including Canadian consumers.

Colleagues, Bill C-234 is critically necessary for Canadian farmers who are essential to our food supply and security and also builds on the multi-party support that Bill C-206 received in 2020 and 2021. I ask for your support, colleagues, for this legislation at second reading, and look forward to hearing directly from stakeholders at committee. Thank you.

**Hon. Yuen Pau Woo:** Thank you, Senator Wells, for your speech. You make some important points about the unique nature of agriculture in relation to the use of fossil fuels. The value of a carbon tax is greatest when it has few exemptions. My question with respect to the issue of agriculture being price takers is that prices go up and they go down, of course. Sometimes world prices go up to a point where there are windfall profits for farms, and sometimes they go down to the point where farms are at jeopardy of going bankrupt.

The traditional remedy for these kinds of problems in economics is price and income support. Why don't we look to that kind of protection, if I can put it that way, rather than fiddling with a carbon tax and creating a carve out that might distort incentives away from our combined and collective goal of reducing carbon emissions?

**Senator Wells:** Thank you for that question, Senator Woo — it's a good one. I don't look at this as a carve out. This is an expansion to the exemptions that were provided in an earlier act. I think there was an oversight and, in fact, the chair of the House Agriculture Committee noted that, that this was an oversight. In fact, he supported this bill in the House.

This is also part of a program for farmers. I don't think they want subsidies. Perhaps they will take them, but I think they just want a business that works for them and, where eligible, expenses at times when there are alternative fuels or alternative processes, they will use those. Right now, there are no alternative fuels or processes besides natural gas and propane, which are both, as you know, considered transition fuels.

They want to get better, but that's why there's a sunset clause on this. It would have to be considered to be renewed; it's not ongoing. It automatically cancels after eight years.

Canadian farmers, growers and ranchers want to get better. They're part of the solution in the environmental debate. I think this exemption simply expands where an oversight occurred in the earlier legislation.

**Senator Woo:** Thank you for the explanation. An expansion of an exemption is another word for a carve out, of course, but I appreciate that that's what you're looking for.

Your argument that increasing or preserving the margins of farmers so they can spend surpluses on innovative and less carbon-intensive technologies has a logic to it, but the point is that you need some kind of incentive for them to do that. There's no guarantee that farmers will use the surpluses, fungible as they are, for that particular task.

Again, there are other tools by which we can incentivize farmers to use geothermal and solar and whatever else might appear, and this is through the means of direct incentives for those technologies.

Why are we not considering these other pathways that, on the one hand, are consistent with the universality of a carbon tax, recognizes the fluctuations, incomes and prices that farmers inevitably face, but also focus on incentives for specific carbon-reducing technologies that may be available in the years ahead?

**Senator Wells:** Thank you for the question, Senator Woo. I'm sure those incentives are already there for migrating to alternative sources of fuel that have carbon neutrality, like geothermal, solar and wind, but we're not there yet. We may be there in some small-scale operations, but we're not there on an industrial scale.

Canada, among most countries, is a world leader in industrial farming. These are industrial-scale operations that don't yet enjoy the benefit of geothermal and all the other things that may occur in the future through innovation, investments or other technologies, but this is what we have. The carbon tax is relatively new, and the industry has not caught up to it.

• (1700)

One day, it would be great if these industrial processes were carbon neutral. In regard to on-farm, I still push back on your claim that this is a carve-out because the system already exists where there are exemptions. This is just adding to those exemptions. We will agree to disagree.

This is further assistance for the ranchers, growers and farmers to reach where they need to be.

**Hon. Denise Batters:** Thank you for sponsoring this bill, Senator Wells. It's such an important bill for people in my province of Saskatchewan and farmers all across Canada.

Canadian farmers are stewards of the land; they are extremely innovative in environmentally friendly practices, and they have been for decades. This is partly a result of their desire to preserve the land, but another part of the reason is to keep costs low. I was

looking back at a 2020 tweet that I put out about grain drying and agriculture, and I used the example of Kenton Possberg from Humboldt, Saskatchewan, who had sent me his grain drying bill — his SaskEnergy bill. For the carbon tax, he was billed almost \$3,000 for one month of grain drying his crop; GST was added to that amount. I have heard that this was not even that exorbitant of a figure compared to some other farmers' experiences. That was a few years ago.

Despite their promises to cap the carbon tax, the Trudeau government's carbon tax has continued to increase, and it will continue to do so. The cost now is even much higher than at that point.

I also want to mention that food inflation has led to higher prices at the grocery store for all Canadians. At a time when so many Canadians are struggling to put food on their table and food bank usage is at an all-time high, Canada's farmers need this carbon tax exemption in this bill in order to help their farming operations be more viable.

I would like you to explain further so that all Canadians understand how this impacts them, as well as how Canadian consumers need this exemption to make food costs at their grocery stores much more affordable.

**Senator Wells:** Thank you for your question, Senator Batters. If I make this an argument over the ills or gains of the carbon tax, then I will quickly lose the argument in this room.

Yes, obviously, providing farmers with a better margin on their work would be better for the farmer. Senator Woo mentioned that prices increase and prices decrease; that is true. It seems that for our plates, right now, the prices are increasing. I don't know if the farmer benefits from those increased prices because the prices are increasing for the farmer, as well as for growers and ranchers — when I mention one, I mean them all.

This is simply for on-farm equipment like barns — where cattle have to live in the winter and the summer — for drying grain, as well as for all of the necessary things for which there is currently no alternative machinery and no alternative fuel. That is the essence of the bill. It is to provide that, and to provide time for the farmer, rancher and grower to come up to speed by purchasing, developing and innovating technology. This “carve-out,” as Senator Woo so incorrectly puts it, gives them time to do it.

**Senator Batters:** I guess I was just reinforcing the point you made that farmers are price-takers, not price-makers. If they have increased costs because of the carbon tax increasing, as well as GST on the carbon tax and all of that, they have to pass that cost along in order to remain a viable operation. The cost, of course, is passed on to the consumer at the grocery store because groceries do not fall out of the sky. Groceries come from farmers, generally, at one point or another.

As a result, given that grocery store prices are continuing to increase — perhaps inflation is flattening a little bit, but it is still a very high rate — could you tell us a bit more regarding how the food that farmers produce, whether that be grain, cattle or chickens, results in higher costs at grocery stores?



**Senator Wells:** Thank you again, Senator Batters.

In regard to farmers, ranchers and growers being price-takers, their markets are commodity markets. For the price of hogs, wheat and all of these things, they have no say like in the grocery store. The grocery store owner might charge a specific price for a can — whatever it is — because they have the choice to do that. The farmer has no choice. Any price differential wouldn't happen in that year; that would happen in the next year. But when you look at it, there are so many things globally that account for a price, such as droughts in different areas of the world and flooding in other areas; there are so many things. The farmer gets what the farmer gets. They do not have a great deal of choice.

It is absolutely passed on to the consumer. The consumer is the one who pays for the end product regardless — which gives even more credence to the necessity for farmers to have as much margin as they can in order to invest in things that they know they will need to invest in. It is only becoming more costly; it is not becoming less costly, especially with the price of fuel and the price of equipment — this goes directly to that — for which there are no other alternatives, both in fuel and equipment.

**Hon. Jim Quinn:** Senator Wells, would you take a question?

**Senator Wells:** I certainly would, Senator Quinn.

**Senator Quinn:** Thank you so much for a very informative speech. It underscored the importance of the issue being dealt with. In regard to the people that I have been meeting with from the various associations that I have talked to, the one thing that has stood out to me — in relation to other discussions that have happened here around the agricultural industry — is food security. You alluded to food security in your speech, and it resonated with me. I'm somewhat concerned that the farming industry — as price-takers — is continuing to face challenges such that the next generation has less interest in taking over, or becoming involved in that business, which backs into the question of food security.

I would suggest that we could wait to see what other approaches could be taken, but given where we are in our particular point in history within the agricultural business — with food security and the prices that my honourable colleague just talked about — does it not make sense that this oversight be corrected through the expansion of the exemptions? I agree that this is the right language.

At some point, I will have a great discussion with Senator Woo about carve-outs — maybe over a roast beef or something.

In any case, I want to get your opinion on this question: Should we not be concerned more about food security, as well as the ability of the current generation and the next generation to enter into the business?

**Senator Wells:** Thank you, Senator Quinn. That is an excellent question. It is a trend that we're seeing. There are fewer family farms because it's hard to make a go of it on that small scale — on the family farm scale, or even the small industrial scale. We do see, especially across the Prairies — and we see it within the fishing industry in Atlantic Canada as well — the larger companies that have economies of scale buying up smaller

farms, or smaller operations, because they can have a better margin. However, it is still difficult. I cannot think of anything in the food supply chain that is decreasing in price; nothing comes to mind.

It is a really important point. If there are fewer and fewer farm operations, it becomes closer and closer to monopolistic tendencies where the consumer will have no say in the price. They will simply be in a position to take it or leave it, whether it's the consumer or the value-added consumer companies that put value into grain or cattle.

• (1710)

I agree with you; it is untenable, and any time you increase the price of something that is already on dangerous ground, it doesn't make it any better.

[Translation]

**Hon. Pierre J. Dalphond:** Would Senator Wells agree to take a question?

**Senator Wells:** Absolutely.

**Senator Dalphond:** Thank you, senator.

[English]

I have two questions, but I will wait for the second round for the next one.

The first question is about the — if I read the bill properly — carve-out, to use an expression, which I think is rather proper. The carve-out is good for 8 years, but it can be extended by the government afterwards if it believes that it should be extended for another 8 years or 10 years or 20 years.

Don't you think it would be better if the bill also provided that the government could reduce the eight years, which has been provided here, if next year or two years from now there are technology advancements that make it interesting to use another technology and, instead, use something else based on solar power or wind power, other than natural gas or propane, to dry the grain, for example?

**Senator Wells:** Thank you, Senator Dalphond. That is an excellent question, and, of course, any government can do anything it wants, as long as it has the will of the chambers.

This is established at eight years in this bill. Of course, the government can extend it, but a government can also repeal it or make an amendment to make it six years or make it any number of years.

I didn't hear what you said, but any amendment can be made to any existing legislation.

**Hon. Brent Cotter:** Senator Wells, will you take one more question from me?

**Senator Wells:** I will, Senator Cotter.

**Senator Cotter:** Thank you.

I thought this was an important bill for you to bring forward, and I think we are all appreciative of it, particularly for farmers who have real challenges in producing food for Canadians and the world market.

I appreciated your observation that this was really not a political point, although, with the greatest of respect, I thought Senator Batters evolved it a little bit in that direction, as she has on occasion done here.

Let me make a statement, which is that your point about price takers also means, in some respects, that they have to take the price in the market, and they are not the ones driving up grocery store prices, because that is part of what they take rather than influence.

One of the strategies around carbon pricing is to try to incentivize people to make other choices. It is clear that is a real challenge for farmers in this context, but removing this from the carbon pricing regime does kind of disincentivize that direction. Whether you are enthusiastic about carbon pricing or not, it is trying to use market-based tools to incentivize.

Do you have suggestions? Are there other options that can generate that kind of incentive in this area so that we will actually end up with successes, say, adopting this but doing some other things that can inspire hog producers and grain farmers in their initiatives?

**Senator Wells:** Thank you, Senator Cotter, and you are right. There are other things that can be done. There could be a rebate on equipment that is done towards moving away from technology that requires fossil fuel. There are also programs for that.

The idea is not for the farmers and growers and ranchers to take the margin and run and go, "That's great; we have this." Each of the ones I quoted has said, "Our plan is to use this to invest in innovative technologies, something different."

If it wasn't the case, I wouldn't say, as I did a number of times in my speech, that there are currently no alternatives that are market-ready in either equipment or fuel.

That natural gas and propane are transition fuels is very positive; it is not coal. If you said, "Okay, we won't give you a benefit for using natural gas or propane," if there's still a penalty, they are going to choose the cheapest fuel they can, which, in many cases, is coal and oil.

**Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate):** Will Senator Wells take another question?

**Senator Wells:** Absolutely, Senator Gagné.

**Senator Gagné:** Thank you.

I was raised on a farm, so I have a good idea of the challenges farmers face. I understand the complexities.

I was wondering, Senator Wells, if you are aware of the fact that Bill C-8 proposed and implemented a refundable tax credit for farm businesses operating in backstop jurisdictions starting in 2021-22.

There have been some concerns raised that with the adoption of this bill, Bill C-234, this would result in a double compensation of farmers that could result in further complexities, such as clawbacks. Therefore, I'm wondering whether you have any comments, and if you think the Standing Senate Committee on National Finance could lend its expertise or perspective on this matter.

**Senator Wells:** Thank you, Senator Gagné.

Of course, you can't double-dip on a benefit, whether it is a rebate or an exemption. If you are rebating, you can't be exempted. If you are exempted, you can't get a rebate, and that is built into the system. That is a policy decision by the Canada Revenue Agency. That doesn't need to come through legislation. The ability for them to do that — by directive of their minister — is already there.

I think it is up to the will of the chamber if this goes to committee, and if it does go to committee, where might it go? If it is a question of taxation, it may go to the National Finance Committee. If it is a question of something specific to farms, it may go to the Agriculture and Forestry Committee. I don't know; I would leave that to the will of the chamber.

But for exemptions and rebates, it is one or the other, and I think that is well recognized.

**Senator Dalphond:** Senator Wells, will you accept another question?

**Senator Wells:** Yes, Senator Dalphond.

**Senator Dalphond:** There is only five minutes left.

My first question was really about the power granted to the Governor-in-Council to extend the date, but there is no such power granted to the Governor-in-Council to shorten it. You said, "Well, you can amend the law." To amend the law is an interesting exercise.

My question is the following, and it follows on the questions from Senator Gagné.

We know that, based on the carbon tax, every year the government will make a calculation of what the farmers are going to pay for the tax on carbon in Saskatchewan, and that becomes the pool for Saskatchewan that is going to be divided, at

the end of the year among the farmers of Saskatchewan, based on the costs of operating their farms, not the cost for propane and not the cost for natural gas.

Are you saying that if this bill comes into effect in June of this year, the amount that was set aside for the farmers of Saskatchewan in January and that has to be shared among the farmers will no longer be shared or that it will still be shared? And if it will still be shared, I don't understand why the farmers have to gouge their price to get the higher price. They can get the tax back.

I want to understand the logic of the arguments, because I fail to understand it.

**Senator Wells:** Thank you, Senator Dalphond.

I don't think I said, and I don't agree if you said, that the farmers will gouge the price up and that they will share in those spoils.

This is simply an expansion of the already-existing exemption for equipment or fuel that doesn't exist. If you have a grain dryer, and it is powered by natural gas or propane, this would allow that to be exempted from the carbon tax. If there is something that does exist on an industrial scale — and we hope that exists within the eight years — then that would qualify.

I don't know if this is answering your question. The other part is that we know that laws can be repealed. We spent the first two years of the Trudeau government repealing laws, and this can happen to that. We can amend it from eight years to six years, depending upon not just the available fuels but the available equipment on an industrial scale out there. I think farmers know best. I'm not a farmer, but I think they know best when they say, in consultation in the development of the bill with former Senator Griffin; MP Philip Lawrence; and MP Ben Lobb, who sponsored this bill — people who are familiar with the farming communities and heard from the ranchers, growers and farmers in developing this — that eight years seems a reasonable amount of time. If it is to be extended, that is the will of the chambers.

• (1720)

That is where I would go with that.

**Hon. Robert Black:** Honourable senators, I rise today in the chamber of sober second thought to speak to Bill C-234, an Act to Amend the Greenhouse Gas Pollution Pricing Act, sponsored by Senator Wells. Thank you, Senator Wells, for your remarks and for answering all those questions.

Bill C-234 is an essential piece of legislation aiming to support our farmers. As an AGvocate, I am proud to stand here before you, and I will continue to do so going forward, to support our Canadian agricultural industry.

Before I dive into the specifics of the bill, I want to take a moment to emphasize the importance of Canadian agriculture. Our farmers work tirelessly to produce the food that feeds our nation and the world and they are facing increasingly challenging circumstances. Climate change, labour shortages, trade disruptions and the lasting effects of COVID-19 pandemic have

taken a toll on our agricultural sector. As a nation, we must do everything in our power to support our farmers to ensure they can continue to thrive in the face of those significant challenges.

That brings me to Bill C-234.

The purpose of this bill is to amend the Greenhouse Gas Pollution Pricing Act to provide relief to farmers who are struggling under the burden of the carbon tax that was implemented in 2019. It imposes a price on greenhouse gas emissions in an effort to reduce Canada's carbon footprint and meet our international climate change commitments. However, the tax has been a source of frustration and financial hardship for many Canadians, especially those in the agricultural sector who are already facing high costs and ever-narrowing profit margins.

Previous speeches and evidence provided in the other place regarding the carbon tax have highlighted the negative effects and impacts it has had on Canadian farmers. A 2020 report by the Standing Committee on Agriculture and Agri-Food suggests that the tax is increasing input costs for farmers, reducing their competitiveness and discouraging investment in new technology and infrastructure. The report also noted that the carbon tax is disproportionately affecting farmers in certain regions of the country, such as the Prairies, where the cost of transportation is higher, and the weather and temperatures are more diverse.

Another study by the Canadian Federation of Independent Business found that the carbon tax is costing farmers an average of \$14,000 per year. That is a significant burden for many farming businesses that are already struggling to make ends meet. That study also found that the carbon tax is hindering the growth and development of the agricultural sector, which is a crucial component of our Canadian economy.

It is clear that the carbon tax is having a negative impact on Canadian farmers and that something needs to be done to address the issue. Bill C-234 offers a practical solution that would provide relief to farmers without compromising our environmental goals. The bill proposes to exempt fuels used for farming from the carbon tax for necessities like barn heating and grain drying. This exemption would have a significantly positive impact on Canadian agriculture. It would reduce input costs for farmers, making it easier for them to invest in new technology and infrastructure that will improve their efficiency and competitiveness over time.

It would also encourage the growth and development of the agricultural sector, which is an essential component of our country's economic and social well-being.

Furthermore, the exemption would be in line with the government's commitment to support small businesses and rural communities. By exempting fuels used in farming, the government would be acknowledging the unique challenges faced by those groups and be seen to be taking steps to address them.

There has also been discussion about the potential impact of the exemption on Canada's climate change goals. However, this bill strikes an appropriate balance, in my mind, between supporting farmers and protecting our environment. It also

includes measures to ensure that the exemption is being used appropriately by specifically naming which practices on the farm are to be included.

Furthermore, honourable senators, the bill was amended, and a sunset clause was added in the other place, as has been previously noted. Acknowledging that technological advancements will help the industry evolve further, the amended bill includes measures to ensure that the exemption will expire in eight years.

Colleagues, we all know that, with great innovation, Canada and the world might some day no longer be dependent upon fossil fuels, but until that time comes, they cannot pass the price of carbon onto those who put food on our tables.

As the MP for Huron—Bruce in the other place noted in the Agriculture and Agri-Food Committee hearings, farmers are price-takers, not price-makers; they are subject to the impacts of the market, the same as everyone else. Farmers and processors must remain competitive in Canada's economy, and the carbon tax disproportionately affects them as stewards of the land and an essential part of this country.

As well, the sector plays a crucial role in the maintenance of Canada's environment. Many farmers actively use carbon sequestration methods already to improve their farmlands. We are hearing about that during the Senate Agriculture Committee soil study. And yet we continue to look at the carbon footprint of the sector only, not to the contributions that farmers and producers make to return and sequester that carbon and contribute to climate change mitigation.

I would also like to mention that this is not the first time we have seen this bill. As we have heard, there were similar ones in the past. Many attempts have been made in both our chambers to provide relief for farmers from the carbon tax. Bill S-215 was tabled by our colleague the now-retired Honourable Diane Griffin here in the chamber in 2019, as we heard. That bill would have given provisions to the commercial drying as well, and it would have extended broadly to farmers and the entire sector.

In a 2021 brief submitted to the House Standing Committee on Agriculture and Agri-Food, the Grain Farmers of Ontario noted that in Ontario, combined crop propane and natural gas drying costs were \$120 million in 2019, almost double a typical year's cost of \$63 million. In 2021, the carbon tax added an estimated 22% to the cost of drying grain, and this will continue to rise dramatically to 2030, when the cost of the carbon tax alone will reach 92% of the current value of the fuel used to dry the crop.

Another similar bill, Bill C-206, was introduced in the other place in 2020 by MP Philip Lawrence from Northumberland—Peterborough South, who stated in his chamber that the carbon tax is not neutral for farmers.

While that comment has been and can be disputed — and is highly debated — what is not in dispute for the agricultural sector is that it is not revenue-neutral. Their prices are not set by themselves but rather by companies, governments and international markets. They cannot just push that cost along. It is

coming directly out of the pockets of our farmers, and that is money they could be using to reinvest in their farms, invest in clean technologies and help support their families.

That is the idea behind Bill C-234.

In the Standing Senate Committee on Agriculture and Forestry, we are hearing testimony that many in the agricultural sector are already participants in the fight against climate change. They are finding carbon-reducing strategies and innovative and new ways to produce food for Canada and for the world.

For example, carbon waste is being used to generate biofuels through the construction of things like biodigesters — anaerobic digesters. Farmers are progressive, determined and interested in engaging in innovative and new technologies for the advancement of the industry.

This bill, honourable colleagues, represents a consensus of interests. Advocates from across the agriculture sector understand the need for this bill. The bill provides a great opportunity to improve and change fiscal policy that has hindered Canadian farmers and producers to date.

However, the bill is not perfect. Recently, I received a letter from the Ontario Agri Business Association that notes that many farmers in different provinces will be affected disproportionately by Bill C-234. For example:

. . . approximately two-thirds of the corn grown in the province (by volume) is dried at commercial grain elevators . . .

As Bill C-234 is currently structured, it has the unintended result of creating a significant cost of production imbalance amongst Ontario farmers due to the proposed exemption being exclusive to those farm operations that have on-farm drying capacity and no carbon tax relief for those farmers that make the business decision to dry their grain at one of the 357 commercial elevators located throughout the province.

• (1730)

Colleagues, the quote continues:

When grain is dried at commercial elevators in Ontario it is still owned by the farmer who produced it.

The commercial elevator provides the farmer an invoice for the propane or natural gas used to dry their grain to an agreed upon moisture level, prior to it being placed in storage or utilized by an end user.

The administrative process is very similar to when a farmer is invoiced for either natural gas or propane by the fuel supply company prior to it being utilized to dry grain on-farm.

This is far different for those from Alberta, the letter goes on to note, where a significantly higher portion of farmers have on-farm drying capacities.

Honourable colleagues, I would also like to bring attention to a concern discussed in the other place that I know will be and has been touched on throughout debate on this bill. If Bill C-234 passes, then farmers may be able to double-dip due to provisions in Bill C-8, the Economic and Fiscal Update Implementation Act passed in June 2022. The concern was raised that farmers would be able to benefit from the climate action incentive payment as well as from exemptions provided by Bill C-234.

Honourable senators, discussion took place in the Agriculture and Agri-Food Committee on this issue — a committee that holds a government majority with 6 out of the 12 seats. So if the government had any concerns about potential double-dipping, they had plenty of time and opportunity to amend the bill by their democratically elected majority on the committee. However, no action was taken beyond the discussion. With Bill C-234 now in our chamber, it is our opportunity to show support for our farmers so that the industry can continue to do what they do best: feed Canada and feed the world.

I want to be clear: The bill is not perfect, but I believe we need to work diligently to pass this bill as soon as possible before we rise for the summer recess. Our farmers need this relief now for this coming fall's harvest and for future planning. If it is necessary, amendments can be made at a later time to make it better, as has been noted. Maybe they will even consider extending this provision to other sectors within agriculture, but that's a discussion for another time.

Although Bill C-234 has space for improvement, honourable senators, we cannot overlook the opportunity this gives Canada's agricultural industry. This bill has been supported by elected members from every party in the other place while acknowledging that it's a building block upon which all of us as advocates can continue to improve in order to provide financial relief for farmers who are continually facing mounting pressures and increased costs.

To conclude, honourable senators, farmers understand the importance of innovation and progressiveness in their fight against climate change, but this cannot be done by limiting their fiscal capacity and forcing them to bear the burden of unfair tax on their livelihoods.

I'd like to thank my honourable colleagues for listening to me today and for continuing to support Canadian agriculture. I do hope you'll join me in supporting this bill and passing it through all stages in this place as quickly as possible. It remains essential to the continued growth of Canada's agricultural sector and to the Canadian economy.

Farmers want to continue to feed Canada and the world. Let's not tie their hands while they do it. Thank you, *meegwetch*.

(On motion of Senator Dalphond, debate adjourned.)

## CONTRIBUTIONS AND IMPACTS OF MÉTIS, INUIT, AND FIRST NATIONS

### INQUIRY—DEBATE CONTINUED

On the Order:

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

**Hon. Tony Loffreda:** Honourable senators, this inquiry stands adjourned in the name of the Honourable Senator Petitclerc. After my intervention today, I ask for leave that it remain adjourned in her name.

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

**Hon. Senators:** Agreed.

**The Hon. the Speaker pro tempore:** So ordered.

**Senator Loffreda:** Honourable senators, I rise to speak to Senator Boyer's inquiry on the positive contributions of Métis, Inuit and First Nations to our nation and globally. I hope this initiative will contribute to our collective appreciation of Indigenous peoples as we embark on a path toward greater reconciliation.

Admittedly, my knowledge of Indigenous issues was limited before coming to the Senate. The history I was taught in school was seriously inadequate. Thankfully, that is changing, and our kids are now learning about this history, including the dark aspects.

We have spoken about great Indigenous scholars, accomplished entrepreneurs and senators, of course. But what about our national sport? Like millions of Canadians, I enjoy hockey, so I've opted to share inspirational stories of Indigenous athletes who shattered the glass ceiling in the sport and became exhilarating players and role models.

Many may not know this, but Indigenous peoples contributed to the creation and evolution of the game we call hockey today. I won't take part in the historical debate over the origins of the game — that debate is for historians and hockey enthusiasts — however, it has been said that two cultures, Mi'kmaq and European Irish, contributed to the origins of the game.

The relationship between Indigenous peoples and hockey is more complex than it seems. While hockey is part of our cultural identity, not everyone feels the same way. For some Indigenous peoples, pain and sorrow are associated with hockey. Academic papers have been written on the subject, using first-hand accounts of residential school survivors, who submit that the game was used for assimilation purposes and served to erase Indigenous presence. According to some scholars, hockey was used as a tool for social engineering and the experience of the

students are important stories to share, but they must be understood in the broader context of a system that was aimed at stripping Indigenous youth of their cultural identities.

In a recent article in the journal *Canadian Ethnic Studies*, its authors, quoting Eugene Arcand, a Cree man who has been honoured for his work in support of Indigenous sport, wrote:

Arcand sees hockey as providing an opportunity for empowerment and change while, at the same time, emphasizing that hockey has been a site of brutal prejudice and racism.

As Arcand once said:

My survival in my life is all because of sports . . . . It helped me become the leader that I am today . . . . It's a wonderful way to develop positive lifestyles and positive attitudes.

I think it's important to mention this dichotomy. The relationship between Indigenous peoples and hockey is multilayered and reveals some dark and painful scars of which we must be mindful. However, my intention today is to focus on success stories and role models who reached some of the highest echelons in hockey.

Perhaps the first name that comes to mind when thinking about Indigenous hockey heroes is George Armstrong, who was Algonquin. He captained the Maple Leafs for 13 seasons and to four Stanley Cup wins, including its last cup in 1967 — which, by the way, Leaf's fans, was over 20,000 days ago. Armstrong never forgot his roots and often returned to northern Ontario to speak with youth. As one commentator said:

Armstrong has always been this iconic figure, not just in terms of Maple Leafs hockey but for Indigenous hockey, culture, and communities everywhere.

Armstrong passed away in 2021, but his trailblazing legacy lives on.

• (1740)

Another pioneering Indigenous player is Fred Sasakamoose. Considered the first Indigenous NHL player, Running Deer, as he was known, was Cree from Saskatchewan. A Member of the Order of Canada, Sasakamoose passed away in 2020. Thankfully, he was working on his memoir, which was published posthumously and made it onto Indigo's list of top 10 books of 2021.

Sasakamoose went to St. Michael's Indian Residential School, where he learned to play hockey and fell in love with hockey. In his autobiography, he writes about how hockey helped him forget everything else in his life:

I felt powerful and free and alive. The school and everything that happened there melted away for a few hours.

Fred made it to the NHL in 1953 and played for the Chicago Blackhawks. His NHL career may have been short, but he paved the way for dozens of other NHLers. Beyond hockey, Sasakamoose was a pillar in his community, serving as band councillor for 35 years and as chief.

He was involved with Saskatoon's All Nations Hockey School and started the Fred Sasakamoose All Star Hockey Week. As he writes:

It was a camp for young Indigenous hopefuls to polish their skills, but I kept it open for non-Native kids as well. It seemed important not to create barriers between the young players.

In 1998 Fred joined the NHL's Diversity Task Force, allowing him to travel to reserves to identify skillful kids. Two of those boys were brothers DJ and Dwight King of Métis heritage. Dwight won two Stanley Cups with the Los Angeles Kings.

More recently, Fred testified at the Truth and Reconciliation hearings. As he pens in his book:

When I talked at the hearings, I described my hockey experiences as well as my sexual assault. It seemed important to speak about the sport that helped me cope with the awfulness of those years, and the sport that helped me build a life after I left the school.

The following quote from Fred sums up just how important he was to Indigenous peoples. He notes:

In several recent newspaper articles, writers have described my hockey career as "trailblazing." They have suggested that I broke some kind of barrier for Indigenous players and players of colour. It pleases me to think that might be true.

No doubt, it is true.

Among the countless young Indigenous players he inspired, Fred had a huge influence on one superstar, Bryan Trottier of Saskatchewan, whose father was Cree Métis. The name Bryan Trottier is synonymous with the New York Islanders' dynasty of the 1980s. He led the Islanders to four consecutive Stanley Cups and added two more with Pittsburgh Penguins and a seventh cup in 2001 as an assistant coach with Colorado.

Trottier wrote the foreword to Fred Sasakamoose's book. In it, he reflects on how proud he was that Fred was the first full treaty Indigenous player to break into the NHL. He writes:

That meant a lot to me and to all of us. It made us all really proud of our heritage. When my siblings and I were in school and playing sports, kids would call us names. . . . But Fred's accomplishments made us proud . . . .

Trottier, who published his autobiography last year, spent time in his post-hockey life reaching out to Indigenous youth and played a key role in starting an Aboriginal hockey team that toured the country to provide skating lessons and hockey clinics to youth.

Trottier and Armstrong are not the only Indigenous players with their names engraved on the cup. Reggie Leach, Grant Fuhr, Jordan Nolan and head coach Craig Berube have also had the honour of raising Lord Stanley's Cup.

One name that has yet to be engraved on the cup but is certainly one of the most accomplished Indigenous hockey players is Carey Price. His trophy case is plentiful, with Olympic and World Junior Championship gold medals and the NHL's Vezina and Hart trophies. Beyond the rewards, one of his greatest accomplishments has been his community advocacy. He has donated large sums of money in equipment to hockey associations, youth organizations and schools. Along with his wife, Carey is also the national ambassador for the Breakfast Club of Canada, which provides nutritious food to over half a million Canadian kids a day, including 41,000 Indigenous youth.

Carey has always been proud of his roots. Here's what he said at the NHL awards in 2015 in front of a global audience when accepting one of the four trophies that evening:

I would like to take a moment to encourage First Nations youth. A lot of people would say it's very improbable that I'd make it to this point in my life. I made it here because I wasn't discouraged. I worked hard to get here, took advantage of every opportunity that I had. And I would really like to encourage First Nations youth to be leaders in their communities. Be proud of your heritage, and don't be discouraged from the improbable.

Carey Price is not the only Indigenous hockey player with Olympic hardware. Women's hockey is increasingly more popular and more exciting than ever. I fondly remember that gold-winning game in Vancouver and that heartbreaking gold medal lost in Pyeongchang.

Among the proud silver medallists in Korea was Manitoba's Brigitte Lacquette. She became the first Indigenous woman from Canada to play hockey at the Olympics and she continues to shatter the glass ceiling. The Chicago Blackhawks hired her in 2021, making her the first Indigenous woman to scout for an NHL team. She's only 30 years old and already an inspiration for young Indigenous girls.

Honourable senators, beyond being Indigenous, all these players share something in common: They are inspirational. From one generation to the next, these elite players have been a source of inspiration and motivation. They are role models. Lacquette, Price, Trottier and Leach have all been awarded Inspire Awards in recognition of their powerful legacies.

These Indigenous superstars, like Ethan Bear, Jordin Tootoo, Zach Whitecloud and Brandon Montour, have all had to overcome adversity to become high-performing athletes. They are a testament to what you can achieve when you work hard and love what you do.

Fred Sasakamoose understood what it meant to be a role model. He wrote:

There've been many Indigenous players since I started, but it's good to think I inspired . . . kids way back then. Showed them, showed everyone, that we could make it in the white world. That's more important than any award. And I hope by sharing my story now, non-Indigenous readers might have a better understanding of the hurdles we have to overcome to succeed.

The NHL also realizes that it has work to do to drive positive social change and foster more inclusive communities. Through its Hockey is for Everyone initiative, the league wants to make hockey programs safe, positive and inclusive environments for all players and families.

Further, the Hockey Diversity Alliance was also founded in 2020 by NHL players of colour to create a platform to end racism and intolerance.

My beloved Montréal Canadiens are also committed to embarking on the path of healing and reconciliation. The Habs now make a land acknowledgement at the Bell Centre and they have honoured Indigenous leaders at home games.

Honourable colleagues, I wanted to highlight inspirational stories of Indigenous players today to inspire and in the hopes that Indigenous youth and other marginalized groups know that, indeed, hockey is for everyone.

I also wanted to highlight that with confidence, ambition and perseverance, you can succeed and excel in life despite the many challenges.

Allow me to end with one last excerpt from Sasakamoose's book, where he recounts an exchange with a U.S. sports reporter, who was at his home to do a segment. The reporter told Fred that the network wanted a "happy story." Fred bluntly told him he came to the wrong place.

As he looks back on this encounter, Fred writes:

His request made me think he didn't know much about what it's been like to be Indigenous on this continent for the last couple of centuries. Or maybe he did, and he was telling me he and his viewers didn't care, didn't want to hear about it. But it is part of my story, and I want people to understand that. I am a lucky man. One of those rare people who had a dream come true. Who did something that so many people would like to do but can't. But I am also trying to survive in a world that has not always recognized our rights or given us the freedom and honour we are owed.

Thank you, *meegwetch*.

(Debate adjourned.)

## ONE HUNDREDTH ANNIVERSARY OF THE CHINESE EXCLUSION ACT

INQUIRY—DEBATE CONTINUED

On the Order:

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

**Hon. Mobina S. B. Jaffer:** Honourable senators, I rise today to speak to Inquiry No. 11 on the one hundredth anniversary of the Chinese Exclusion Act.

I would like to thank our colleague Senator Woo for introducing this inquiry and for encouraging us to speak about the experiences of the Chinese community.

The Chinese community has been instrumental in the development and character of Canada. Shamefully, Chinese racism is on the rise in Canada. I hear so many upsetting stories from individuals in British Columbia.

• (1750)

Honourable senators, Canada has a dark history of discrimination and mistreatment towards the Chinese community, as demonstrated by numerous federal policies and their impact, including the Chinese head tax of 1885, the Chinese Exclusion Act from 1923 to 1947, the historical denial of voting rights and the targeted attacks against Chinese and Japanese communities during the Vancouver anti-Asian riots in 1907. In February, Senator Woo eloquently described the impact of these policies and experiences on Chinese Canadians, the hurt, the humiliation and the fear they caused, along with the legacies of those policies and their continued impact on the community.

The COVID-19 pandemic brought forward some of the thinly veiled resentments that have continued to simmer in society. It saddens me to know that targeted racism towards Chinese Canadians was clearly seen in my home province of British Columbia. Evidence of this shameful reality can be found in a comprehensive 500-page report by B.C.'s Human Rights Commissioner released earlier this year. The report confirmed:

Targeted anti-Asian racism and discriminatory acts have increased in frequency and severity throughout communities in BC and across Canada during COVID-19.

Honourable senators, the following facts should alarm and upset us all. The Vancouver Police Department reported that between 2019 and 2020, there was a 717% increase in hate incidents targeting Asian residents. These incidents included racial slurs, racist graffiti, verbal threats, stalking and physical assaults. Accordingly, a poll of Asian British Columbians conducted in April 2021 found that 87% of respondents believed that anti-Asian racism has gotten worse since the start of the

pandemic, and 64% of respondents felt it had gotten a lot worse. It is also important to note that many of these attacks go unreported.

As for the victims who bravely share their experiences, it is heartbreaking to hear their stories of verbal and physical attacks. This includes seniors like Judy Cheung, who was punched in the face by a stranger as she left a Vancouver grocery store in 2021. In her seventies, she now feels that she must carry around an umbrella to protect herself whenever she goes out.

Senators, this is not acceptable. No community or individual should experience such fear in Canada. However, I do have hope. I know from my personal experiences how compassionate and how accepting this country of Canada is.

I would now like to take this opportunity to speak about the invaluable contributions Chinese Canadians have made to my province of B.C. Historically, Chinese workers have been integral to building the Canadian Pacific Railway and have played a vital role in industrializing the economy as skilled and semi-skilled individuals who laboured in British Columbian sawmills and canneries and also became small business owners.

In more recent times, Chinese Canadians have made significant contributions to science, medicine, public service, art, literature and filmmaking in Canada. I, for one, know, based on my personal experiences — as I have spent a lot of time in hospitals — that hospitals in Vancouver and surrounding areas would not be resourced as well without Chinese Canadians' contributions, especially during the pandemic.

By highlighting the incredible achievements of notable Chinese Canadians from British Columbia, I hope to broaden our understanding of their generous contributions. I'll start with our former colleague Vivienne Poy, an Ontario senator.

Senator Poy was appointed to the Senate of Canada in 1998 by Prime Minister Jean Chrétien. She was the first Canadian of Chinese descent to be appointed to the Senate and spent much of her 14-year tenure devoted to gender issues, multiculturalism, immigration and human rights and was the sponsor of the bill that recognized May as Asian Heritage Month across Canada.

Outside the Senate, Vivienne is an accomplished businesswoman, author and philanthropist. With a PhD in History from the University of Toronto, she has authored numerous books and enlightened us about topics such as Sino-Canadian relations and Chinese immigration to Canada, bravely writing about the personal struggles of her own family as well. Since retirement, Vivienne has continued her work with organizations that aim to improve the lives of women and girls in developing countries.

Vivienne, when I came to the Senate, you were a great help to me, and I always valued our warm friendship.



In British Columbia, a man who has provided great service is David Lam, who also understood both the struggles of working against deep-seated prejudice and the hope and promise of opportunity in this country. David Lam was the twenty-fifth Lieutenant Governor of British Columbia, from 1988 to 1995, and was the first Chinese Canadian to be appointed as a viceregal in Canada. He once described his responsibility as lieutenant governor as being a “healer of wounds, a matchmaker of sorts between people of different views, and one who offers encouragement and inspiration.”

Lieutenant Governor Lam emigrated to Canada with his family in 1967 and became one of Vancouver’s leading land developers, eventually starting his own company. He was instrumental in bringing Hong Kong investors to Vancouver. He was a firm believer in giving back to his country, along with the power of education and cultural awareness. In 1983, he established the David and Dorothy Lam Foundation and the Floribunda Philanthropic Society. The two charities donated millions of dollars a year to British Columbian community projects, such as the Dr. Sun Yat-Sen Classical Chinese Garden.

He also provided funding for numerous initiatives in collaboration with universities in British Columbia, including the Institute of Dispute Resolution and the David Lam Auditorium at the University of Victoria and the David Lam Centre for International Communication at Simon Fraser University.

Like Lieutenant Governor Lam, Milton Wong balanced a successful business career with a strong sense of social responsibility. He made tremendous contributions to his community in Vancouver across various fields such as finance, arts and culture, sustainability, multiculturalism and academia. Specifically, he founded The Laurier Institution, a non-profit organization dedicated to the study of diversity in Canada.

Mr. Wong always went out of his way to encourage younger people or budding politicians to become active in politics and community. He was with me when I had tough times in politics and rejoiced with me when I was appointed to the Senate. He was a true mentor to many people, and I will always remember what he did for me.

Lastly, I would like to mention my friend Edith Nee, a recipient of the Queen’s Golden Jubilee Medal.

• (1800)

Among her many roles, she was a member of the Immigration and Refugee Board of Canada and director of the B.C. Press Council. Edith has dedicated her career to adjudicating issues related to immigration, refugees, residential schools, press ethics and freedom.

**The Hon. the Speaker pro tempore:** Senator Jaffer, I must deal with this technical issue.

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

Is it agreed to not see the clock?

**Hon. Senators:** Agreed.

**The Hon. the Speaker pro tempore:** Thank you.

**Senator Jaffer:** Honourable senators, Edith is very much involved in B.C. communities, pushing for the empowerment of women and visible minorities, even attending the 1985 United Nations conference on the status of women held in Nairobi as a Canadian delegate.

Edith Nee and Patsy George were empowering women, ethnic women and women of colour, by founding the Vancouver Society of Immigrant and Visible Minority Women in British Columbia and the National Organization of Immigrant and Visible Minority Women in Canada. They have worked hard to make sure that all women were included.

By highlighting these few individuals, I wanted to remind everyone of the generosity of spirit demonstrated by the Chinese people towards British Columbia and their love for Canada as a whole, while celebrating their achievements and their public service.

Honourable senators, we are all aware of the debate that is going on around our country and especially on the Hill. I urge each and every one of you — in fact, I beg of you — to see that what happens between China and Canada is not the fault of Chinese Canadians. We have to be the leaders in making sure that what happens between governments does not affect our citizens. I urge you all to be aware of it and put a stop to it.

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

**Senator Jaffer:** Thank you. Let us also take this opportunity to remember that diversity makes this country stronger. It is the key to our shared prosperity. There is no room in Canada for intolerance or hate. Never again should we pass an act such as the Chinese Exclusion Act. Never again should we treat Chinese Canadians any differently from any other Canadian. They belong to Canada. Thank you.

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

(On motion of Senator Clement, debate adjourned.)

## HUMAN RIGHTS

STUDY ON ISSUES RELATED TO ITS MANDATE—  
COMMITTEE AUTHORIZED TO REQUEST A GOVERNMENT  
RESPONSE TO THE FOURTH REPORT OF THE  
COMMITTEE ADOPTED DURING THE SECOND SESSION  
OF THE FORTY-THIRD PARLIAMENT

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

That, pursuant to rule 12-24(1), the Senate request a complete and detailed response from the Government to the fourth report of the Standing Senate Committee on Human Rights, entitled *Human Rights of Federally-Sentenced Persons*, tabled in the Senate on June 16, 2021 and adopted on June 23, 2021, during the Second Session of the

Forty-third Parliament, with the Minister of Public Safety being identified as minister responsible for responding to the report, in consultation with the Minister of Justice and Attorney General of Canada, the Deputy Prime Minister and Minister of Finance, the Minister of Indigenous Services, the Minister of Crown-Indigenous Relations, the Minister for Women and Gender Equality and Youth, as well as the Minister of Housing and Diversity and Inclusion.

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

**Hon. Senators:** Question.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

## FOREIGN AFFAIRS AND INTERNATIONAL TRADE

*CULTURAL DIPLOMACY AT THE FRONT STAGE OF CANADA'S FOREIGN POLICY*—MOTION TO PLACE TWENTY-SIXTH REPORT OF COMMITTEE TABLED DURING THE FIRST SESSION OF THE FORTY-SECOND PARLIAMENT ON THE ORDERS OF THE DAY—  
DEBATE ADJOURNED

**Hon. Peter M. Boehm,** pursuant to notice of May 4, 2023, moved:

That the twenty-sixth report of the Standing Senate Committee on Foreign Affairs and International Trade entitled *Cultural Diplomacy at the Front Stage of Canada's Foreign Policy*, tabled in the Senate on June 11, 2019, during the First Session of the Forty-second Parliament, be placed on the Orders of the Day under the rubric Other Business, Reports of Committees – Other, for consideration at the next sitting.

He said: Honourable senators, I rise today to explain and advocate for this motion, which is the first step towards the Senate finally adopting the 2019 report of the Standing Senate Committee on Foreign Affairs and International Trade entitled *Cultural Diplomacy at the Front Stage of Canada's Foreign Policy*.

This report was tabled in the Senate on June 11, 2019, during the first session of the Forty-second Parliament but was not adopted before Parliament was dissolved that summer in advance of the federal election in October 2019.

This means that, despite the comprehensiveness of this report on an important subject and the significance placed upon it by practitioners and supporters of cultural diplomacy and Canadian studies programs, no response has been required from the Government of Canada.

Should this motion — and then, subsequently, the report — be adopted, a government response will be requested of and required by Global Affairs Canada and the Department of Canadian Heritage.

Along with me and fellow current committee members Senator Coyle, Senator Greene and Senator Housakos, colleagues who were members of the committee during the study leading to this report were Senator Ataullahjan, Senator Cordy, Senator Dean, Senator Massicotte and Senator Saint-Germain.

Former Senate colleagues who were members at that time included my predecessor as chair, Senator Raynell Andreychuk, and Senator Dennis Dawson and Senator Thanh Hai Ngo.

Several more senators contributed to the committee's study, including current colleagues Senator MacDonald, now a member of the committee; Senator Cormier; Senator Martin; Senator Miville-Dechéne; Senator Mockler; Senator Oh and Senator Tannas. Former senators Anne Cools and Richard Neufeld also participated.

Colleagues, I recite all of these names to underline the breadth of experience and expertise from which the committee benefited during its study between 2017 and 2019 on “. . . the impact and utilization of Canadian culture and arts in Canadian foreign policy and diplomacy, and other related matters . . .”

There is one senator I have yet to name, a committee member at the time of the study, whose unwavering advocacy for the importance of cultural diplomacy as a pillar of Canada's foreign policy ultimately led to the committee's study and the report we are now considering putting back on the Order Paper. That senator is, of course, our dear colleague Senator Patricia Bovey —

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

**Senator Boehm:** — who, as we all know, will very soon be our dear former colleague. Long before being appointed to the Senate in 2016, Senator Bovey, as a gallery director, art historian and professor of the arts and culture, was a staunch proponent of cultural diplomacy.

That advocacy, for a largely misunderstood and grossly undervalued subject, has continued through her six and a half years as a senator, including appearing at the Foreign Affairs and International Trade Committee last Thursday, May 4, during the second of three meetings the committee is holding on cultural diplomacy and Canadian studies programs.

It is my sincere hope, colleagues, that this motion will be adopted today while Senator Bovey, whose last day in this chamber is Thursday, May 11, is still a sitting senator.

This would mean she will have spoken to and, most importantly, voted on a vital step in fulfilling her legacy piece — that is, the long-overdue adoption of *Cultural Diplomacy at the Front Stage of Canada's Foreign Policy*.

Honourable senators, I noted at the outset of my remarks that practitioners and supporters of cultural diplomacy and Canadian studies programs place great significance on this report, despite its lack of adoption by the Senate. Committee members have heard this message loud and clear from the witnesses whom the committee welcomed recently on cultural diplomacy. On April 27, the committee focused specifically on Canadian studies and, on May 4, arts and culture. Tomorrow, on May 10, the committee will culminate its meetings on cultural diplomacy with appearances by senior officials from Global Affairs Canada and Canadian Heritage.

• (1810)

The executive summary of the 2019 report states the following:

Arts and culture are foreign policy assets. However, the Canadian government's interest in cultural diplomacy has been inconsistent over the years: initiatives have been undertaken to only then be phased out. Regardless, Canadian artists, writers and cultural organizations have themselves never stopped projecting the country's culture and arts internationally.

Colleagues, all of this remains true four years later. Advocates have not stopped their efforts, and the government has taken no real action despite explicitly stating its support for cultural diplomacy. In the Prime Minister's mandate letter to the Honourable Mélanie Joly upon her appointment as the Minister of Foreign Affairs in 2021, the Prime Minister directed Minister Joly to:

Work with the Minister of Canadian Heritage to launch a new cultural diplomacy strategy to leverage the work of Canadian artists and cultural industries to support Canada's diplomatic goals.

Similarly when the Honourable Pablo Rodriguez was reappointed as the Minister of Canadian Heritage in 2021, the Prime Minister mandated him to:

Work with the Minister of Foreign Affairs to launch a new cultural diplomacy strategy and ensure Canadian artists realize benefits from this initiative.

The COVID-19 pandemic notwithstanding, support for cultural diplomacy by the government has been, as the report stated, inconsistent. Actions speak louder than words, colleagues, and the lack of concrete action on this file is — while many Canadians may not realize it — quite detrimental to our global interests.

Colleagues, I will stop there because, as I said, this is the first step in adopting the report. Once this motion is adopted, we will then have the opportunity to debate the report.

Thank you, honourable senators, and a very special thank you to our colleague Senator Bovey for her steadfast support and advocacy for Canadian culture and for arts around the world.

Thank you.

**Hon. Patricia Bovey:** Thank you, Senator Boehm.

Colleagues, I am speaking later than I thought I would be this evening, but this is a truly important issue, I think, for the country of Canada. The Senate's Foreign Affairs and International Trade Committee's report that was tabled in this house in June 2019 — entitled *Cultural Diplomacy at the Front Stage of Canada's Foreign Policy* — is an important one. It is unfortunate that it was tabled just before we rose for the summer, and then there was an election, and then there was COVID. So here we are, picking up our steps. It would have been nice if we had been able to do this earlier.

When I suggested that the Foreign Affairs and International Trade Committee study cultural diplomacy, I truly believed then that cultural soft power was essential in developing Canada's international profile; I still do. A builder for economic trade and growth, cultural diplomacy is important in building trust for international negotiations and collaborations. Culture portrays who we are — our national values, roots and diversities. Conveying Canadian messages and realities abroad, culture tells others what Canada is, where we come from and our courage in where we're going. That is critically important. Our international partners must understand our cultures, ethics and history.

Cultural diplomacy's integral importance to international trade and foreign relations has been much studied and written about. Today, I still agree with the U.K.'s 2007 *Cultural Diplomacy* report by Kirsten Bound, Rachel Briggs, John Holden and Samuel Jones. It stated that “. . . more than ever before, culture has a vital role to play in international relations.”

The report went on to say that culture is:

. . . the means by which we come to understand others, and an aspect of life with innate worth that we enjoy and seek out. Cultural exchange gives us the chance to appreciate points of commonality and, where there are differences, to understand the motivations and humanity that underlie them. . . . these attributes make culture a critical forum for negotiation and a medium of exchange in finding shared solutions.

The value of cultural activity comes precisely from its independence, its freedom and the fact that it represents and connects people . . . .

Our report was unanimously passed by our committee, chaired by former Senator Andreychuk. Again, I thank members of that 2017-2019 committee, especially Senator Oh and Senator Ataullahjan who embraced it ardently from the outset. We examined the issue, as well as its impacts and benefits, from a 360-degree perspective: artists, arts organizations, foreign trade and trade missions, business, Canadian embassies and, comparatively, what was being done elsewhere — all underlined the importance of culture on the foreign stage as a means of strengthening the profile of Canada abroad.

We heard from Canadian and foreign diplomats; Canadian and international funding agencies; artists of all disciplines; educators; academics; arts organizations; business leaders; and staff from Global Affairs Canada, the Canada Council for the Arts and Canadian Heritage. We heard emphatically that artists' works in all disciplines significantly enhance Canada's

international role by connecting many international dimensions, defending our national values and highlighting Canada's economic and social position abroad.

We also heard how Canada's business overseas increases with cultural understanding. Citing the impressive tangible economic benefits — and more — of Canada's former Trade Routes program, witnesses underlined the critical need for support to enable artists to take their work and knowledge of Canada abroad. It was clear that we must retool our cultural diplomacy approaches.

Simon Brault, the CEO of Canada Council for the Arts, said during his testimony that we were:

. . . ten years behind where we were and where we could be as a result of the cuts by former governments.

That's "governments" plural. I fear we are now even further behind.

[*Translation*]

I sincerely hope that culture will once again be an important aspect of Canada's foreign policy. I encourage the cultural attachés and staff who have a knowledge and understanding of art to give Canadian art more exposure in all of our Canadian embassies, on the international scene, in theatres, at book fairs, in art galleries and at museums, other cultural centres and festivals.

[*English*]

I also hope Canadian artists and arts organizations will again be part of international trade missions.

The Creative Export Strategy announced by the Department of Canadian Heritage in 2018 was heartening. A strategy aimed to help Canada's creative industries gain opportunities in new markets around the world, its announced \$125 million budget was to support three key pillars: boost export funding in existing Canadian Heritage programs; increase and strengthen the presence of Canadian creative industries abroad; and create a new creative export funding program, as well as build the relationships needed to make business deals. Open to all media, including design; for-profit organizations and not-for-profit organizations; and First Nations, Inuit and Métis councils, governments or organizations, it was obvious from the outset of the first grant run that the monies fell far short of demand.

The impact of cultural diplomacy was stressed in all of my international discussions in Europe, South America, Mexico, the U.S., the U.K. and, this morning, in a meeting with parliamentarians from the Welsh Parliament. As well, over the years, with all of the meetings I had with the Arctic Circle and circumpolar organizations, Indigenous languages and cultures were consistently highlighted as critically important.

[ Senator Bovey ]

Colleagues, culture is essential in all of our international relationships. It is empowering to see Canadian artists' works in places like Canada House in London or our embassy in Paris. Art from every province and territory is installed in Canada House on Trafalgar Square.

My antennae have also been focused on intellectual property and copyright in our trade agreements: the United States-Mexico-Canada Agreement, or USMCA; the Canada-European Union Comprehensive Economic and Trade Agreement, or CETA; and the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, or CPTPP. I am pleased that the government insisted on protecting Canada's culture and intellectual property in these negotiations, championed particularly by former international trade minister Jim Carr, who is a former Winnipeg Symphony Orchestra oboist and Manitoba Arts Council CEO.

Encouraging provincial collaboration, our eight recommendations gave cultural diplomacy responsibility to Global Affairs Canada, Canadian Heritage and the Canada Council for the Arts — with Global Affairs Canada taking the lead. Global Affairs Canada has real estate around the world, with staff and local connections on the ground. Heritage Canada and the Canada Council for the Arts have arts, culture and heritage expertise. We don't have a Goethe Institute, a British Council or a Japan Foundation, but we do have this opportunity to showcase our stellar creators and ideas.

• (1820)

We need articulated goals, cultural training for overseas embassy staff, short- and long-term monitoring mechanisms and learning through Canadian studies abroad.

The specific recommendations included that cultural diplomacy in Canada's international relations take an increasingly important role, showcasing the innovation and excellence of Canadian artists and the strength and diversity of culture in Canada, expressing the multicultural backgrounds of Canadians; that the arts and culture sector be part of all Canadian trade missions; and that Canadian embassies present and assist Canadian artists and organizations abroad. Furthermore, it ensured that all Canadian missions have either a cultural attaché or trained staff knowledgeable and able to support Canada's cultural work and international collaborations.

I still endorse each and every one of the eight recommendations.

[*Translation*]

The first steps that were taken after the report was published were encouraging, but they were cut short by COVID-19. Canada lost a lot of cultural power in the early 2000s. We need to get it back. Given the current international conflicts, cultural diplomacy is even more important.

[English]

As is often said, “At times of international political difficulty, culture can keep doors open.” UNESCO calls for, “dialogue based on music and the arts, a vector for strengthening mutual understanding and interaction and for building a culture of peace and respect for cultural diversity.”

Our report’s release did bring some positive changes. Canada Council for the Arts opened a special funding stream for international activities. Global Affairs Canada launched a preliminary training program.

Organizations were ready. Recently, Mary Reid of Woodstock’s Art Gallery presented artist John Hartman’s portraits of Canadian authors at Canada House in London, England. William Huffman showed Cape Dorset art in Warsaw and Korea.

At the Organization for Security and Co-operation in Europe, or OSCE, last summer in Birmingham, a unanimous vote of all 780 international parliamentarians supported Arctic security. Arts and culture were part of those discussions, as they were at every OSCE meeting I attended during my time as senator.

In November, Canada’s First Nations delegates to COP 27 expertly showcased First Nations’ cultural approaches to climate change solutions. You know, too, that work is well advanced for the participation in Ghana’s Pan African Heritage Museum.

Three years ago, at my first meeting at that museum’s international curatorial council, I was surprised to learn that Canada was thought of as being part of the U.S. That misconception now dispelled, Canada’s content steering committee for our virtual and real participations, chaired by B.C. artist and poet Chantal Gibson, is seen as a leading model.

Our cultural diplomacy report was the catalyst for Global Affairs Canada and the Canada Council for the Arts funding, enabling the hiring of six regional Black curators.

[Translation]

These recent activities are encouraging but rare since the cultural diplomacy policy hasn’t been officially adopted. It isn’t known or understood and hasn’t been fully implemented by Global Affairs Canada, even though I have received a lot of encouragement from some ambassadors and officials. There are many people who, like me, believe that cultural diplomacy needs more visibility within the department itself in order to be as effective as it could and should be. The result would be transformative for Canada as a whole, and for its culture and place in the world.

[English]

As a senator, and from my prior professional experience in presenting Canadian arts abroad in Europe, Asia, the U.K. and the U.S., I can attest that a strong cultural diplomacy presence will benefit Canada at home and abroad, our creators and cultural organizations. The financial returns for Canada will be significant, as they were before the program was cut, and it will feed our tourism.

Now more than ever, we need our allies to know us, and as part of UNESCO, we have a responsibility to assist in preserving culture from war and climate desecration. Cultural diplomacy is the appropriate vehicle.

In discussing cultural diplomacy, Simon Mark wrote that its:

. . . potential power rests on its intersection with national culture, national values, national identity, and national pride . . . [It] can show a state’s personality in a way that connects with people . . . . The power of a cultural performance, or a film, or a scholarship to connect should not be underestimated.

I close with a personal story.

In the 1990s, I visited a wonderful, small U.K. bookshop in Durham, its floors piled high with books, overflowing shelves and three big, round tables down the middle filled with Canadian authors. A Canadian book festival? “No,” said the owner. “The tables are for the world’s best writers. Do you have a problem that they are all Canadian?”

A former Japanese ambassador to Canada told me on his departure that Canada has the best writers. He took many Canadian authors’ works back to Japan with him to have them translated. Canada should have done those translations, or could have.

Of course, Alice Munro received the Nobel Prize in Literature; Margaret Atwood is celebrated globally; and the film of Mariam Toews’ award-winning book, *Women Talking*, won an Oscar this year. A Canadian from Vancouver Island, Aaron Watkin, was recently appointed Artistic Director Designate of the English National Ballet, and Naomi Woo — daughter of our Senator Woo — given her many invitations, is about to move to Europe to pursue her conducting career there.

Colleagues, our voices are respected beyond our borders, though without the support I believe they are due.

We shouldn’t hide our creators who tell the world who we are. Canada’s profile abroad is largely its culture. As it was for decades before culture’s cut as a fourth pillar of diplomacy, our government’s investment will be far less than the resulting multifold, positive economic profile returns. Through cultural diplomacy, pride in our internationally acclaimed creators will become our brand — a brand which should be known as Canadian, not American.

Please endorse the tabling of this report so we can get a response from the government to ensure that work can begin concretely and that training can continue effectively. Thank you.

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

(On motion of Senator Martin, debate adjourned.)

*(At 6:28 p.m., the Senate was continued until tomorrow at 2 p.m.)*

---

# CONTENTS

Tuesday, May 9, 2023

	PAGE		PAGE
<b>Business of the Senate</b>		<b>ROUTINE PROCEEDINGS</b>	
The Hon. the Speaker . . . . .	3592	<b>Federal-Provincial Fiscal Arrangements Act</b>	
<b>New Senator</b>		<b>Income Tax Act (Bill C-46)</b>	
Introduction . . . . .	3592	Bill to Amend—Eleventh Report of National Finance	
Congratulations on Appointment		Committee Presented	
Hon. Marc Gold . . . . .	3592	Hon. Percy Mockler . . . . .	3598
Hon. Yonah Martin . . . . .	3592	<b>Study on Emerging Issues Related to its Mandate</b>	
Hon. Raymonde Saint-Germain . . . . .	3593	Fourth Report of Energy, the Environment and Natural	
Hon. Scott Tannas . . . . .	3593	Resources Committee Presented	
Hon. Jane Cordy . . . . .	3593	Hon. Rosa Galvez . . . . .	3598
<b>Visitors in the Gallery</b>		<b>The Senate</b>	
The Hon. the Speaker . . . . .	3594	Notice of Motion to Affect this Thursday's Sitting	
<hr/>		Hon. Raymonde Gagné . . . . .	3598
<b>SENATORS' STATEMENTS</b>		<b>Can't Buy Silence Bill (Bill S-261)</b>	
<b>Afghanistan Crisis</b>		First Reading	
Hon. Salma Ataullahjan . . . . .	3594	Hon. Marilou McPhedran . . . . .	3599
<b>Visitors in the Gallery</b>		<b>Citizenship Act (Bill S-262)</b>	
The Hon. the Speaker . . . . .	3595	Bill to Amend—First Reading	
<b>Bear Witness Day</b>		Hon. Ratna Omidvar . . . . .	3599
Hon. Brian Francis . . . . .	3595	<b>National Strategy to Combat Human Trafficking Bill</b>	
<b>Visitor in the Gallery</b>		<b>(Bill S-263)</b>	
The Hon. the Speaker . . . . .	3595	First Reading	
<b>Jury Duty Appreciation</b>		Hon. Salma Ataullahjan . . . . .	3599
Hon. Lucie Moncion . . . . .	3595	<hr/>	
<b>Visitors in the Gallery</b>		<b>QUESTION PERIOD</b>	
The Hon. the Speaker . . . . .	3596	<b>Public Safety</b>	
<b>National Nursing Week</b>		Foreign Interference	
Hon. Rebecca Patterson . . . . .	3596	Hon. Donald Neil Plett . . . . .	3599
<b>Visitors in the Gallery</b>		Hon. Marc Gold . . . . .	3599
The Hon. the Speaker . . . . .	3596	Hon. Denise Batters . . . . .	3600
<b>Newcomers to Canada</b>		<b>Agriculture and Agri-Food</b>	
Hon. Peter M. Boehm . . . . .	3596	Use of Farmland	
<b>Visitors in the Gallery</b>		Hon. Robert Black . . . . .	3601
The Hon. the Speaker . . . . .	3597	Hon. Marc Gold . . . . .	3601
<b>World Health Assembly</b>		<b>Environment and Climate Change</b>	
Hon. Leo Housakos . . . . .	3597	Jane Goodall Bill	
<b>Visitors in the Gallery</b>		Hon. Marty Klyne . . . . .	3601
The Hon. the Speaker . . . . .	3598	Hon. Marc Gold . . . . .	3602
<hr/>		<b>Prime Minister's Office</b>	
		Crime Rates and Cost of Living	
		Hon. Claude Carignan . . . . .	3602
		Hon. Marc Gold . . . . .	3602
		<b>Immigration, Refugees and Citizenship</b>	
		Immigration to Quebec	
		Hon. Julie Miville-Dechéne . . . . .	3602
		Hon. Marc Gold . . . . .	3603

## CONTENTS

Tuesday, May 9, 2023

	PAGE		PAGE
<b>Public Safety</b>		<b>Greenhouse Gas Pollution Pricing Act (Bill C-234)</b>	
Foreign Interference		Bill to Amend—Second Reading—Debate Adjourned	
Hon. Donald Neil Plett . . . . .	3603	Hon. David M. Wells . . . . .	3616
Hon. Marc Gold . . . . .	3603	Hon. Yuen Pau Woo . . . . .	3619
<b>Public Services and Procurement</b>		Hon. Denise Batters . . . . .	3620
Rehabilitation of 24 Sussex Drive		Hon. Jim Quinn . . . . .	3621
Hon. Donald Neil Plett . . . . .	3604	Hon. Pierre J. Dalfond . . . . .	3621
Hon. Marc Gold . . . . .	3604	Hon. Brent Cotter . . . . .	3622
		Hon. Raymonde Gagné . . . . .	3622
		Hon. Robert Black . . . . .	3623
<hr/>			
<b>ORDERS OF THE DAY</b>		<b>Contributions and Impacts of Métis, Inuit, and First Nations</b>	
<b>Food Day in Canada Bill (Bill S-227)</b>		Inquiry—Debate Continued	
Message from Commons . . . . .	3604	Hon. Tony Loffreda . . . . .	3625
<b>Criminal Code</b>		<b>One Hundredth Anniversary of the Chinese Exclusion Act</b>	
<b>Sex Offender Information Registration Act</b>		Inquiry—Debate Continued	
<b>International Transfer of Offenders Act (Bill S-12)</b>		Hon. Mobina S. B. Jaffer . . . . .	3628
Bill to Amend—Second Reading—Debate Adjourned		<b>Human Rights</b>	
Hon. Bev Busson . . . . .	3604	Study on Issues Related to its Mandate—Committee	
Hon. Pierre-Hugues Boisvenu . . . . .	3607	Authorized to Request a Government Response to the	
Hon. Paula Simons . . . . .	3608	Fourth Report of the Committee Adopted during the	
<b>Governor General’s Act (Bill S-221)</b>		Second Session of the Forty-third Parliament	
Bill to Amend—Second Reading—Debate Continued		Hon. Salma Ataullahjan . . . . .	3629
Hon. Yonah Martin . . . . .	3610	<b>Foreign Affairs and International Trade</b>	
<b>National Framework for Fetal Alcohol Spectrum Disorder Bill (Bill S-253)</b>		<i>Cultural Diplomacy at the Front Stage of Canada’s Foreign Policy</i> —Motion to Place Twenty-sixth Report of	
Second Reading—Debate Continued		Committee Tabled during the First Session of the Forty-	
Hon. Nancy J. Hartling . . . . .	3610	second Parliament on the Orders of the Day—Debate	
Hon. Pat Duncan . . . . .	3612	Adjourned	
<b>National Strategy Respecting Environmental Racism and Environmental Justice Bill (Bill C-226)</b>		Hon. Peter M. Boehm . . . . .	3630
Second Reading—Debate Continued		Hon. Patricia Bovey . . . . .	3631
Hon. Michèle Audette . . . . .	3614		