SENATE SÉNAT

CANADA

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OFFICIAL REPORT
(HANSARD)

Thursday, June 8, 2023

The Honourable RAYMONDE GAGNÉ,
Speaker

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# THE SENATE

**Thursday, June 8, 2023**

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

Prayers.

## SENATORS' STATEMENTS

### SURVIVOR'S CIRCLE FOR REPRODUCTIVE JUSTICE

**Hon. Yvonne Boyer:** Honourable senators, today I am honoured to be here speaking on Algonquin land, which is unceded.

I am rising to draw attention to and celebrate a group of incredibly brave and dedicated women whom I have had the privilege of working with over the past number of years.

The Survivor's Circle for Reproductive Justice is a newly incorporated corporation which represents survivors of forced sterilization across Canada. The Survivor's Circle is led by survivors of forced sterilization and governed by an experienced board of directors of strong Indigenous women leaders, who are matriarchs, mothers and grandmothers.

Over the past three years, the Survivor's Circle for Reproductive Justice was formed by a collective effort by many, including Elder Mary Lee, Alisa Lombard, Senator Greenwood and I, and over 200 survivors. Quite simply, there has been an overwhelming need to have a strong unified voice speaking on behalf of survivors of this horrific practice. The trauma and pain that come from being forced or coerced into sterilization are so deep and unlike other traumas that the women have felt they needed to be represented by their own voices so they would have a strong hand in healing in the way they have determined works best for them.

We have formed a legal entity, with the survivors leading the way. Beyond advocating for justice for those who have been forcibly sterilized and working to end this practice once and for all in Canada, this newly formed legal entity is looking at ways to engage with Indigenous communities not only in Canada but across the world to see how they can support each other and work towards a better world for all Indigenous people in all corners of this planet we call home. This practice clearly targets Indigenous people worldwide.

Even after the immense trauma the survivors have gone through in their personal lives, these women are committed to making sure not one more sister, mother, auntie or daughter is subjected to forced or coerced sterilization. I am in complete awe of their strength, and I am honoured to continue to work alongside them and support their goals.

This might be the first time you have heard of this group, but I know it will certainly not be the last. These survivors are getting ready to change the world, and I have no doubt they will, for they are the survivors of reproductive justice.

*Meegwetch*, *marsee*, thank you.

### VISITOR IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Barbara Cartwright, Chief Executive Officer of Humane Canada. She is the guest of the Honourable Senator Boyer.

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

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

[*Translation*]

### AGRICULTURAL FAIRS

**Hon. Robert Black:** Honourable senators, I rise today to raise an issue of concern for rural and agricultural communities in Canada.

[*English*]

Canada's fairs and exhibitions are the backbone of many rural communities. They provide a great opportunity to learn about the hard work of farmers, processors, community members, organizations and entrepreneurs alike, and to celebrate them and the ingenuity of Canadians.

These vital events, however, are under threat again. Newly proposed regulations with regard to livestock traceability requirements expand far beyond a reasonable level and will inevitably challenge farmers, ranchers and the volunteers who work hard to participate in and host fairs and exhibitions across the country.

The proposed policy change from the Canadian Food Inspection Agency requires farmers to ensure a valid premises identification number as well as to register livestock accordingly.

Now, colleagues, this is not the problem because farmers are happy to follow industry standards and protect their assets with identification and have been doing so for years.

However, the problem is that agricultural societies and the fairs they organize would be burdened with the responsibility of collecting, tagging and reporting animal movement information during their fair dates.

Training and programming for fair and exhibition operators is insufficient, according to key organizations like the Canadian Association of Fairs and Exhibitions as well as the Ontario Association of Agricultural Societies.

It would require each agricultural society to train volunteers on the process, which would include checking the identification and ear tag on each individual animal and then inputting the data for each farm animal at the fair or event into the responsible

administrators' online database. This is not only an expense that fairs cannot bear but it is also not feasible for the shrinking number of volunteers all organizations are facing these days.

Further, the proposed regulations will apply to any event that involves the listed animals that are held on an agricultural society fairground, not just their fair. If an ag society rents or loans their premises for a 4-H show, calf rally or livestock show, the ag society will be responsible for collecting and reporting the animal movement, as explained above. Losing the opportunities and facilities to host 4-H livestock programs and achievement days could have a significant negative effect on the 4-H program and the youth who participate in 4-H programs in Ontario and across Canada.

As you know, colleagues, 4-H is near and dear to my heart, and I would not be here today if it were not for that program.

[*Translation*]

Honourable senators, it is important to note that farmers are not opposed to these measures.

[*English*]

The concern lies with the extensive burden this would place on fair volunteers, already strained by labour shortages and regulatory hurdles.

I hope the Canadian government will fix the problem that may unintentionally cause an end to many fairs and exhibitions, and I hope that we can find a way to fix this. Thank you, *meegwetch*.

## EDDY CARVERY III

**Hon. Wanda Thomas Bernard:** Honourable senators, I am pleased to rise today, joining you on Algonquin land, grateful to be here. My task is to applaud the determination and courage of Mr. Eddy Carvery, who has been protesting for justice and the restoration of his home in Africville, Nova Scotia.

Africville was a vibrant African-Nova Scotian community that was forcibly dismantled in the 1960s. Over 80 families — 400 residents — were uprooted from their homes. This forced relocation fuelled anger into action for Eddy Carvery, whose protest stands as one of Canada's longest civil rights protests.

His protest started in 1970 as a sit-in on the grounds of Africville, where he had lived for over 50 years, and continued to live, refusing to leave until Africville is returned to its people.

His demonstration attracted supporters who recognized the significance of his cause. Many community members and activists rallied behind Mr. Carvery, calling for a resolution to the historical injustices faced by Africville residents and addressing broader issues of systemic racism in Nova Scotia.

In 2010, the City of Halifax apologized for the destruction of Africville and established the Africville Heritage Trust to oversee the revitalization of the community's history. There are ongoing debates about the scope of these reparations. Many support Carvery's mission to seek further reparations for the systemic racism and multi-generational harms caused by the forced relocation of Africville residents.

• (1410)

As Mr. Carvery himself has said:

> I've been there on the ground . . . . I've had six heart attacks . . . . Our Lord . . . took a scoundrel like me and He gave me this great opportunity to fight. . . . I applaud Genealogy . . . but . . . our fight has just started . . . .

Today, honourable colleagues, I invite you to join me in recognizing Eddy Carvery and his commitment to creating a more just and equitable society.

The fight against racism and systemic discrimination in Nova Scotia is far from over; however, Eddy Carvery's protest has been a catalyst for change. He inspires community members to take an active role in addressing historical injustices.

Thank you, *asante*.

## VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of His Excellency Bořek Lizec, Ambassador of the Czech Republic to Canada; the Honourable Olga Richterová, Deputy Speaker of the Chamber of Deputies of the Parliament of the Czech Republic; and the Honourable Martina Ochodnická, Deputy Chair of the Committee on Social Policy. They are accompanied by a delegation of Czech deputies. They are the guests of the Honourable Senator Omidvar.

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

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

## LABRADOR BOUNDARY DISPUTE

**Hon. Fabian Manning:** Honourable senators, today I am pleased to present Chapter 77 of "Telling Our Story."

The territorial limit between Quebec and the Labrador portion of our province is the longest interprovincial boundary in Canada at over 3,500 kilometres long. A dispute over that boundary and who rightfully owned Labrador, Quebec or Newfoundland began in 1902, when the Newfoundland government granted a lumber company a licence to harvest trees on both sides of the Hamilton River, now called the Churchill River.

The Quebec government considered the southern part of the river to be part of Quebec and complained to Canada's Secretary of State. Newfoundland refused to cancel the licence.

Two years later, Quebec asked Ottawa to submit the controversy to the Judicial Committee of the Privy Council in London. This reference to an outside impartial body was

appropriate, since Canada and Newfoundland were separate members of the British Empire, and neither could have settled the issue through its own courts.

In March of 1927, the Privy Council settled the boundary in its present location and ruled in Newfoundland's favour.

In the course of our history, Newfoundland has made at least four separate attempts to sell Labrador to Canada. The only reason that there was no deal was that Canada would not pay the price that Newfoundland was asking.

The first offer was made in 1922, during Sir Richard Squires' first term as prime minister. A year later, in 1923, William Warren, the newly elected prime minister of Newfoundland, made another approach to Canada.

On December 27, 1923, *The Daily News* reported that the selling price of Labrador was rumoured to be around $60 million.

Another prime minister, Walter S. Monroe, saw little potential in Labrador. He told the House of Assembly, "This country will never be able to develop it."

Sir Richard Squires became prime minister of Newfoundland again in 1928. Newfoundland's financial situation was deteriorating rapidly. Squires and his colleagues, once again, turned to Ottawa in the fall of 1931. Newfoundland's finance minister at the time, Peter Cashin, met with Canada's then-prime minister, The Right Honourable R.B. Bennett, and made him a formal offer to sell Labrador for $110 million.

While interested and sympathetic to Newfoundland's plight, Prime Minister Bennett advised the Newfoundland government in a letter later that week that due to financial problems brought on by the Great Depression, it was impossible for Canada to do a deal at that time.

When Newfoundland joined Confederation in 1949, its boundary in Labrador was confirmed in the Terms of Union — now the Newfoundland Act — enshrined in the Constitution Act, 1982.

It is not difficult to imagine the consequences if Canada had accepted any of the offers from Newfoundland and had bought Labrador.

The immense natural resources of Labrador, including the hydroelectric energy at Churchill Falls and on the lower Churchill River, the vast mineral deposits in western Labrador and the enormous nickel, copper and cobalt discovery at Voisey's Bay would all have become the property of Canada and the Province of Quebec. Some may consider the idea unthinkable, but the historical truth is that this nearly happened.

Canada's refusal to pay Newfoundland's asking price on at least four different attempts is the reason that, today, I — along with my colleagues Senators Marshall, Petten, Rivalia and Wells — can proudly say that we are from Newfoundland and Labrador. We want to say a sincere "thank you" to Canada for that.

[ Senator Manning ]

## NATIONAL INDIGENOUS HISTORY MONTH

**Hon. Bev Busson:** Honourable senators, I rise today during National Indigenous History Month to celebrate, honour and reflect on the rich history, traditions and contributions of First Nations, Inuit and Métis people from across Canada.

Since 2009, Canadians from coast to coast to coast have used the month of June to celebrate the vibrant and thriving cultures that Indigenous communities contribute to this country. Part of that recognition is honouring how Indigenous knowledge, creativity and wisdom serve as invaluable assets to the nation's wealth and heritage.

Indigenous contributions in the field of art, science, education, politics and even policing have helped shape our country for the better and add to the effort to bring the intent of truth and reconciliation from a political promise to a reality.

Not long ago, I had the opportunity to participate in the raising of an Indigenous totem pole and a Haida flag at the Queen Charlotte RCMP detachment in my province of British Columbia. Incidentally, or maybe not, in July of 2022 Queen Charlotte had its historical and ancestral Haida name restored and is now formally recognized in British Columbia and across Canada as Daajing Giids.

This guardian totem pole is adorned with the various pieces of symbolism describing the traditional crests of the village, their mutual respect for two-spirited people, a recognition that the territory is the ancestral home of the Haida and that the Haida regard the RCMP as the watchmen and guardians of their people. As part of this ceremony, a traditional potlatch was held, complete with gifts and a salmon feast for over 400 guests, bringing together Indigenous and non-Indigenous people from the entire community. At the time of colonization, until 1951, holding a potlatch to mark a historic event was punishable by imprisonment.

The notorious Kamloops Indian Residential School is, sadly, also in my province, a stark reminder that this month is not only about celebrating Indigenous culture; it is also an opportunity to renew our collective commitment to the real meaning of reconciliation and to build a future relationship that respects and protects the rights and dignity of all Indigenous peoples.

From the Inuit in the northern territories to the Mi'kmaq of Atlantic Canada, to the Haida in British Columbia and every nation in between, the abundance and diversity of Indigenous communities in Canada are some of the things that make this country so great.

During National Indigenous History Month and throughout the year, we should recognize and support their contribution to the richness of this land we now call Canada.

Thank you, *meegwetch*, *háw'aa*.

### VISITOR IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Dara OhUiginn. He is the guest of the Honourable Senator Hartling.

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

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

### RIVERVIEW, NEW BRUNSWICK

FIFTIETH ANNIVERSARY

**Hon. Nancy J. Hartling:** Honourable senators, today I rise to pay tribute to the town of Riverview, New Brunswick, celebrating 50 years.

On July 18, 1973, the three villages of Bridgedale, Gunningsville and Riverview Heights became one town. A resolution to name the new municipality of Riverview was passed and, voilà, a great town was born with the motto "A Great Place to Grow."

I am very proud to be a long-time resident of over 50 years, though I'm not the first senator to hail from Riverview; I am following in the footsteps of the Honourable Brenda Robertson.

Let me tell you more about our town. It's located on the unceded territory of the Mi'kmaw people, in the heart of Atlantic Canada. The Acadian forest is in our backyard, the city of Moncton across the river, and the Roméo LeBlanc International Airport just 15 minutes away.

There are many special attractions which are close, like the Hopewell Rocks, Fundy National Park, the beautiful beaches in Shediac, and we are just 70 minutes to P.E.I. and 40 minutes to Nova Scotia.

We don't know many couch potatoes living in our town with so many opportunities to be active, including the Mill Creek Nature Park, for walking, biking and skiing, and the Dobson Trail, which goes all the way to Fundy Park, which is just a 58-kilometre hike.

There is also — along the beautiful Petitcodiac River, which connects us to Moncton — a nice trail. In fact, folks come from around the world to surf on the tidal bore that makes its way up the river twice a day.

• (1420)

The Petitcodiac River is part of a unique ecosystem that, for years, was the lifeblood of the surrounding area and home to many marine species. Recently, a new bridge was built — to replace the causeway — that now allows the tidal waters to flow naturally in order to restore the marine ecology. It's the gateway to the Upper Bay of Fundy region — home of the Hopewell Rocks and the Fundy National Park.

Originally, the Mi'kmaq people lived along the Petitcodiac River, and then the Acadians and the Dutch settlers arrived later. Today, our population is about 22,000 with a mixture of young families and seniors, and an increase in multicultural families. We have all of the amenities: schools, libraries, parks, rinks, state-of-the-art fire stations, seniors' facilities, shopping and restaurants.

Riverview has one of the lowest tax rates in the region which makes it very attractive. Recently, funding was secured for a long-awaited recreational complex located at Mill Creek Nature Park that will include two pools and an indoor field house for sports and community functions, along with a cafe and a restaurant.

Many celebrations are taking place to mark the fiftieth anniversary, including festivals, art shows, concerts and pancake breakfasts. Every weekend, our town offers a variety of activities. A special congratulations to our Mayor Andrew LeBlanc and the council for all of the great things that are happening in Riverview, and for providing us with a well-designed website with important up-to-date information.

Home is where you feel most comfortable and a part of something. I have enjoyed raising my family here. I am looking forward to going home this summer to join in the fiftieth anniversary celebrations. If any of you, dear colleagues, would like to visit New Brunswick and especially Riverview, I would be pleased to welcome you.

Thanks to all those who have worked hard to make Riverview great. Congratulations.

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

## ROUTINE PROCEEDINGS

### STUDY ON THE FEDERAL FRAMEWORK FOR SUICIDE PREVENTION

FIFTEENTH REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE DEPOSITED WITH CLERK DURING ADJOURNMENT OF THE SENATE

**Hon. Ratna Omidvar:** Honourable senators, I have the honour to inform the Senate that pursuant to the orders adopted by the Senate on April 28, 2022, and May 18, 2023, the Standing Senate Committee on Social Affairs, Science and Technology deposited with the Clerk of the Senate on June 8, 2023, its fifteenth report entitled *Doing What Works: Rethinking the Federal Framework for Suicide Prevention* and I move that the report be placed on the Orders of the Day for consideration at the next sitting of the Senate.

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

## IMMIGRATION AND REFUGEE PROTECTION ACT

BILL TO AMEND—SIXTEENTH REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE PRESENTED

**Hon. Ratna Omidvar,** Chair of the Standing Senate Committee on Social Affairs, Science and Technology, presented the following report:

Thursday, June 8, 2023

The Standing Senate Committee on Social Affairs, Science and Technology has the honour to present its

SIXTEENTH REPORT

Your committee, to which was referred Bill C-242, An Act to amend the Immigration and Refugee Protection Act (temporary resident visas for parents and grandparents), has, in obedience to the order of reference of Wednesday, December 14, 2022, examined the said bill and now reports the same without amendment but with certain observations, which are appended to this report.

Respectfully submitted,

RATNA OMIDVAR

*Chair*

(*For text of observations, see today's* Journals of the Senate*, p. 1795.*)

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

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

## THE SENATE

NOTICE OF MOTION TO RESOLVE INTO COMMITTEE OF THE WHOLE TO RECEIVE HARRIET SOLLOWAY, PUBLIC SECTOR INTEGRITY COMMISSIONER NOMINEE

**Hon. Patti LaBoucane-Benson (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:

1. at 3 p.m. on Wednesday, June 14, 2023, the Senate resolve itself into a Committee of the Whole in order to receive Ms. Harriet Solloway respecting her appointment as Public Sector Integrity Commissioner;

2. the Committee of the Whole report to the Senate no later than 65 minutes after it begins;

3. the witness's introductory remarks last a maximum of five minutes; and

4. if a senator does not use the entire period of 10 minutes for debate provided under rule 12-31(3)(d), including the responses of the witness, that senator may yield the balance of time to another senator;

That, on June 14, 2023, during the Orders of the Day the Senate only deal with Government Business;

That, notwithstanding the order of September 21, 2022, on June 14, 2023:

1. the sitting continue beyond 4 p.m., if required, by up to the time taken for the Committee of the Whole to conduct its work; and

2. if a standing vote was deferred to that day, the bells only start to ring, for 15 minutes, at the earlier of the time that the Senate would otherwise adjourn or 5:15 p.m., with the vote taking place thereafter; and

That on June 14, 2023, committees scheduled to meet after 4 p.m. on government business have power to do so, even if the Senate is then sitting, with the provisions of rule 12-18(1) being suspended in relation thereto.

## PUBLIC SECTOR INTEGRITY COMMISSIONER

NOTICE OF MOTION TO APPROVE APPOINTMENT

**Hon. Patti LaBoucane-Benson (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, in accordance with subsection 39(1) of the *Public Servants Disclosure Protection Act* (S.C. 2005, c. 46), the Senate approve the appointment of Ms. Harriet Solloway as Public Sector Integrity Commissioner.

## BILL TO AMEND THE INTERPRETATION ACT AND TO MAKE RELATED AMENDMENTS TO OTHER ACTS

FIRST READING

**Hon. Marc Gold (Government Representative in the Senate)** introduced Bill S-13, An Act to amend the Interpretation Act and to make related amendments to other Acts.

(Bill read first time.)

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

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

[*Translation*]

## INTERNATIONAL HUMAN RIGHTS BILL

BILL TO AMEND—FIRST READING

**The Hon. the Speaker** informed the Senate that a message had been received from the House of Commons with Bill C-281, An Act to amend the Department of Foreign Affairs, Trade and Development Act, the Justice for Victims of Corrupt Foreign Officials Act (Sergei Magnitsky Law), the Broadcasting Act and the Prohibiting Cluster Munitions Act.

(Bill read first time.)

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

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

• (1430)

[*English*]

## JANE GOODALL BILL

MOTION TO AUTHORIZE AGRICULTURE AND FORESTRY COMMITTEE AND ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES COMMITTEE TO STUDY SUBJECT MATTER AND LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE TO CONSIDER DOCUMENTS AND EVIDENCE GATHERED DURING THE STUDIES ADOPTED

**Hon. Marty Klyne:** Honourable senators, with leave of the Senate and notwithstanding rule 5-5(j), I move:

> That, notwithstanding any provision of the Rules, previous order or usual practice, if Bill S-241, An Act to amend the Criminal Code and the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (great apes, elephants and certain other animals), is adopted at second reading:
>
> 1. it stand referred to the Standing Senate Committee on Legal and Constitutional Affairs;
>
> 2. both the Standing Senate Committee on Agriculture and Forestry and the Standing Senate Committee on Energy, the Environment and Natural Resources be authorized to examine and report on the subject matter of the bill; and
>
> 3. the Standing Senate Committee on Legal and Constitutional Affairs be authorized to take into account any public documents and public evidence received by either of the committees authorized to study the subject matter of the bill, as well as any report from either of those committees to the Senate on the subject matter of the bill, during its consideration of the bill.

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

**Hon. Senators:** Agreed.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

[*Translation*]

## THE SENATE

NOTICE OF MOTION TO BESTOW THE TITLE "HONORARY CANADIAN CITIZEN" ON VLADIMIR KARA-MURZA AND CALL FOR HIS IMMEDIATE RELEASE

**Hon. Pierre J. Dalphond:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

> That the Senate acknowledge that Russian political prisoner Vladimir Kara-Murza — recipient of the Václav Havel Human Rights Prize, a Senior Fellow of the Raoul Wallenberg Centre for Human Rights, and a friend of the Parliament of Canada — is an internationally recognized champion for human rights and democracy, whose wrongful imprisonment for dissenting against the unjust war in Ukraine is emblematic of thousands of political prisoners in Russia and around the world; and
>
> That the Senate resolve to bestow the title "honorary Canadian citizen" on Vladimir Kara-Murza and call for his immediate release.

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[*English*]

# QUESTION PERIOD

## PRIVY COUNCIL OFFICE

INDEPENDENT SPECIAL RAPPORTEUR ON FOREIGN INTERFERENCE

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

Leader, yesterday, you indicated that my questions about the made-up rapporteur and his report were not based in fact or truth. You might not like what I'm saying, but I'm laying out facts. It is a fact that the rapporteur admitted he didn't have the information that CSIS has provided to Erin O'Toole. It is a fact that the rapporteur's report doesn't mention the Trudeau Foundation at

all. It is a fact that his report also doesn't mention Beijing's police stations in our country. Leader, it is also a fact that diaspora groups that have endured Beijing's interference came here yesterday to plead for a public inquiry.

Which of those facts do you dispute, leader?

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

Clearly, you misunderstood my answer. I do not dispute the facts that you stated very dispassionately. What I did dispute and to what I was referring were the implications — indeed, the assertions — that those facts, which you portrayed somewhat differently today — but be that as it may — rendered the Honourable David Johnston not impartial; somehow, this attacked the credibility of his report and that, indeed, his nomination and his report were simply cover-ups to benefit Trudeau. Those were the statements that were not based in fact, are not based in fact and to which I will continue to object when they are made in any form.

**Senator Plett:** Leader, here are some more facts.

On Tuesday, the Prime Minister's made-up rapporteur revealed that he chose not to speak to the Chief Electoral Officer, he chose not to speak to the Commissioner of Canada Elections, he didn't speak to the MP who left the Liberal caucus after being accused of very serious allegations, he confirmed the Prime Minister was aware of specific irregularities surrounding the nomination of that MP and he wasn't aware his legal counsel donated thousands of dollars to the federal Liberal Party. He's getting free media advice from Liberal and NDP strategists, which begs the question that if he's getting free advice, why were taxpayer dollars going to paying for Navigator until he found out, of course, there were very serious reasons why he shouldn't have used Navigator — but clearly that was only after he had hired them?

Leader, Canadians are shaking their heads in disbelief. Is there anyone with common sense left in the Trudeau government? Who will demand a public inquiry?

**Senator Gold:** Thank you for the follow-up question.

I think Canadians are quite properly and rightfully concerned about many other issues that are affecting their daily lives, whether it's the wildfires; I've answered them literally during virtually every Question Period, and I'll say it again:

The position of the government is that it has confidence in the special rapporteur and the report, which contained valuable information for how we can better protect ourselves and a process going forward in which further work will be done in that regard.

I will refrain from commenting again on the way in which you characterize and depict the Honourable David Johnston.

## FINANCE

### STATE OF THE ECONOMY

**Hon. Leo Housakos:** My question is for the government leader. My question has to do with Justin Trudeau and his government's monetary policy, or, should I say, their lack thereof.

As the Trudeau government has been spending like drunken sailors, their achievements have been record-high deficits, record-high debt and we now see record-high interest rates that Canadians haven't seen or felt in over two decades. Canadians are paying a heavy price for these bad policies. They're hurting. We see it; we feel it.

My question is simple: Why is it that Prime Minister Trudeau and his government don't hear them and see them? Why is it that you got up on this floor yesterday and took pride for these economic records rather than accept shame and defeat for them? My question is really this: How come?

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

It's the position of the government that the investments it makes, including the debt that is accrued to our national debt, were necessary, prudent and responsible in order to assist Canadians during this difficult and challenging time.

It is also the position of the government — and the facts are the facts — that its stewardship of the economy through the last many years is the envy of the Western world. Our position and our economic growth is the strongest in the G7. Our employment rates are higher than in pre-pandemic years. Inflation has been brought under control, and indeed, if the Bank of Canada raised interest rates — which have an impact on the day-to-day lives of Canadians, to be sure — it is in the service of bringing inflation down, which hurts and cripples all of us in the long term.

The unemployment rate is near its record low. The labour participation of women aged 25 to 54 reached a record high earlier this year.

The economy is in good shape thanks to businesses, workers, the provinces and territories and the contribution of the federal government, which can take some measure of credit for the responsible way in which it has managed our economy, along with all other sectors of the country.

**Senator Housakos:** The only things your government can take credit for are the exasperating monetary policies that are exacerbating inflation. That's the only thing you can take credit for.

I can say something else: One thing about drunken sailors, Senator Gold, is that at least they spend their own money.

• (1440)

Now, my question has to do with the Bank of Canada, which, over the last few months, has acknowledged their error in following policy that has been put out by this government when it comes to dealing with inflation. They did delay, and their delay has exacerbated the situation, and now we're starting to see it in compressed interest rate hikes. But at least the Bank of Canada has acknowledged that they were wrong in their forecast.

When will your government start acknowledging that you were wrong with your monetary policy and your approach to spending? The only thing the Trudeau government has ever done is point fingers and blame everywhere except in their direction. When will your government assume responsibility that your monetary policy over the last eight years has led us to the brink of economic catastrophe?

**Senator Gold:** Thank you for your question. The position of the government is, as I just expressed, that it has been managing its affairs and our affairs prudently and responsibly for the benefit of Canadians.

[*Translation*]

## HEALTH

### EQUALITY IN HEALTH RESEARCH

**Hon. Renée Dupuis:** My question is for the Leader of the Government in the Senate. In recent years, women's health research has shown that there are gaps in our knowledge about how diseases affect women. Some of these gaps in our understanding are a direct result of the fact that medical research has been conducted only on male animals and men.

The fact is, women have long been systematically excluded from studies for a variety of reasons, including convenience and prejudice. This shortcoming manifests itself in different ways, including gaps in the ability to recognize women's symptoms, gaps in the treatments women receive, gaps in clinical management, and the risk of re-hospitalization for women aged 55 and under, which is almost double that of men the same age.

Medical circles now recognize the importance of parity in research. In their view, there is no reason to adopt a male-centric standard for heart attack symptoms, for example. Such a standard is unjustified and biased. We now know that both women and men are at risk of cardiovascular disease. Until very recently, it was thought that only men were at risk, because research focused exclusively on men, and some research found that women with cardiovascular disorders had atypical symptoms compared with men.

It is becoming increasingly clear that women and men are equally at risk of such diseases, but we're only just beginning to recognize how symptoms present in women, because research is finally being done by and with women.

We know that health research and health care are heavily subsidized by public funds. Can you confirm that all federal health research agencies and programs now require that research on diseases not specific to men or women include both women and men in their studies?

**Hon. Marc Gold (Government Representative in the Senate):** I thank the honourable senator for her question. It is clear that women face unique challenges when it comes to being research subjects with a view to improving clinical outcomes in areas such as ovarian and uterine cancer, sexual and genetic health, gender violence and health during pregnancy.

The new National Women's Health Research Initiative launched in October 2022 will advance a coordinated research program that addresses under-researched and high-priority areas. This investment will drive research to enhance health outcomes and eliminate gaps in access to care. I will bring your specific question to the attention of the ministers responsible.

**Senator Dupuis:** Could you table disaggregated data on research funds allocated by federal programs and organizations: the list of sampling required for each funding application in the last five years; the list of sampling provided in support of each application that was funded in the past five years; and the list of sampling provided in reports on each grant obtained in the last five years?

**Senator Gold:** I thank the honourable senator for her question.

Canada is the first country to collect and publish data on gender diversity from a national census. Of the some 30 million people in Canada aged 15 and older living in a private household in May 2021, over 100,000 identified as transgender or non-binary, accounting for 0.33% of the population in this age group. Regarding the specifics of your question, I'll have to make inquiries and report back.

[*English*]

## ENVIRONMENT AND CLIMATE CHANGE

### LOSS OF ARCTIC ICE

**Hon. Mary Coyle:** My question is for the Government Representative in the Senate.

Senator Gold, today, June 8, is World Ocean Day, a day when people around the world rally to protect and restore our shared oceans and to ensure a stable climate. Canada has 162,000 kilometres of Arctic Ocean coastline, with sea ice across three territories and four provinces, much of it in Indigenous territory.

Yesterday, the CBC reported that according to new scientific research, the Arctic Ocean is predicted to be free of summer ice potentially as early as 2030, depending on global emissions — a full decade earlier than previous estimates. This big melt would significantly impact Arctic communities by damaging infrastructure built on increasingly unstable permafrost, and it would threaten the way of life of Arctic residents.

Ice-free summers would be devastating for the fragile ecosystems that depend on sea ice, from algae to polar bears. Canada is an Arctic nation, and the Arctic is the earth's air conditioner, with Arctic ice and snow reflecting back 80% of the sun's radiation. Ice-free summers in the Arctic Ocean will lead to more extreme weather events in the rest of Canada and certainly well beyond.

Senator Gold, what plans does the Canadian government have in place to respond to the multiple and serious implications of the loss of sea ice in the Arctic Ocean?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for raising this important question. The melting of Arctic ice at an accelerated pace is a preoccupation for all the reasons you mentioned, and they go beyond that, including the challenges for those who rely on the hunting and gathering their food — during my visit to the North a few years ago, that was evident even then — the search and rescue that follows all of that and, indeed, to our sovereignty. The government has taken action with regard to the health of our oceans, and I could — there's much to say there.

With respect to the particular question, as there is less and less ice in the Arctic, the Department of Fisheries and Oceans along with the Canadian Coast Guard have expanded our presence and capabilities in the short-term to defend our sovereignty, defend the communities that are affected, respond to the increasing risks of climate-based disasters and are working in the scientific community to address and to continue to further address how to mitigate the effects of this seemingly, for the moment, irreversible and dangerous trend.

**Senator Coyle:** Thank you for your response. I look forward to hearing more about the mitigation aspect as well.

Senator Gold, could you tell us anything about how Canada is collaborating with other Arctic countries on the loss of sea ice challenges?

**Senator Gold:** The context of all of this, of course, is the Government of Canada's ongoing efforts — along with other nations — to combat climate change and, in that regard, relying upon science and collaboration with our partners.

On Arctic issues specifically, Canada meets regularly with our circumpolar partners to deal with issues like the ones you mentioned, and others, surrounding climate change, security and the like.

Some years ago, as you know, the government released its Arctic and Northern Policy Framework, providing overarching priorities to the government and investments in the Arctic that will take us to 2030 and beyond. This was co-developed with Northerners, territorial and provincial governments, First Nations, Inuit and Métis people.

• (1450)

To repeat: Canada is working with other partners in the Arctic region to address this issue of common concern.



## CANADIAN HERITAGE

### OFFICIAL LANGUAGES ACT

**Hon. Dennis Glen Patterson:** I'm going to try this question again today. My question is for the Leader of the Government in the Senate.

Senator Gold, I understand that the government has confirmed that there is a drafting error in Bill C-13, which is currently before the Senate's Official Languages Committee. This appears not to be a minor grammatical or typographical error. I understand that the error is the exclusion of a coordinating amendment that would ensure that former and potential employees outside of Quebec would still be able to file complaints under subsections 18(1.1) and (1.2) of the use of French in federally regulated private businesses act. By fixing this error, the Senate could protect minorities by ensuring that francophones outside of Quebec have the same rights as those who live in Quebec.

As the Government Representative in the Senate, I'd like to ask you this: Are you aware of this error? Have you informed the committee of this error and how it might be fixed?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for the question, Senator Patterson, and for giving me the opportunity to respond to the question in the chamber, as we did privately yesterday.

Indeed, the government has become aware of this issue and is very aware of this issue.

The first point I wish to make, colleagues, is that this drafting error has no immediate legal effect because the section that is involved does not come into effect until the second anniversary of the date of the act's implementation following receiving Royal Assent. Keep that in mind as I provide the rest of my explanation.

The government is advised of this issue and is exploring other legislative pathways to correct this issue outside of Bill C-13, if required, such as a financial piece of legislation or a stand-alone bill. I repeat: This issue has no effect following Royal Assent of the bill. The government is exploring other ways to address it outside of Bill C-13, given the importance of passing the bill in a timely fashion.

Colleagues, this is not the first time this issue has arisen. As colleagues know or should know — those who have been in this chamber for more than a brief period — we had a similar issue arise with Bill C-12, which amended the Old Age Security Act. An issue arose at a late stage of the process. The government committed to rectifying this technical matter separately so that the bill could move forward in a timely fashion and receive Royal Assent. We delivered on that promise some weeks later through a separate legislative vehicle.

On behalf of the Government of Canada, I can assure this chamber that, as it has done before, the Government of Canada will deliver on this commitment.

**Senator D. Patterson:** Thank you, Senator Gold. I was glad you didn't say that the Miscellaneous Statutes Amendment Act would be the fix. I don't think that would be appropriate, nor would, frankly, burying it in a compendious omnibus budget bill that is incapable of amendment be the appropriate fix.

I wonder if you would agree, Senator Gold, that the most appropriate fix for this error might be direct and focused legislative action.

**Senator Gold:** Thank you, senator. I understand and respect your point of view. The government is considering its options. I will certainly take your suggestion under consideration. The chamber should rest assured that the government will do this in a proper and transparent way. I will make sure that is the case, whether the bill is introduced in the other place or, indeed, even here.

At this moment, the government has not yet made a decision as to what mechanism to use, but it is under serious study. Again, I stand here as the Government Representative and make a commitment that this will be addressed in a timely fashion. I repeat that this will have no impact on the bill once it receives Royal Assent for two years after implementation.

## TRANSPORT

### RENAMING CONFEDERATION BRIDGE

**Hon. Brian Francis:** My question is for the representative of the government in the Senate.

The Legislative Assembly of Prince Edward Island passed a unanimous motion in May 2022 urging the federal government to rename the Confederation Bridge to Epekwitk Crossing. This change would correct a clear error made in the late 1990s that resulted in the current name being chosen rather than the proposed one that recognizes and celebrates the presence of the Mi'kmaq who have lived on these lands since time immemorial and continue to do so.

Senator Gold, could you please inform this chamber whether the federal government plans to rename the Confederation Bridge to Epekwitk Crossing? If yes, what progress has been made in the last year? When can we expect a name change to happen? If not, why?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for the question. I will bring this to the attention of the appropriate minister and endeavour to have an answer back as quickly as I can.

[*Translation*]

## PUBLIC SERVICES AND PROCUREMENT

### AIRCRAFT PROCUREMENT

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

Leader, the Government of Canada is preparing to replace 14 CP-140 Aurora aircraft, surveillance planes that are used by the Royal Canadian Air Force to patrol Canada's coastlines.

Under the army's procurement system, which is known for being ineffective, the Government of Canada seems to have decided or wants to grant this $9-billion contract directly to aerospace company Boeing, not to name names, rather than hold an open bidding process under which a Canadian consortium, Bombardier and General Dynamics, could make a bid and provide equivalent equipment.

That does not make any sense because usually the government would award a direct contract to favour a Canadian company, but in this case, it is awarding a direct contract that will negatively impact a Canadian company.

Can the Leader of the Government explain what this government is thinking?

**Hon. Marc Gold (Government Representative in the Senate):** The Government of Canada makes its decisions based on the needs of our Armed Forces and our priorities in that area. It will continue to make its decisions for the good of the communities served and Canada.

**Senator Carignan:** Speaking of making decisions to meet the needs of the Armed Forces, we learned this week that our troops deployed in Latvia are so under-equipped that they have to procure essential protective equipment themselves, using their own money.

This is despite the fact that the government doesn't spend its entire procurement budget. In 2021, it left $1 billion on the table without spending it.

How can you explain to Canadian military personnel that they have to pay for protective equipment out of their own pockets, when their colleagues, especially the Danes, are better equipped, not to mention that the Danish government buys its equipment from Canada?

**Senator Gold:** Obviously, our Armed Forces need to be equipped with whatever it takes to do their job of defending our country and our interests.

The government continues to invest more in the military. The facts you have outlined are most regrettable. I'm told that the Government of Canada will continue to support our Canadian Forces with the necessary funds in a prudent manner.

[*English*]

## PUBLIC SAFETY

### FOREIGN INTERFERENCE

**Hon. Donald Neil Plett (Leader of the Opposition):** Leader, two years ago, before the Trudeau government used a made-up rapporteur to cover up what it knew about Beijing's interference in our elections, it was busy hiding the truth about a security breach at the National Microbiology Laboratory in Winnipeg.

First, the Prime Minister said that asking questions about this was racist. Then his government defied four House orders to produce uncensored documents. Next, he sued the Speaker of the House to keep the documents hidden. Now the Trudeau government has hired three former judges to oversee the work of an ad hoc group of four MPs viewing the documents.

• (1500)

Leader, a parliamentary committee should be doing this work. No respect for Parliament, no leadership, no common sense, no transparency and no accountability — why is it always the same story with the Trudeau government, leader?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question. The attempts to use the combined force of the opposition parties in the Senate to make sensitive intelligence material public is irresponsible, and in that regard, the position of the Government of Canada has always been to work with the opposition parties in the hope that they would agree to a responsible process for the review of such documents such that parliamentarians can do their work without endangering not only the national security of Canada but the safety and security of those intelligence officers in the field that work on our behalf.

**Senator Plett:** Well, of course, I said "uncensored documents," leader.

Leader, in a Question Period almost two years ago, I asked you for basic information about the firing of two scientists from the Winnipeg lab and the links between the lab and Beijing military scientists. I have yet to receive an answer, but that's no surprise. If the Trudeau government is willing to defy orders from the House and take the Speaker to court to hide the truth, it obviously wouldn't lift a finger to answer my questions.

The panel of three former judges I mentioned will ultimately decide what information is disclosed to MPs and the public. According to the memorandum of understanding, decisions of the judges are "final and unreviewable."

Leader, why is the Trudeau government passing off its responsibility to others yet again? They are either too incompetent or too compromised to tell Canadians the truth about what happened at the Winnipeg lab.

Leader, either too incompetent or too compromised — which is it?

**Senator Gold:** It is neither.

Six and a half years ago when I joined the Senate, it was in the hope that the Senate could return to its original conception as a place where serious issues and serious questions can be dealt with in a serious and less partisan way. Alas, that obviously is not a vision that is shared by all.

It is not a lack of competence. It is not a question of cover-up. It is a responsibility of the government to make sure that issues that affect national security are dealt with in a responsible —

[*Translation*]

**The Hon. the Speaker:** Let the senator answer the question, please.

[*English*]

**Senator Gold:** It is the responsibility of any responsible government to deal with these matters in a responsible way. In that regard, I continue to insist on the distinction between the importance of the issues that are raised in this chamber and the way in which they are raised and the liberty with which the questioners too often play with facts and assumptions.

# ORDERS OF THE DAY

## STRENGTHENING ENVIRONMENTAL PROTECTION FOR A HEALTHIER CANADA BILL

BILL TO AMEND—MESSAGE FROM COMMONS—MOTION FOR CONCURRENCE IN COMMONS AMENDMENTS—VOTE DEFERRED

On the Order:

> Resuming debate on the motion of the Honourable Senator Gold, P.C., seconded by the Honourable Senator LaBoucane-Benson:
>
> That, in relation to Bill S-5, An Act to amend the Canadian Environmental Protection Act, 1999, to make related amendments to the Food and Drugs Act and to repeal the Perfluorooctane Sulfonate Virtual Elimination Act, the Senate agree to the amendments made by the House of Commons; and
>
> That a message be sent to the House of Commons to acquaint that house accordingly.

**Hon. Dennis Glen Patterson:** Honourable senators, almost a year ago, on June 22, 2022, I rose on debate in this chamber and spoke about Bill S-5 and changes that I strongly felt were necessary to not only make it a stronger bill but to ensure that it responded to the serious and legitimate concerns that stakeholders had raised to me and later in committee.

I presented amendments in committee that had been accepted by the committee, but, to my great frustration, were then defeated by the same committee when we had to unexpectedly redo an entire week's worth of clause by clause because the previous virtual participation of a senator and member of our committee had been deemed out of order due to their being out of the country at the time.

It was aggravating enough to have had amendments passed in committee and then have to vote again days later and have those same amendments defeated after the government had more time to formulate rebuttals. But what added insult to injury is to

receive the message back, which we're debating today, and see that other amendments of mine were deleted on the other side and know that this bill isn't as strong as it could be.

My amendments on genetically modified organisms in clause 39.1 of the bill were aimed at responding to very thoughtful and alarming concerns by Nature Canada and other witnesses who appeared before the Energy, the Environment and Natural Resources Committee. They added transparency and opportunities for public input when the minister is considering allowing new genetically modified organisms to be bred and sold in Canada.

It was disappointing to see those amendments removed during committee in the other place and to be replaced, as we see in this message, with watered-down versions that do not provide a robust regulatory process that supports true consultation. I would add that my recommendations were supported by the Assembly of First Nations and the Atlantic Salmon Federation.

In this disappointing message, we see that notices are the only thing required and that the minister shall, "consult any interested persons before the expiry of the period for assessing that information." That qualification of "interested persons" as opposed to my original wording of ensuring the public could participate meaningfully puts the onus on the public to stay abreast of regulatory developments as opposed to putting the onus on the government to make sure that they are doing more than just posting a notice on some government website most people won't see or be able to find.

I am reminded again of Ms. Karen Wristen of the Living Oceans Society who told our committee that she had been taken by surprise that a new species of genetically modified Atlantic salmon had been introduced into Canadian waters in Prince Edward Island. As a lawyer working actively in the environmental non-government organization space, she was disconcerted — as was I — as she told the committee that she didn't know about such a significant event. It makes me wonder how other potentially interested parties will be kept abreast of opportunities to participate and provide input to the minister.

In considering my response to the message, I made sure to follow up with Mr. Hugh Benevides and Mr. Mark Butler of Nature Canada to get their thoughts on the proceedings in the other place, as I believe our role as senators includes ensuring voices that are otherwise marginalized are heard during the legislative process. I understand from them that there were compromises offered to try and find a middle ground between the amendments we passed in our committee process and the amendments passed in the other place. It was their hope that all parties would appreciate the compromise, pass them as recommended and then have senators be satisfied once we received the message since these suggested amendments would have ensured an opportunity for at least some degree of public participation in the all-important work of risk assessments.

• (1510)

Instead, the offer of a compromise was rejected in the other place. There is now no guarantee that the CEPA — the Canadian Environmental Protection Act — ministers will determine that any persons are interested and therefore ought to be consulted. It's entirely at the discretion of the minister, in a department that doesn't seem to consider this issue of genetically modified organisms being introduced into Canada is at all important. There is neither a requirement as to the type or quality of the consultation or that any information will be brought to the consultation, nor do the amendments made in the other place allow the regulations to provide for the consideration of Indigenous knowledge or scientific information provided by other than the proponent — obviously very self-interested — or the government.

The compromise amendments to proposed section 108.1, on the other hand, would not depend on any determination by the ministers who might be interested. The opportunity to ". . . bring forward any relevant Indigenous knowledge and scientific information . . ." would not depend on such a determination as set out in subsection 108.1(1).

Instead, a proponent filing information indicating a wish to manufacture or import a new living organism under section 106 of the CEPA would trigger automatic publication of that fact in the Canadian Environmental Protection Act Registry, subsection 108.1(2), thus notifying Indigenous peoples and the public of the proposed new living organism. But no such thing happened in the case of the genetically engineered salmon, forcing members of the public to seek judicial review in the Federal Court.

The proposed amendment to the regulation-enabling section 114 would simply allow the government, following its still-promised but yet-to-be-seen reform of the New Substances Notification Regulations (Organisms), to include provisions in the regulations for how the regulator may receive ". . . any relevant Indigenous knowledge and scientific information . . ." so that it may be considered as part of the assessment.

Colleagues, as we've heard, this is the first time in decades that the CEPA is being substantively amended. The Standing Committee on Environment and Sustainable Development in the other place, after studying these issues carefully, recommended in 2017 that:

> The Committee recommends that CEPA be amended to establish a more open, inclusive and transparent risk assessment process that better enables public participation in the evaluation of new living modified organisms.

Especially considering this clear recommendation from a thoughtful and thorough committee study in the other place, I felt it important that we take this opportunity in this chamber to address that recommendation rather than letting it join the many well-intentioned parliamentary reports that are sitting on a shelf somewhere gathering dust.

Honourable senators, I am speaking today because I'm incredibly disappointed in the convoluted journey this bill has taken throughout the legislative process. It is discomforting to me that we have lost the opportunity for full, meaningful public participation in a decision as important as the introduction of genetically modified organisms in Canada, including iconic species like Atlantic salmon. We have a real example here of the perils of this watered-down bill. That's why I will be voting against this message. Thank you.

**Hon. Pierre J. Dalphond:** Honourable senators, I rise to speak to the message on Bill S-5, Minister Guilbeault's update to the Canadian Environmental Protection Act, known as CEPA. Bill S-5 will make changes to CEPA that are exciting and timely, with Canada following Quebec in recognizing citizens' rights to a healthy environment. This message also accepts and even improves the Senate's many amendments to minimize and, hopefully, eliminate the cruel practice of toxicity testing on animals. Thank you, Minister Guilbeault and Senator Gold, for this fantastic result that Canadians, the government, the Senate and the other place can jointly celebrate.

Colleagues, for context, CEPA is an important statute that has been used to ban plastic microbeads in toiletries, to prohibit asbestos and to prevent the use of dangerous chemicals in baby bottles. Last year, the government used CEPA to ban single-use plastics to address the plastic pollution that is filling our waterways and oceans and killing marine life like whales and sea turtles. This change is being fought in court by Dow, Imperial Oil, and other representatives of Big Plastic, along with the governments of Alberta and Saskatchewan.

However, let us focus on the positive with this Bill S-5 message, particularly the acceptance and enhancement of Senate amendments aiming to reduce and, hopefully, phase out animal toxicity testing.

As senators may recall, in Question Period on March 3 of last year, I asked Minister Guilbeault if the government was open to Senate amendments to strengthen Bill S-5 to support the government in fulfilling their election commitment to phase out chemical testing on animals by 2035. The minister's answer was an enthusiastic yes, and shows that even ministerial Question Period can be helpful and useful.

Today, I also want to thank Senator Galvez, who has agreed to put forward some amendments that were drafted by my team with the support of associations involving animal rights. Thanks to the minister's openness and Senator Galvez's willingness to participate in the adventure, we have a bill which is now close to Rideau Hall that contains provisions about animal testing thanks to all of us and the efforts that were made.

This change is a big deal. As I said at second reading of Bill S-5, toxicity testing is the most harmful and painful use of animals in scientific research. Toxicity tests impacted approximately 90,000 animals in 2019 alone. Moreover, such tests fall into the Canadian Council on Animal Care's Category E tests. What is a Category E test? This is the most severe category of harm that can be imposed on an animal. Category E tests cause death, severe pain and extreme distress and may include procedures such as inflicting burns or trauma on unsedated animals and forcing ingestion or topical application of deadly substances.

I was shocked to learn of the scale of this testing in Canada. I was also surprised to learn of the range of species involved in Category E testing. That includes guinea pigs, rabbits, mice and other small mammals, pigs, sheep, beavers, chickens, turkeys, hummingbirds and many species of marine and freshwater fish. With this message, we take a major step to a more compassionate and humane Canada, recognizing that these animals are our fellow creatures and sentient beings who deserve our respect.

With the openness of Minister Guilbeault and the assistance of Senator Galvez, we now have a promise fulfilled.

I would also like to thank and congratulate the organizations responsible for this milestone.

• (1520)

They are Animal Justice Canada, Humane Canada, the Canadian Centre for Alternatives to Animal Methods, Humane Society International/Canada and the Canadian Society for Humane Science.

Camille Labchuk, a lawyer and the Executive Director of Animal Justice — a national animal law advocacy organization — has the following message for us, senators:

> The amendments to Bill S-5 championed by senators improved upon the aspirational preamble originally included in the bill. Instead, we now have a bold and concrete path forward, aimed at getting animals out of painful toxicity tests for good. This will bring us more in line with other jurisdictions that are leading change for animals used in science, like the US and the EU.
>
> Animal lovers across the country are grateful for the work of senators on this bill and many others. The Senate has been a true leader in driving change to Canada's outdated animal protection laws, whether it be animals used in testing or cosmetics, whales and dolphins trapped in aquariums, sharks killed for their fins, or other wild animals in captivity.

In this tremendous achievement, I would like to single out for special recognition Kaitlyn Mitchell, a staff lawyer for Animal Justice. Her expertise was critical in developing our Senate amendments regarding animal toxicity testing. Wherever Ms. Mitchell is today, I say, "Thank you," and please stand and take a bow. You have saved countless animals from meeting a horrific and painful end through your personal determination and legal skill.

I trust senators will join me in congratulating Ms. Mitchell and all of the organizations and individuals who played a role in this landmark accomplishment.

On a related and positive note, the government is taking action to end animal testing for cosmetics through measures in Bill C-47, the budget implementation act. This fulfills the goal of former senator Carolyn Stewart Olsen's bill on this subject in the Forty-second Parliament.

We are seeing progress for animal welfare on many fronts in Canada, with several major government election commitments on this subject also awaiting further fulfillment. This progress is something to celebrate in this time of crisis for the environment and our fellow creatures, whom the Honourable Murray Sinclair has taught us to consider as "all our relations" as we pursue reconciliation with nature.

Therefore, I trust colleagues will join me in concurring with this excellent and well-received message from the other place.

Thank you. *Meegwetch*.

**Hon. Donald Neil Plett (Leader of the Opposition):** Honourable senators, I rise to speak to the message from the House of Commons regarding Bill S-5, the strengthening environmental protection for a healthier Canada act.

As all of you are well aware and, I am sure, appreciate, my speaking time today is unlimited, so in order to ensure senators are under no illusions about precisely what we will be voting on, I thought I would begin my remarks by reading the entire message that the Speaker read to us the other day, unless somebody suggests I dispense. I might be convinced to do that.

**An Hon. Senator:** Dispense.

**Senator Plett:** All right. Once was enough, and I'm sure all senators agree.

Bill S-5 was adopted by the Senate and sent to the House of Commons on June 22, 2022. That was 351 days ago. For a bill that the government was in a hurry to get passed, which is why it was originally introduced here, it has been slow going. Bill C-28, which was identical to Bill S-5, was introduced in the previous Parliament in April 2021. So it has been two years — some hurry.

As my Conservative colleague in the House of Commons pointed out when he spoke to this bill a couple of weeks ago, the responsibility for its slow progress lies squarely at the feet of the current Prime Minister, who selfishly triggered a pointless and expensive election in order to try — unsuccessfully, I might add — to win back the majority that Canadians had denied him in 2019. That failed attempt, colleagues, cost taxpayers $600 million — $600 million to end up with, essentially, the same minority government Mr. Trudeau had been saddled with prior to that election.

Now, I exaggerate, of course. It is not exactly the same minority government Canadians saddled him with in 2019. It is, indeed, now an NDP-Liberal costly coalition that no Canadian voted for.

A $600-million sum — imagine if that money had been spent on the environment instead. Then again, given the government's sorry record on the environment, it would have been millions of dollars wasted in a different way. To be sure, this government has talked big on the environment but has done precious little. It has never met a single carbon emissions reduction target, for instance, in all their years in power, targets they adopted from the Harper government after criticizing that government during the 2015 election for having those very same targets.

Carbon emissions have gone up under this NDP-Liberal government, not down, and that is despite his vaunted carbon tax, which is an absolute and abject failure and is costing Canadians dearly at the worst possible time — a time of high inflation and rising interest rates.

While the government talks glowingly about rebates offsetting the carbon tax, the Parliamentary Budget Officer has made clear that the majority of Canadians pay more in carbon taxes than they get back in rebates. Last year the Commissioner of the Environment released 10 reports on the performance of the Liberal government on protection of the environment. More than half of the reports show the government was failing to meet its targets.

Even the United Nations has weighed in. It noted in a report at the COP 27 in Egypt that Canada placed 58 out of 63 nations on environmental issues.

"Canada is back," as Justin Trudeau claimed at the COP 21 Paris conference. Canada is back — way back in fifty-eighth position.

I will not delve into the specifics of the bill or the message. Both houses of Parliament have already spent a lot of time on this. Those efforts, collectively, resulted in a bill that had the support of all parties as well as government, industry and environmentalists when it came out of House of Commons. But then, honourable senators, in tried-and-true fashion and at the last minute during the report stage of the bill in the House of Commons, the Liberals couldn't pass up the opportunity to do more virtue signalling. I can explain the situation no better than was done in the press release issued by the Alberta Conservative caucus on May 19, in which they wrote:

> At Report Stage, the NDP put forward an amendment which encroaches on provincial jurisdiction in respect of regulating mining tailings ponds and hydraulic fracturing, which the Liberal members had opposed at the Environment Committee. Despite their opposition at Committee, the Government flipped-flopped and voted in support of the NDP amendment encroaching on provincial jurisdiction.
>
> The NDP amendment, passed with last-minute Liberal support, is a clear infringement on provincial jurisdiction. This makes the legislation open to more jurisdictional court battles and uncertainty.
>
> As a result, the Conservative Party will be withdrawing its support for Bill S-5.

It goes on:

> Canada's regulatory oversight framework is based upon clear division of responsibilities between the provinces and the federal government, as defined in our Constitution. The continued attempts to muddle this jurisdictional responsibility have led to a convoluted process of project approvals, duplication of costs, and uncertainty amongst investors.

> The uncertainty brought about by the unpredictability of the NDP-Liberal government on energy policy has a real cost for Canadians. Canada needs to articulate a clear federal government policy if we want to attract and retain jobs and investment.

• (1530)

To be clear, colleagues, the NDP amendment gives the federal government the power to compel the production of information about tailings ponds and hydraulic fracturing — out of that arises the infringement on provincial jurisdiction.

The Senate had, unfortunately, adopted these amendments to the original version of Bill S-5, and the Liberal members of the House of Commons voted to remove this from the bill because they felt it was redundant. For no other reason than posturing for some environmental groups, the Liberals did a 180-degree turnaround and put this back in the bill. The Liberal position on this issue is that it's redundant one week and essential the next week.

Alberta has already taken the federal government to court over the fact that plastic is listed in Part 2 of Schedule 1 of the bill as a substance to be regulated.

Does anyone here really doubt that recently elected Alberta Premier Danielle Smith, who has been scathing about the federal government's energy policy, will not hesitate to challenge this aspect of the bill in court?

Honourable senators, let me conclude my remarks with these words from the Library of Parliament publication called *The Division of Federal and Provincial Legislative Powers in Sections 91 and 92 of the Constitution Act, 1867*.

It says:

> . . . determining whether a matter falls under federal or provincial jurisdiction is not always as easy as simply reading the text of the Constitution. This is for several reasons. First, numerous policy areas have arisen over time that were not explicitly assigned in the Constitution. Second, judicial interpretation has expanded certain sections of the Constitution beyond what might be expected from a plain reading of the language and, conversely, has narrowed other sections. Courts have also interpreted some policy areas as being areas of overlapping or "concurrent" jurisdiction.

Surely the environment is one of those policy areas — that has arisen over time — that was not explicitly assigned in the Constitution. It is also well understood that the provinces generally legislate in the area of natural resources.

In 1982, section 92A was added to the Constitution and expanded the area of exclusively provincial jurisdiction around natural resources to include the exploration of non-renewable resources in the province and their development, conservation and management, as well as the conservation and management of sites and facilities for electricity production.

To be sure, there are exceptions in which the federal government can regulate. However, this last-minute amendment at report stage — that had been rejected by the House committee, and which we were told is redundant — unnecessarily opened a can of worms, and once again targets a province that this government has seemingly had in its sights since it came to power in 2015.

Honourable senators, the government's flip-flop on this issue, and the intrusion into provincial jurisdiction that this opens the door to, is a deal breaker for us — and it should be for all senators. We are, after all, appointed to represent our regions and our provinces, as is spelled out in the Constitution. As our former esteemed colleague Senator Joyal pointed out in his book entitled *Protecting Canadian Democracy*:

> One of the key elements of the Confederation compromise was the creation of a Senate with the necessary legislative powers to defend sectional interests.

He quotes no less a personage than our first Prime Minister — the great Sir John A. Macdonald — who wrote:

> To the Upper House is to be confided the protection of sectional interests; therefore is it that the three great divisions are there equally represented, for the purpose of defending such interests against the combinations of majorities in the Assembly.

We are appointed by province. We introduce ourselves at committee by naming the province that we represent. I represent Manitoba and the western division that also includes Alberta, British Columbia and Saskatchewan. It is our duty to look after our regional and provincial interests, so I am here to defend the interests of my region.

It is incumbent upon us, as the Senate, to take a closer sober second look at how we safeguard provincial jurisdiction when it comes to federal intrusions.

The Conservative Party of Canada is and will always be there to ensure that the provinces are defended against the centralization tendencies that the Liberals and the NDP have.

With this provision of Bill S-5, the federal government is extending its powers over the mining industry. We know that the Liberals would love to force onto the provinces some of the so-called national quality standards on air or water. We cannot allow these attacks on our Constitution.

Colleagues, I invite you to join us and Senator Patterson in voting against Senator Gold's motion — and send a clear message that the Senate rejects this Ottawa-knows-best approach, and that the Senate is proud to play its role as a defender of the rule of law and the respect of the Constitution. Thank you.

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

**Hon. Senators:** Question.

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

**Some Hon. Senators:** Yes.

**Some Hon. Senators:** No.

**Some Hon. Senators:** On division.

**The Hon. the Speaker:** Those in favour of the motion, please say "yea."

**Some Hon. Senators:** Yea.

**The Hon. the Speaker:** Those opposed to the motion, please say "nay."

**Some Hon. Senators:** Nay.

**The Hon. the Speaker:** I think the "nays" have it.

*And two honourable senators having risen:*

**The Hon. the Speaker:** I see two senators rising. Is there an agreement on the length of the bell?

Pursuant to rule 9-10(2), the vote is deferred to 5:30 p.m. the next day the Senate sits, with the bells to ring at 5:15 p.m.

## BILL TO AMEND CERTAIN ACTS AND TO MAKE CERTAIN CONSEQUENTIAL AMENDMENTS (FIREARMS)

SECOND READING—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Yussuff, seconded by the Honourable Senator Boehm, for the second reading of Bill C-21, An Act to amend certain Acts and to make certain consequential amendments (firearms).

**Hon. Marty Klyne:** Honourable senators, I rise to speak to Bill C-21.

This legislation has been the subject of intense debate, both in Parliament and in the media. I want to share — on the record — my thoughts on the bill, and discuss some concerns that likely represent the views of many people who watched this debate unfold.

By speaking to this bill, I appreciate that I'm wading into one of the most controversial and divisive topics that we can discuss as legislators: firearm laws in Canada. I won't spend much time debating the merits of owning firearms, nor will I spend a lot of time sharing my views about the various social and political factors often found at the heart of this debate.

My goal is simply to speak on the components of Bill C-21 that I think could use some work, and touch upon the shortcomings that I believe hindered the bill's legislative process.

I will start by acknowledging what I believe Bill C-21 does right. I appreciate that the bill acknowledges many of the new realities in the fight against smuggled and illegal weapons. Firearms have changed a lot since they were first invented. The guns that were used by soldiers, hunters and farmers in the 1800s bear little resemblance to the firearms we use today.

• (1540)

Today's firearms are far more powerful and are manufactured differently. In fact, firearms manufacturing has changed dramatically, with 3-D printers helping to lead the charge. We are all familiar with 3-D printers and the impressive output they can turn out. Unfortunately, the use of these printers in the manufacture of firearms, or components for firearms, and the subsequent rise of ghost guns has become a significant cause for concern, particularly in large urban centres. I'm pleased that Bill C-21 is taking steps to address this issue, and I was inspired to learn that all parties in the other place share this particular concern.

On a similar note, the introduction of red-flag and yellow-flag laws is a sensible approach that I believe will help remove firearms from situations where violence may occur. Not all senators will agree on this legislation, but one thing we all agree on is that we need to protect the public, particularly vulnerable populations, from the threat of violence.

I believe red- and yellow-flag laws are a positive step in the right direction. Senator Yussuff already spoke about red-flag and yellow-flag laws in his sponsor speech. I won't dwell on the point other than to note that empowering the justice system to proactively take steps to protect victims from gun violence makes sense, and I think the introduction of these laws will help us move closer to the desired results. Of course, we must ensure that the rights of all citizens are respected and that these laws are used carefully and always aim to protect the public from the threat of violence by illegal gun owners, violence-prone individuals, and especially gangs and generally gun owners or prospective gun owners exhibiting traits of instability verging on doing harm to themselves or others.

Now I will speak to some of my concerns with the bill. I believe Bill C-21 is well intended, but its legislative process has been the subject of much controversy. Massive amendments were introduced and then they were withdrawn. Gun owners and Indigenous leaders expressed significant concerns. Sadly, the debate became poisoned in the public sphere, particularly in rural Canada. I'll try to keep my remarks concise and free of rhetoric. Ultimately, I believe this bill is somewhat flawed and has the potential to cause challenges for law-abiding gun owners.

Targeting criminal behaviour should be our focus, and I'm particularly concerned about those who smuggle guns into Canada. No matter one's opinion on this specific bill, we should all agree that illegal firearms coming across the border are a problem. I believe we need stronger gun laws on smuggling, with criminal sentences that can serve as a deterrent. We need to invest in stronger border patrols to stop the flow of illegal handguns. As we know, Bill C-21 proposes to increase the maximum penalty from 10 to 14 years' imprisonment for certain firearms-related offences, including smuggling and trafficking.

To my mind, that's a good start, but I wonder if a four-year increase in the maximum sentence will be enough of a deterrent for those who are already smuggling guns into Canada. Is this

increase in the maximum sentence — and I underscore that's maximum, not minimum — enough of a deterrent to this behaviour and make a noticeable dent in the number of guns that smugglers bring into Canada? Frankly, I'm not convinced. Yet, as I understand it, the 14-year maximum sentence is the last stop before you get a life sentence. Perhaps it should be 14 years with no chance of parole without participating in a substantial rehabilitation program that results in a substantial turnaround and evaluation of being unlikely to reoffend.

Over the last couple of years, senators have debated the concept of mandatory minimum sentences. Bill C-5, which was passed last year by Parliament, removed mandatory minimum penalties for many criminal offences, but it did not remove minimum penalties for all firearms-related offences, such as the mandatory minimum punishments for certain offences where a restricted or prohibited firearm is used. Since then, further debate has risen over the impact of removing mandatory minimum penalties and its subsequent effect on crime. Should we reimpose mandatory minimum penalties for all gun crimes? I don't know the answer to that question, but I'm not convinced that extending the maximum sentence for gun trafficking by a few years will help solve the problems we're facing without an effective rehabilitation program that is audited for its implementation, execution and success rate.

The government has acknowledged that no one program or public initiative will solve the problem of gun violence by itself. To me, that's both an accurate and reasonable argument. We won't solve gun violence simply by banning automatic weapons or handguns. Some may argue that bans are a critical component of solving the issue, but I believe that bans alone will not solve the problem. We must address the socio-economic factors that lead to gun violence the same way we must address the mental health issues that, if left unaddressed, are likely to lead a person to violence.

We must also crack down on gangs. Gangs have been at the epicentre of gun violence in Canada for decades. The level of violence has ebbed and flowed throughout the years, but we've never quite managed to eliminate gangs despite the very best efforts of law enforcement, governments and society at large. We need to "double down." Gang violence needs to be tackled with determination; otherwise we will continue to have to deal with the same issues plaguing our communities.

I'm pleased that the Minister of Public Safety announced in May that the federal government will spend $390 million over five years to help provinces crack down on gang violence. That's a good start, but we need to be consistent on this issue over a long period if we want to make true progress.

I also want to touch on how Bill C-21 impacts Indigenous peoples. As with any bill we consider in this chamber, the rights of Indigenous nations and individuals must be respected. That means consulting with Indigenous peoples and ensuring their rights are respected. This is a sacred obligation, and one that I take very seriously.

We saw the controversy that arose a few months ago when the federal government introduced amendments to the bill at committee stage in the other place, and Indigenous organizations spoke out. I appreciate that Bill C-21 includes a provision which clarifies that nothing in the legislation abrogates or derogates from the rights of Indigenous peoples, but I believe the government should have done a much better job of conducting advance consultations with Indigenous leaders. The Assembly of First Nations even voted to publicly oppose the bill when the government introduced controversial amendments, and the Assembly of First Nations also expressed their concern that long guns traditionally used by their people were being targeted. I'm satisfied that the government withdrew those controversial amendments, but effective advance consultation earlier in the process would likely have been beneficial for all involved — they may have even discovered some alternative solutions that could have led to breakthrough policies.

I do want to share that I was struck by Senator Kutcher's speech and his comments on the connection between firearms and suicide. It's no secret that firearms are often used as the instrument of choice when a person chooses to end their life. That's a sad reality we must contend with. Senator Kutcher noted in his speech that a recent study found that both men and women who own handguns were more likely to die of self-inflicted gunshots. Is Bill C-21 the answer to reducing incidents of gun-related suicide in Canada? I cannot definitively answer that question, but I echo Senator Kutcher's call to study this issue.

There is another concern I'd like to address. To the best of my knowledge, the federal government does not have a dedicated, anonymous phone line or online tip system that the public can use to confidentially report illegal gun ownership or to report gun owners exhibiting concerning behaviour. Of course, there are services such as Crime Stoppers that can be used, but a dedicated system for gun crimes or potential gun crimes would be helpful in this era of mass shootings. We have dedicated anonymous tip lines for reporting drunk driving, so why can't we do the same for gun crimes? For me, this deserves consideration, and I wish a similar system could have been considered in the formulation of Bill C-21.

Colleagues, Bill C-21 has been the subject of much debate, not just here in Parliament but in the media and in the homes of gun owners and non-gun owners alike. That's healthy, and a hallmark of our democracy. Unfortunately, the narrative surrounding this bill, and others like it, has, at times, led to deviation from the norms of a grounded democracy.

No matter their opinion, people feel strongly about firearms, and I understand why. I hope that, by providing some measured concerns with this bill, senators will be able to appreciate the challenges and possible alternatives for consideration with this legislation, and I hope I have provided some food for thought in that regard.

• (1550)

Firearms will always be controversial. We should debate the merits of gun laws in a fair, open and honest manner, with respect for dialogue in our democracy, no matter our individual positions or beliefs on this issue. I look forward to more debate to come. Thank you. *Hiy kitatamihin*.

**The Hon. the Speaker:** Senator Plett, do you have a question?

**Hon. Donald Neil Plett (Leader of the Opposition):** I have one question for Senator Klyne if he would take it.

Thank you for your speech, Senator Klyne. I have just one question, and the reason I'm asking is you raised the particular issue of extending the maximum penalties from 10 years to 14 years. Would it surprise you, Senator Klyne, if I told you that yesterday at my critics briefing we asked the officials about how often the 10-year maximum had even applied? We were questioning what value there is to put 14 years, and they said that as far as they knew there was only one recorded incident ever where the 10-year maximum had been handed out.

Were you aware of that? In light of that, how do you feel about the value of a maximum when the maximum already isn't being used now?

**Senator Klyne:** Thank you for the question. I don't know that I was at the same meeting, but I did hear that as well. I think it should be cause for study in that regard. What is the deterrent? If 10 years is not enough, is 14 enough? What do we need to do to make that a deterrent enough to really clamp down and start making some inroads and progress on gun smuggling and other illegal firearm offences?

As I said in my speech, it's the last stop before a life sentence, so what is it going to take? I think we need to do some education around this, potentially with the judicial system, and make sure that we lean into this with more bravo and brevity on these gun sentences and take it to the max. I think the more we allow this to happen without a strong deterrent like the 14 years, more problems will happen. There needs to be a deterrent and I think it has to be pain. Pain is the best leverage against a deterrent here. If they don't feel the pain, we may not catch their attention.

I think it probably deserves further study and understanding of the behaviours of why they continue to commit these crimes. Also, how do we make sure that we implement and execute the justice that is available to us to serve that purpose?

**Senator Plett:** Senator Klyne, of course, it's well known that our party, I believe, is the party that's tough on crime, even though the Liberals occasionally pretend that they are. But they repealed a number of the mandatory minimum laws that we had in place before. Would you not agree that a mandatory minimum would be more effective than increasing a maximum when that maximum will never be handed out anyway?

**Senator Klyne:** That's a quandary for me as well. I would pose the same question. Again, it's something that I think needs to be studied at committee.

(On motion of Senator Martin, debate adjourned.)

## BUDGET IMPLEMENTATION BILL, 2023, NO. 1

FIRST READING

**The Hon. the Speaker** informed the Senate that a message had been received from the House of Commons with Bill C-47, An Act to implement certain provisions of the budget tabled in Parliament on March 28, 2023.

(Bill read first time.)

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

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

## ADJOURNMENT

MOTION ADOPTED

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate),** pursuant to notice of June 7, 2023, moved:

> That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, June 13, 2023, at 2 p.m.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

## CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

BILL TO AMEND—SECOND READING

On the Order:

> Resuming debate on the motion of the Honourable Senator Carignan, P.C., seconded by the Honourable Senator Seidman, for the second reading of Bill S-234, An Act to amend the Canadian Environmental Protection Act, 1999 (final disposal of plastic waste).

**Hon. Rosa Galvez:** Honourable senators, I rise today as critic of Bill S-234, An Act to amend the Canadian Environmental Protection Act, 1999, a bill that will prohibit the export of certain types of plastic waste to foreign countries for final disposal.

This bill is the same as former Bill C-204, for which I had given a speech as critic in the last Parliament before the election. My position on this bill has not changed: I agree with the main principles of the bill.

As you know, my thoughts on plastic and pollution are informed by my three-decade career as a civil and environmental engineer assessing and solving pollution and contamination

problems created by domestic or hazardous industrial waste. I have witnessed first-hand the negative impacts of our irresponsible and ever-growing waste-producing habits and mishandling of toxic substances. Typical landfill operations stockpile all kinds of domestic objects that could have been recycled but instead become macro- and microplastics that will find their way to soil and water, initiating their path into ecosystems, food chains and, ultimately, wildlife and human organs.

The mismanagement of plastic waste creates social, environmental and health problems that put at risk the well-being of our communities and future generations. The entire planet recognizes we have a major global plastic waste problem. That is why the United Nations Environment Assembly started a process in February 2022 to develop a legally binding agreement by 2024 to end plastic pollution, and the G7 countries have committed, this last April, to ". . . end plastic pollution, with the ambition to reduce additional plastic pollution to zero by 2040."

• (1600)

Colleagues, the situation is dire. Every year, 13 million tonnes of plastic end up in the oceans, pollute the waters and destroy marine ecosystems. Once these plastics enter the ocean currents, they are unlikely to leave the area until they degrade into smaller microplastics under the effects of the sun, waves and marine life. This has led to the formation of the Great Pacific Garbage Patch. Please Google it and watch it; it's incredible. It's a mass of floating plastic that covers an estimated surface area of 1.6 million square kilometres. It is the area equivalent to our province of Quebec. At this rate, and if we do nothing, there will be more plastic than fish in the sea by 2050.

High-income countries generate more waste per person, and thus Canada is part of the problem. With an estimated 1.3 billion metric tonnes of waste per person in 2017, Canada unfortunately ranks as the most wasteful country per capita, and our waste problem is increasing.

With respect to plastic waste, according to Environment and Climate Change Canada's report in 2019, we generated 3.3 million tons of plastic waste in 2016, with only 9% of it being properly recycled, 4% being incinerated for energy recovery and an incredible 86% being sent to landfills. But we also mismanage or avoid managing plastic waste, since we export it to developing countries. Waste export per capita in Canada is almost 5 kilograms per day, less than the U.K. with 9.5 kilograms, but more than the U.S. with almost 2 kilograms per day.

The plastic producer representing almost half of total plastic waste in Canada is the packaging industry, followed by the automotive, textile, electrical and electronic equipment, and construction sectors.

[ Senator Galvez ]

[*Translation*]

In fact, more than 60% of all extracted natural resources end up as waste. How shocking! How ineffective and inefficient! This economic model is totally outdated. It relies on the false and illogical premise that our planet has unlimited resources and that we can grow infinitely. Such a system does not exist on our planet, so we need to transform the outdated linear economic model into a circular economic model.

We need to learn how to use our natural resources more effectively, prevent goods and materials from becoming waste for as long as possible and transform unavoidable waste into new resources. Those are the principles of a circular economy that would dramatically reduce pollution caused by our overconsumption.

Bill S-234 would prohibit the export of plastic waste. The idea is that, by banning waste exports, we will be forced to manage it better. There is no reference to ways to reduce the production of single-use plastics or to changes to potential rules governing minimum recycled plastic content in new products. There is no mention of penalties for the use of plastic. However, that could be a workable strategy because it would force us to look closely at the problem right here at home.

[*English*]

In recent years, governments around the world have announced policies to reduce the volume of single-use plastic, banning products like single-use straws, disposable cutlery, food containers, cotton swabs, bags, et cetera. Last July, California became the first U.S. state to announce its own targets, including a drop of 25% in the sale of plastic packaging by 2032. In December, the U.K. extended its list of banned items to include single-use trays, balloons and some types of polystyrene cups and food containers. Bans are also in place in the European Union, Australia and India, among other places.

The Single-use Plastics Prohibition Regulations are part of the Government of Canada's comprehensive plan to address pollution, meet its target of zero plastic waste by 2030 and help reduce greenhouse gas emissions. The regulations prohibit the manufacture, import and sale of single-use plastic checkout bags, cutlery and food service ware made from or containing problematic plastics. But we know this is not enough.

Indeed, to domestically solve our plastic problem, we need to rethink and reduce plastic production. Recycling must be scaled up fast enough to deal with the amount of plastic being produced, and recycled plastic needs to find its way into new products, with contents not less than 50%.

According to a Plastic Waste Makers Index report, just two companies in the petrochemical industry are recycling and producing recycled polymers at scale: Taiwan's conglomerate Far Eastern New Century and Thailand's Indorama Ventures, the world's largest producer of recycled PET for drink bottles.

Yet, Indorama Ventures is also number 4 on a list of 20 of the world's biggest producers of virgin polymers used in single-use plastic. The list is led by U.S. oil major ExxonMobil, China's Sinopec and another U.S. heavyweight, Dow. In making polymers bound for single-use plastic, those 20 companies generated around 450 million metric tonnes of greenhouse gas emissions around the world, the same amount of total emissions as the United Kingdom, according to Carbon Trust and Wood Mackenzie.

[*Translation*]

Actions to ensure sustainable waste management must follow a clear sequence: reduction at the source, reuse, recycling, energy recovery and encapsulating final waste materials. This is the waste management model advocated by waste management experts around the world.

Historically, however, Canada has chosen to focus on the third option, creating a recycling industry. We have created an entire recycling industry that is not very efficient. Our recycled materials are used very little in the manufacture of new products. Packaging manufacturers, advocates for planned obsolescence and those who waste materials do not assume any responsibility. Our waste management is a total failure. By skipping the first two steps of sound waste management, we are massively diminishing our opportunities to reduce waste. Worse yet, we are placing the burden of this waste on developing countries, who often do not have the necessary capacity to dispose of it properly.

[*English*]

So, colleagues, where are we with our plastic waste? Where does it currently end up? Most of our plastic waste — well above 90% — is exported to the United States, with other countries such as Vietnam, Malaysia, Honduras, Turkey and Chile receiving the rest.

The trade of plastic waste is internationally regulated by the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, which was adopted in 1989 as a response to the mounting controversy over wealthy nations exporting hazardous waste to developing countries that did not have the capacity to adequately manage it and provoking massive environmental and health issues. This agreement aims to reduce hazardous waste, restrict the transboundary movement of hazardous waste except to nations capable of environmentally sound management and create a regulatory system to frame permissible trade of hazardous waste.

Although Canada ratified in December 2020 new amendments to the Basel Convention "requiring prior informed-consent controls for all but the cleanest types of plastic-waste exports traded between treaty parties," unfortunately, the United States hasn't done so, which has many experts worried about a 2020 bilateral agreement with the Americans, allowing exports of plastic waste to the south with less strict controls than the Basel Convention and possible re-exportation to developing countries.

With heavily mediatized cases of international waste disputes involving Canada in the past few years, I cannot say that I am confident our plastic waste will be adequately managed under our current agreements.

• (1610)

In conclusion, I repeat that I completely agree with the principle and intent of Bill S-234. It is time that we take responsibility for the waste we produce. For centuries, the wealthy nations of the world have imposed a burden on developing countries by making them deal with our toxic waste. The world is not our dumping ground — and to continue to act as though it is reinforces colonial tendencies. Our wealth is not justification for the lack of accountability for our own waste; in fact, it should be quite the opposite. We have some of the highest capacities in the world to manage waste in an environmentally sound way.

I believe that this is an issue that needs a detailed and careful study to compare this bill's proposal and see its harmonization with other domestic and international initiatives, especially given the potential impacts on interprovincial and international trade, and the fact that it affects many sectors. I hope that the committee study will examine how this plastic waste export ban will impact Canada's capacity to manage its own waste. I also expect the study to determine how this bill would interact with our current and upcoming international agreements, including the potential legally binding agreement on plastics. Finally, I hope that the study will also consider the effects of the single-use plastic ban which is seeing a staggered implementation until 2025.

Colleagues, I hope you will all agree to send this bill to committee. Thank you. *Meegwetch*.

[*Translation*]

**The Hon. the Speaker pro tempore:** Are honourable 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 and bill read second time.)

REFERRED TO COMMITTEE

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

(On motion of Senator Martin, for Senator Carignan, bill referred to the Standing Senate Committee on Energy, the Environment and Natural Resources.)

[*English*]

## JANE GOODALL BILL

BILL TO AMEND—SECOND READING

On the Order:

> Resuming debate on the motion of the Honourable Senator Klyne, seconded by the Honourable Senator Harder, P.C., for the second reading of Bill S-241, An Act to amend the Criminal Code and the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (great apes, elephants and certain other animals).

**Hon. Donald Neil Plett (Leader of the Opposition):** Honourable senators, it is a pleasure for me to rise today to speak to Bill S-241, better known by its short title as the Jane Goodall act.

For a Senate public bill, I must say that this legislation has garnered a fair amount of interest. I am sure that some of it is due to the fact that Jane Goodall has endorsed the legislation and lent her name to it, and some of it is reflective of the growing public interest in the welfare of animals in human care.

Writers have used words like "landmark" and "global leader" to describe the bill. Humane Society International has called it "some of the strongest legislation for wild animals in captivity and wildlife protection in the world."

Although, by now, you are probably well versed in the contents of the bill, allow me to summarize what the bill does: Bill S-241 amends sections of the Criminal Code to create offences respecting the ownership, breeding and possession of the reproductive materials of exotic animals, specifically great apes, elephants and certain other non-domesticated animals referred to as "designated animals."

Bill S-241 also amends the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act to require a permit for the import, export, interprovincial transport and captive breeding of great apes, elephants and designated animals.

In addition, the bill creates a legislative framework for the recognition of animal care organizations — which are organizations that meet certain standards for the care of animals, and that will be exempt from the prohibitions contained in the bill.

The bill also creates limited legal standing for animals by allowing an animal advocate to be appointed to represent the animal's interests in the sentencing phase of a trial.

Senators, I want to make it clear at the outset that I support the intent of this bill to give greater protection to animals held in captivity in Canada. Currently, there is a patchwork of federal, provincial and municipal laws and regulations which govern the zoo industry and the private ownership of exotic animals. And, in many cases, the existing framework leaves much to be desired.

I also support the bill's aim to address the illegal trade in wild animals and their body parts, which is driving some species closer to extinction. There is no debate over the need to stop the illegal trafficking of endangered species.

However, while I support the intent of the bill, I am very concerned that it is a clumsy effort at a noble cause which will have more negative impacts than positive ones. I believe we can and must do better.

In order to understand the scope of this legislation, it is necessary to understand that exotic wildlife in captivity in Canada falls into three categories: accredited zoos, non-accredited zoos and private ownership.

Zoos which are accredited in Canada receive this accreditation either through Canada's Accredited Zoos and Aquariums, known as CAZA, or through its U.S.-based counterpart, the Association of Zoos and Aquariums, known as AZA.

These accreditation associations are industry-led, non-profit organizations which set minimum standards for animal welfare, and work to promote zoos as agencies of conservation, science and education.

According to some estimates, there are currently about 100 zoos, aquariums, wildlife displays and zoo-type exhibits in Canada. These include small displays in retail stores all the way up to large institutions, such as the Calgary Zoo and the Assiniboine Park Zoo in Winnipeg.

Yet, only about 27 of these 100 zoos or exhibits are accredited, including 24 accredited by CAZA; 3 accredited by the AZA alone; and 4 accredited by both the AZA and CAZA.

The remaining 75 zoos fall into a very broad category of unaccredited zoos.

Amongst unaccredited zoos in Canada, there is a wide range in the quality of animal care. Some of them may, in fact, be eligible for accreditation and have simply not pursued it. Others would require major upgrades in their facilities, staff and operations in order to qualify for accreditation. It is a fact that without accreditation, the existing standards and regulations are insufficient for Canadians to be confident that all animals held in those zoos are provided with proper care.

Included in the category of unaccredited zoos are those commonly referred to as "roadside zoos." These are the zoos which have often been described in this chamber during the debates on Bill S-241. In order for us to understand what we are referring to, allow me to read the definition of "roadside zoos," according to the World Society for the Protection of Animals:

> The roadside zoo is a grossly substandard, usually amateur facility that lacks trained, experienced animal care staff, proper funding and safety practices. Animals are confined to small, barren, often filthy cages, with next to nothing to do day in and day out.

First of all, that's not always the case, but, colleagues, let me be abundantly clear: Nobody is trying to defend the existence of substandard roadside zoos. The question is how this issue should be addressed, and which level of government should be doing it.

• (1620)

Third, in addition to accredited zoos and non-accredited zoos, the personal ownership of exotic animals is also permitted in Canada. Exact numbers do not exist, but the results of a survey done by World Animal Protection have been extrapolated to estimate that there are about 1.4 million exotic pets in private ownership in Canada. This includes almost 500,000 reptiles, 500,000 exotic birds and over 300,000 exotic mammals such as tigers, lions, leopards, foxes, monkeys, et cetera.

As pointed out by Senator Klyne, it is estimated that there are over 4,000 privately owned big cats in Canada. However, the term "big cat" is typically used to refer to tigers, lions, jaguars, leopards, cheetahs and cougars. World Animal Protection puts the estimated number in Canada at over 7,000. This does not include the big cats in zoos and wildlife reserves; this is strictly the estimated number of big cats being held as personal pets. I personally find this, colleagues, unacceptable.

However, I intend to show you that Bill S-241 is not the way forward. It carries the precision of an elephant in a china shop or a tiger in a chicken coop. It will not get the job done, and it will make a very large mess in the process of trying.

In order to explain, I need to circle back and talk about accredited zoos. Accredited zoos are probably not the zoos that you remember visiting as a child. Those were more likely on par with today's existing roadside zoos, where we find most of the problems in today's industry. In contrast to roadside zoos, at the accredited zoo level the industry is driven by a deep commitment to education, conservation, science and research. This is what Bill S-241 threatens.

In my role as critic of this bill I have, so far, managed to visit 10 of the 27 accredited zoos in Canada and saw firsthand some of the great work they are doing. It honestly is very inspiring.

Let me start with the Assiniboine Park Zoo in Winnipeg where I met Grant Furniss, who was the Senior Director of the Assiniboine Park Conservancy; along with Dr. Clément Lanthier, President and Chief Executive Officer of the Calgary Zoo; and Len Wolstenholme, Senior Advisor to the Calgary Zoo.

The Assiniboine Park Zoo is an impressive facility. It is a non-profit corporation owned by the City of Winnipeg and home to more than 150 animal species and over 80 acres to explore. The zoo is an accredited member of the Association of Zoos and Aquariums, or AZA, Canada's Accredited Zoos and Aquariums, or CAZA, and the World Association of Zoos and Aquariums, or WAZA. In its own words:

> Assiniboine Park Zoo focuses on meeting and exceeding the ever rising standards of animal care and welfare, safety, and veterinary programs and as well as demonstrating a commitment to education, conservation and research.

There is a lot packed into that statement. But I heard the same themes over and over at every accredited zoo I visited: Animals are under increasing pressure everywhere you turn due to the loss of habitat and the impacts of climate change. Accredited zoos and wildlife reserves play a critical educational role in helping to create public awareness of these challenges, giving people the opportunity to connect with animals and in conserving species at risk.

The second zoo I visited was the Calgary Zoo. I had met, as I said, Clément Lanthier and Len Wolstenholme of the Calgary Zoo earlier in Winnipeg. This was an opportunity to see their zoo's operations from behind the scenes as Mr. Wolstenholme toured us around their great facilities.

The Calgary Zoo is owned by the City of Calgary and operated by the Calgary Zoological Society, an independent, not-for-profit organization. Last year, over 1.2 million people visited this zoo. With over 4,000 animals spread over 125 acres, you simply cannot see everything in one day. Perhaps that's why many people take out seasons passes at the zoo; they can enjoy the animals and the environment throughout the entire year. I was able to spend an afternoon at the Calgary Zoo. There was much that I did not get to see. What I did see was remarkable.

After Calgary, my staff was able to visit the Toronto Zoo. Once again, this is a world-class facility doing impressive work on research, conservation and education regarding animal species. It was here we learned that animals in human care live 30% longer — 30% longer, colleagues — than they would in the wild when they receive proper care. With their own wildlife nutrition centre, the Wildlife Health Centre and the Toronto Zoo provides world-class care to animals who make their home there.

Following the Toronto Zoo was the African Lion Safari located near Hamilton, Ontario. This is a site that I had visited with my entire family a few years earlier. Unlike the Toronto, Calgary and Assiniboine Park Zoos, this facility is not owned by a municipality but is privately owned and operated. But if you were expecting a lower-grade operation, you would be disappointed. The conservation, research and education efforts taking place there are equally impressive, especially when you consider that none of it is being done with tax dollars.

African Lion Safari is comprised of over 750 acres, 250 of which provide animals with large areas of bush, grasslands or forest in which they can interact naturally with other animals.

With 250 acres for animals to roam, that's twice as much space as the Calgary Zoo and three times as much space as the Assiniboine Park Zoo. Almost 30 acres of the 750 total has been developed for walk-through areas and exhibits. The balance of the property is comprised of farm, bush and other habitats, including 40 acres of provincially significant wetlands which African Lion Safari maintains and monitors. It's a conservationist's dream.

In several of their wildlife reserves, mixed species roam and interact as they would in the wild. But in all seven reserves, it's the people who are kept caged, not the animals — the animals roam freely over large enclosures while visitors drive through and view the animals from the safety of their vehicles. The park sees 500,000 visitors every year over the six-month period that they are open to the public. They have 50 full-time staff and hire 300 seasonal staff.

Like other accredited zoos I already mentioned, African Lion Safari has an impressive track record in conservation work. They have over 1,000 animals comprised of over 100 species. As with the Calgary Zoo, one third of their animals are endangered species. The park has been successful in breeding 30 species that are considered endangered and 20 species that are considered threatened. This, colleagues, is no small feat, and is in keeping with their vision to help maintain self-sustaining populations of species in decline, an incredible service to future generations.

The wildlife reserve is also renowned for its research and conservation efforts involving giraffes, Asian elephants, blue-throated macaws, eastern loggerhead shrikes, barn owls, bald eagles and rhinos.

• (1630)

In conducting their research, they have collaborated with prestigious universities such as McGill University, Queen's University, Indiana University Bloomington, Cornell University, Auburn University, Baylor University, Tokyo University of Agriculture and Technology, University College London, University of Florida, University of Guelph, University of Melbourne, University of Pennsylvania, University of Pretoria, Western Kentucky University and many more.

And yet, colleagues, the wrecking ball called Bill S-241 threatens to destroy the great work being done by this institution.

While the Toronto Zoo, the Calgary Zoo and the Assiniboine Park Zoo are protected by this legislation, the African Lion Safari is not, even though it, too, is a fully accredited zoo.

Let me explain. Bill S-241 makes it a criminal offence to, one, own, have custody of or control a great ape, elephant or designated animal that is held in captivity; two, breed, impregnate or fail to take reasonable care to prevent the breeding or impregnation of a great ape, elephant or designated animal; and three, possess or seek to obtain reproductive materials of great apes, elephants or designated animals.

The bill then goes on to list the exceptions to this being an offence. For example, if the animal was in captivity on the day that this law comes into effect, it is not an offence for those animals to remain in captivity. Basically, it grandfathers in every elephant, great ape, big cat or other designated animal that is already in captivity. Those animals can continue to be legally kept, but not bred, until the day they die, as long as their captivity is uninterrupted.

The bill also makes an exception if the animal is being kept in captivity for the purpose of conducting non-harmful scientific research or in the best interests of the animal with regard to individual welfare and conservation of the species, providing that the person keeping the animal has a licence to do so that has been issued by the federal or provincial government.

In addition, an elephant, great ape or designated animal can be kept in captivity if it is in the ownership, custody or control of a person who is employed by a province or municipality; is appointed or employed by a provincial or municipal body or is an employee of a federal entity set out in Schedules I to V of the Financial Administration Act. That means, basically, anyone working for any level of government is exempt if they are keeping the animal as part of their duties or functions of their job.

There is a lot of uncertainty amongst the industry regarding what some of these exemptions actually mean, because the bill provides little clarity. For example, does the reference to provincial licences refer to existing licences, or will the provinces need to create a licensing authority for the purpose of this bill? What if a zoo in Ontario is already recognized by the Ontario Ministry of Agriculture, Food and Rural Affairs as engaging in research? Will this licence be enough, or will you need another one?

Every province already has its own system for protecting animal welfare, and some provinces, like B.C. and Quebec, have well-developed zoo regulations. There is no clarity about how this bill would overlay with all of those.

However, there is one big exception to the standards introduced by this legislation. In addition to the exceptions already mentioned, the offences would not apply to anyone whom the Minister of Environment and Climate Change designates to be an eligible animal-care organization. There is a long list of requirements for an organization to be designated as an eligible animal-care organization, but if all those hoops are cleared and the organization receives the designation, it then retains the ability to keep and breed elephants, great apes and any other designated animal.

It basically gets a pass on this legislation.

However, out of the 27 accredited zoos and aquariums, there are 7 that do not have to jump through those hoops. Instead, those institutions get to bypass every one of the required steps and are named right in the bill, giving them a perpetual get-out-of-jail-free card. Those seven are listed in subclause 19(1) and include the Assiniboine Park Zoo, the Calgary Zoological Society, the Zoo de Granby, the Montréal Biodôme, Ripley's Aquarium of Canada, the Board of Management of the Toronto Zoo and the Vancouver Aquarium.

You will notice, colleagues, that African Lion Safari is not included in this list. That means that even though they are accredited through Canada's Accredited Zoos and Aquariums, known as CAZA, they will need to go through what could be a lengthy, arduous and uncertain process to see if they will be allowed to continue the great work they have been doing for over 50 years.

It was not only African Lion Safari but 18 other zoos already accredited by CAZA that were not included in the list of exempt zoos. All of them are potentially facing an existential crisis in the continuation of their work, livelihoods and conservation efforts because of one simple reason: While they belong to Canada's Accredited Zoos and Aquariums, they do not belong to the American-based Association of Zoos and Aquariums, or AZA.

Colleagues, we need to park here for a few minutes and consider the implications of that. Bill S-241 basically turns over the accreditation standards of Canadian zoos to an American accreditation body. I find that quite disturbing. As I was told over and over by the zoos that did not make the short list in the bill, "Why would we want to turn over our accreditation standards to an American organization?"

Colleagues, if you ask Senator Klyne about this, he will claim that AZA is an international accreditation body active in 13 countries. This is only partly true. The AZA may be active in 13 countries, but the AZA American non-profit corporation's board of directors is made up entirely of American citizens. AZA may be operating in 13 countries, but it is founded, run and controlled by Americans. It has no Canadian representation on its board of directors.

Senator Klyne will also tell you that AZA has higher standards than CAZA, and that is why they were chosen. But I asked every zoo I visited about this, even the ones which are already AZA-accredited, and found that Senator Klyne's view is a minority viewpoint. Even accredited zoos themselves do not agree on which accreditation is better. In fact, in many cases, CAZA clearly has higher standards than AZA.

There's one thing that really got my attention. Last summer, the U.S. House of Representatives introduced a bill called the SWIMS Act. The purpose of that bill was to amend the U.S. Marine Mammal Protection Act of 1972 and the Animal Welfare Act to prohibit the taking, importation, exportation and breeding of certain cetaceans for public display and other purposes. That may not sound too outrageous to Canadians, since that is already law in Canada, but in the U.S., AZA opposed this bill, colleagues. You can go to the AZA website and look it up. Go to what they call their Legislative Education Centre and look for the part on the SWIMS Act. You'll see that it says the following:

> The . . . (SWIMS) Act would prohibit the breeding, importation, and exportation of orcas, beluga whales, false killer whales, and pilot whales. It would establish a dangerous precedent that would limit the ability of highly qualified staff in facilities like AZA-accredited aquariums and zoos to make decisions about the animals in their care.

Colleagues, the AZA is allowing themselves to be used as the standard for Canadian zoos and yet they oppose animal welfare legislation that already exists right here in our country.

It doesn't end there.

On September 22, 2022, the President and CEO of the AZA sent a letter to its members. In part, this is what it said:

> It is critically important that we are unified and speak with one voice against this legislation. This is not just about the beluga or killer whales. The identical arguments are currently being made about elephants, great apes, giraffes, big cats, and other species. We must act now to communicate to Congress that this legislation establishes a dangerous precedent by undermining the ability of highly qualified staff in AZA-accredited aquariums and zoos to make decisions about the animals in their care.

• (1640)

Colleagues, I don't want to get partisan here, but that sounds like a Liberal government.

Honourable senators, it is not the AZA position that I am taking exception to. I actually think they make very good points, if you read their whole letter. It is their hypocrisy that I take exception to. Apparently, if this legislation is being introduced in the U.S., then the AZA sees it as a dangerous precedent, but if it is being introduced in our country, it is fine. I don't think you can get more hypocritical than that. This is an organization that doesn't even support the current Canadian standards, and Senator Klyne wants to make them the benchmark for even higher standards, which they also don't agree with or comply with themselves.

Honourable colleagues, I want to reiterate that I am not opposed to stricter statutory and regulatory criteria for zoos, but I take great offence at giving a pass to a handful of Canadian zoos because they belong to an American organization which doesn't even support the current Canadian standards, never mind the standards that this bill is putting forward.

When I visited zoos which are CAZA-accredited but not AZA-accredited, I asked them, "Why have you not pursued the AZA accreditation?"

Trish Gerth, General Manager of African Lion Safari, said they actually considered accreditation through the AZA at one time. They had an AZA representative come up from the United States and do an initial review of their park, and the representative said he didn't think they would have any trouble qualifying. However, African Lion Safari decided not to go ahead with it because they saw the need for a strong Canadian organization that was exclusively focused on Canadian legislative and regulatory environment.

I heard similar sentiment from other CAZA-accredited zoos: "Why should we have an American organization telling Canada what its standards should be?" I agree with that sentiment.

Colleagues, in his second-reading speech on this bill, Senator Klyne mentioned African Lion Safari a number of times, and each time his statements contained misinformation about this wildlife reserve. His first statement, colleagues, was this:

> In addition, the Jane Goodall act bans the use of affected species in performances for entertainment as well as elephant rides unless licensed by a provincial government. This is relevant to sea lions and walruses at Marineland in Niagara Falls and to elephants at African Lion Safari near Hamilton.

He went on and said:

> . . . African Lion Safari's 16 elephants have been used for performance for entertainment purposes and for rides, resulting in an attack in 2019. CAZA banned elephant rides last year.

Let me give you some facts on that misinformation, colleagues. First, the insinuation that this legislation is somehow going to force African Lion Safari to cancel elephant rides is blatantly false. African Lion Safari, first of all, started phasing out elephant rides in their presentations and animal programs long before CAZA banned them. When CAZA made the decision to ban rides, it was with the support of African Lion Safari. Make no mistake about it: There are no elephant rides at African Lion Safari for this bill to cancel.

Second, Senator Klyne said that using elephants for entertainment purposes and for rides resulted in an attack in 2019. This, colleagues, is also false. Yes, there was an incident, but it had nothing to do with elephant performances and rides. A thorough investigation of the incident was completed by the Ontario Ministry of Labour, and African Lion Safari was never charged or found guilty of any kind of misconduct or animal abuse. The statements in Senator Klyne's speech about African Lion Safari were misleading.

Senator Klyne also said:

> . . . the Jane Goodall act would phase-out elephant captivity in Canada, similar to our country's whale and dolphin laws. The primary reason is that our climate is unsuitable, requiring these huge, far-ranging, intelligent and social creatures to spend winters indoors.

It is regrettable that Senator Klyne did not visit the wildlife reserve before he made this statement — a reserve that has the largest herd of elephants in the country — and before coming to his conclusions about the park and about how elephants fare in Canada.

African Lion Safari is recognized worldwide for its expertise in elephant welfare. Their elephant care professionals are regularly consulted by conservation organizations worldwide for their input on issues of elephant welfare, health care management and conservation.

In 1998, African Lion Safari founded the International Elephant Foundation, or IEF, along with several international partners, which is dedicated to the conservation of African and Asian elephants. In 2021, IEF supported 20 projects in 13 countries across 3 continents to invest in elephant welfare in places like Kenya, Uganda, Rwanda, Zambia, Namibia, Tanzania, Nepal, India and Indonesia.

African Lion Safari has been an active participant in the AZA's Elephant Taxon Advisory Group for over 30 years. They are an adviser to the Asian Elephant Support foundation, a program partner for the AZA Asian elephant SAFE program as well as a donor partner to the IUCN SSC Asian Elephant Specialist Group. In other words, they are experts. They strongly disagree with Senator Klyne's characterization of how elephants fare in human care in Canada.

Charlie Gray is the superintendent of elephants at African Lion Safari. He has worked hands-on with elephants since 1982 and has been the Elephant Manager at African Lion Safari since 1987. Charlie is a founding board member of the Elephant Managers Association and a founding and current board member of the International Elephant Foundation. He served on the American Association of Zoos and Aquariums' Taxon Advisory Group for the Asian elephant species survival program from 1988 to 2019. He is a world-renowned elephant expert.

Charlie told us that contrary to what Senator Klyne and other so-called experts would have you believe, the elephants in their care love the four seasons. This is partly because most of their herd of Asian elephants were born and raised in Canada and are very acclimatized to our winters. In fact, Charlie says their elephants actually prefer the cold to the heat, partly because there are no bugs. But they also love to run and play in the snow and break the ice on the lake and go swimming.

Colleagues, I think we sent every one of you a short video of these elephants playing. If you haven't seen it or you have deleted it, please let me know. I'd love to send it to you again. Elephants are breaking the ice, running around, swimming, in the cold. They have a heated enclosure in the winter where they can come and go at will, and they do not hesitate to venture outside and enjoy the winter.

African Lion Safari has done some fascinating research regarding the ability of Asian elephants to adapt to cold climates. They are leading research in infrared thermography and have found that the species has a previously unknown ability to send warm blood to their extremities in colder conditions, which helps to explain why they can enjoy the Canadian winters.

I also found it somewhat puzzling to learn that the AZA permits elephants in captivity in the U.S. but not in Canada. They claim that this is because of the climate, yet some of the locations of elephant herds in the southern part of Canada, such as African Lion Safari, experience much warmer temperatures than many of the U.S. locations that have elephants in their care.

• (1650)

Colleagues, the assertion that elephants cannot thrive in human care in Canada is simply wrong and misleading. It ignores the plethora of evidence and finds its roots in emotion and not reason.

Next, colleagues, I went and visited a zoo called Parc Safari. Parc Safari is in Hemmingford, Quebec. Parc Safari, like the African Lion Safari, transcends what we normally think of as a zoo. It would be better referred to as a wildlife preserve. Spread over 152 hectares, which is the equivalent of 375 acres or one and a half million square feet, the park has over 500 animals, consisting of 97 different species. It keeps and breeds endangered species with the co-operation of zoological institutions in Asia, Africa, Europe and the Americas. Unlike roadside zoos, all the animals at Parc Safari have access to large enclosures.

Parc Safari is not a rescue centre. They do not rescue and rehabilitate injured animals. That is not their specialty. Instead, they focus on the conservation of endangered species through reproduction and, when possible, reintroduction. In fact, Parc Safari has successfully reintroduced cheetahs to Africa that were born at the park.

As the owner of Parc Safari, Jean-Pierre Ranger, noted in a media interview:

> There are only 2000 to 3000 cheetahs left in the wild in Africa. If today, things are going a little better, it's because there are institutions like mine where we do reproduction, awareness and reintroduction.

When asked what he thinks of Bill S-241, Jean-Pierre did not mince words. He called it a Trojan Horse that is the first step towards the end of all zoological institutions. You may or may not agree with Mr. Ranger, but the truth of the matter is that he has captured the precise sentiments of the animal rights movement who are big advocates of this bill.

They are not even shy about it. One headline in a vegan publication reads, "A Proposed Federal Bill in Canada Could Be the First Step to Phasing Out the Zoo Industry." The article says:

> The bill was introduced in 2020 by former senator Murray Sinclair, and it is now back in the Senate after being side-lined by the federal election in September 2021. It has many significant new policies that could be the first step to phasing out the zoo industry in the country.

Victoria Shroff, a well-known animal-rights lawyer in B.C., wrote the following in *Canadian Lawyer* magazine:

> In 2019 I asked a question in these pages: Is it time for animal rights in Canada? The answer has been delivered in the form of a ground-breaking animal law bill put forward in November by Senator Murray Sinclair.

She has also written that:

> Bill S-218 fits with my opinion that animals need access to justice. If passed, the bill will have wide-ranging applicability for animal welfare throughout Canada as it proposes the strongest animal-protection laws ever seen in this country.
>
> Speaking of access to justice, it would not be surprising if I, along with some of my former university animal-law students—now clinicians at our newly launched Animal Law Pro Bono Clinic run by the Law Students Legal Advice Program—ended up seeing novel types of animal-law cases if this bill becomes law.

You're going to be sued by your dog, colleagues.

In other words, if this bill passes, you can expect that both exempt and non-exempt zoos will be litigated to death by the animal rights movement.

This, colleagues, is not a conspiracy theory. They are transparent about their plan. They plan to use the legal system to push their agenda further.

Victoria Shroff admitted in a *Vancouver Sun* article entitled "Are you ready to be sued by your pet?" that the animal rights movement is taking an incremental approach to advancing their agenda. She acknowledged that not everyone in the animal rights industry supports giving certain animals more rights than others because:

> They think it creates a kind of exceptionalism or speciesism where animals that are more recognizable and valued will be at the top of the chain and the ones less valued, like rats and chickens, will still be human fodder. … Elephants and dolphins, ones that have language, where do you draw the line? I think we nudge open the courtroom doors to let whoever we can pass first and the rest will follow.

Whether you believe this bill will open the door to advance the extreme animal rights agenda or not, you need to realize that the animal rights groups believe that it will. They are almost giddy in their enthusiasm about the opportunities this bill will yield for them if it passes.

Colleagues, animal welfare is supported by all, but animal rights is quite another issue. It stops at nothing until all animals share the same rights as people, and this, colleagues, is the direction that Bill S-241 is pointing us.

Senator Klyne has acknowledged over and over that this legislation ". . . establishes limited legal standing for affected species . . . ." This is unprecedented in Canadian law and is being done by inventing something called an animal advocate. Even though the animal advocate's role will only come into play during sentencing, it is clearly the thin edge of the wedge, and animal rights groups are deliriously excited about it.

Animal Justice puts it this way:

> Aside from sweeping protections for many species of wild animals, Animal Justice is thrilled to see provisions that grant limited legal standing to animals when they're being illegally held in captivity. One of the biggest challenges animals face is having their interests considered in the courtroom. . . .

Listen to this, colleagues:

> But under the proposed new law, animal advocates can more easily give animals a much-needed voice in court, and fight to protect them from cruelty. Under the proposed law, in a prosecution for illegally keeping or breeding an animal in captivity, a judge could hear legal arguments from a designated animal advocacy group or an individual. This individual or organization could ask a judge to take action to protect the best interests of an animal, including sending the animal to a sanctuary, and improving their conditions.

Make no mistake about it, colleagues. Giving limited legal standing to animals will set us on a slippery slope that will eventually impact not only zoos but also agriculture. Multiple farm organizations have met with me to express their concern about this part of the bill because their legal counsel has warned them that it opens the door to extend the same legal status to non-domesticated animals.

The simple fact, colleagues, is that the animal rights movement is not just coming after zoos, it is also coming after farms. Martin Rowe from the Culture & Animals Foundation put it this way:

> It seems to me that we have an opportunity in the animal protection movement to talk about the end of factory farming and the end of the industrialized use of animals, the crop that goes to feed them, to restore watersheds, and to open up huge areas of the land for rewilding.

Jane Goodall herself, whose name is on the title of this bill, says:

> It seems clear then that factory farms should be phased out and if animals are farmed, they should be allowed to be out in the fields when the weather permits.

Ms. Goodall went on to call for the phasing out of the intensive farming of crops, monocultures and agricultural chemicals. She believes we need to return to ". . . small-scale family farming . . . ."

Colleagues, Canada is currently the fifth-largest exporter of agricultural and agri-food products in the world, exporting $82.2 billion a year. We are blessed with favourable conditions for food production that far exceeds the needs of our population, which gives us the opportunity and responsibility to feed the world. Following Jane Goodall's advice would put an end to that.

• (1700)

Make no mistake about it: This bill strengthens the ongoing assault on Canadian agriculture. The agenda of animal rights activists is not just to end the use of animals in zoos, but also to eventually see this spread to agriculture as well. I recognize that this bill does not directly advocate for that, but by crossing the line to give animals legal standing in court, it strengthens that movement and undeniably pushes us in that direction.

Out of the 10 zoos that I visited and spoke to, every single one of them expressed concerns about this part of the bill — even those zoos that are exempt from the bill because of their AZA accreditation. Jean-Pierre Ranger was correct; this bill is a Trojan Horse. As I said earlier, it is a clumsy effort at a noble cause which will have more negative impacts than positive ones.

After Parc Safari, I visited the Zoo de Granby, Montreal's Ecomuseum Zoo and Parc Omega. All of these are in Quebec, and all of them are doing great work in conservation and education. Yet, only one of them gets a "get out of jail free" card: the Zoo de Granby. The rest will have to run the gauntlet set up by this bill to see if they will be designated as an "eligible animal care organization."

Ironically, out of the three zoos, the only one that has any elephants, great apes or big cats is the Zoo de Granby — and they get the "get out of jail free" card. That is the only Quebec zoo which received an automatic exemption in this bill. Neither the Ecomuseum Zoo nor Parc Omega have these animals, and yet it is the Zoo de Granby which received the pass. The Ecomuseum Zoo is 30 minutes from downtown Montreal. It is the one and only zoo on the Island of Montreal, and, as Executive Director David Rodrigue explained to me, this zoo only has Quebec wildlife. They have no lions, no tigers, no cheetahs, no elephants and no gorillas. But they do have lynx, wolves and bears. For some reason, all of these animals are covered by the bill, even though they are native to Quebec and require neither international nor interprovincial importation.

That brings us to the question of jurisdiction. Bill S-241 attempts to legislate in two areas of federal responsibility: the exercise of federal power over international and interprovincial trade, and the exercise of federal power over criminal animal cruelty and criminal public safety matters. But it is difficult to see what this has to do with domestic species native to Quebec.

Parc Omega raised the same concerns with me about jurisdiction. Parc Omega is a safari-type zoo with large natural spaces spread out over 2,000 acres which are home to over 20 species of animals living in their natural environment. Throughout most of the park, visitors drive through the enclosures and view the animals from the safety of their vehicles. The park places a strong emphasis on reconnecting people to nature, to our history and to the customs and beliefs of the Indigenous peoples of Quebec.

One of the park's main attractions is their wolf packs. They have five wolf packs — consisting of 5 to 13 wolves per pack, totalling to around 60 wolves. These are all of the Canis lupus species, which are protected under Bill S-241. The park has a program called "Sleep with the wolves" where you can rent a cabin, chalet or lodge for the night. We didn't spend the night, but we spent an hour in one of these accommodations with panoramic windows. The accommodations allow you to observe a pack of wolves in their natural habitat from every angle — thanks to the lodge's panoramic views. The wolves walk right up to the room. It feels like you could pet them on the other side of the glass. The program is so popular that there is currently a one-year waiting list to book the accommodations.

When Alain Massie, the park's general manager, and Serge Lussier, the technical director and spokesperson, were showing me the facilities, there were no wolves to be seen. But then Serge opened a door and called to the wolves, and they began appearing like shadows in the forest at first — until they came into clear view, right up to the windows of the cabin. It was breathtaking. I can see why people want to get up close to these majestic animals.

However, the wolf falls under provincial jurisdiction. As noted by Environment and Climate Change Canada, "Provincial and territorial governments are responsible for the management of terrestrial wildlife."

Environment and Climate Change Canada also states:

> . . . the wolf is legally protected through various provincial and territorial wildlife acts. Under these acts, certain uses of Canadian wildlife are allowed under specific regulations and only with the provision of licenses or permits.

These licences or permits include the hunting and harvesting of wolves. Environment and Climate Change Canada explains:

> The grey wolf is classified as both a furbearer and game animal in most jurisdictions. Aboriginal peoples have the right under the Canadian constitution to harvest wildlife for traditional use.

In other words, while Bill S-241 wants to make it a criminal offence to hold these animals in captivity, it will still be completely legal to hunt them or harvest them when they are not in captivity. The second they set foot off of Parc Omega's yard, they can be hunted. The disconnect is somewhat mind-boggling. It makes one wonder how exactly these 800 species — there are 800 species, colleagues — came to be listed in Bill S-241.

I'm not sure who created the list. The government did not create the list. I'm not sure whether Senator Klyne created this list on his own. Senator Sinclair's bill didn't have that list, but now 800 species are on the list of Bill S-241.

Bill S-218 only listed elephants and great apes. Any additional species were added by cabinet:

> . . . after consulting with professionals in animal science, veterinary medicine or animal care and with representatives of groups whose objects include the promotion of animal welfare, on the capability of a species to live in captivity and whether the conditions of captivity adequately accommodate the biological and ecological needs for individual animals of that species to live a good life . . . .

That was included in Bill S-218, but then Bill S-241 shows up with a list of 800 species already attached.

Colleagues, how did these species get added to the list? How are we supposed to approve a bill with 800 species written right into it when we have not had the opportunity to carry out the consultations that cabinet will be required to conduct? Are we supposed to trust that these consultations have been done by Senator Klyne — shall we take his word for it that they should all be on the list? Will we examine each of these species at committee, or will we just pass legislation that we haven't properly vetted?

I'll be honest; tacking a list of 800 species onto a bill that originally contained only 2 species seems more than a bit presumptuous to me. If we were to pass this bill, it would be a repudiation of our role as legislators who are supposed to provide sober second thought unless we first verify that each species on the list meets the criteria outlined in the bill.

The inclusion of the grey wolf in this bill is a perfect example of the dangers of not doing our job. The grey wolf is neither endangered nor threatened. The *Wild Species: The General Status of Species in Canada* report classifies the grey wolf as "secure." Jurisdictions report stable or increasing populations, and no acute widespread threats to the species have been identified. Yet, for some reason unknown to us at this time, Senator Klyne has included this species in the bill. Was there pressure from an animal rights group to do so? Did Animal Justice insist that the grey wolf be included in order for Senator Klyne to gain their endorsement of the bill? We have no idea because this chamber has been provided with no background information, no scientific studies, no veterinary reports and no readouts from consultations. It's opaque, and that is not acceptable.

Colleagues, believe it or not, the first draft of this speech was much longer — it really was — because there is much more that can be said and, indeed, needs to be said. While I am sorry that I have not been able to visit more zoos, by this time you are probably thankful I only made it to 10.

• (1710)

Let me wrap up. This bill claims to help animals, but it will do the opposite. While the bill's sponsor regularly tells us that it is "urgent" to pass this bill — we've heard it here: "Plett is stalling the bill; it is urgent that we pass this bill" — on the day the bill passes into law, not a single roadside zoo will close because of it, not one. Every single animal currently in a substandard roadside zoo is grandfathered in and will have to live out its life in those conditions.

I would note that the average life span of a tiger in captivity is 22 years. Lions live for about 25 years, and elephants live for 60 to 70 years. This bill will leave animals suffering in roadside zoos untouched, while immediately threatening the future of great conservation efforts like African Lion Safari, Parc Omega and more.

How often have we heard that elephants are social animals and that animals need friends, companions and lovers? These animals will slowly die until there will be one animal all by himself or herself, with no companion.

Worse yet, on top of doing nothing to help animals that are truly suffering, this legislation will add to their suffering by requiring them to be neutered or somehow kept from breeding, thus imposing even more hardship on them and depriving them of even more of their dignity.

Furthermore, while doing nothing to help animals in roadside zoos, the bill will undoubtedly impact the great conservation work being done by 18 CAZA-accredited zoos, which were not consulted in the creation of this bill and were refused an exemption. Instead of helping conservation efforts, this legislation will create a chill for those great institutions, which will now have to be concerned about their long-term viability and their ability to carry on their vital conservation work.

Colleagues, Jane Goodall herself has endorsed zoos as important institutions for conservation. She said:

> . . . there is a mistaken belief that animals in their natural habitat are, by definition, better off. Sadly, this is not necessarily true. Wild animals face unprecedented pressures today, such as habitat loss, habitat fragmentation and climate change.

Conservation is critical for future generations to be able to enjoy the wildlife that we take for granted today. This bill threatens that work by refusing to recognize the value of Canadian accreditation and by imposing American standards on Canadian zoos, even though in many cases those American standards are lower than our own.

Colleagues, something needs to be done, but Bill S-241 is not the way forward. As I said, it carries the precision of an elephant in a china shop or a tiger in a chicken coop. It will not get the job done, but it will make a very large mess in the process.

We need to defeat this bill. I encourage the government to come up with legislation that is balanced, effective and responsive to our own Canadian-accredited zoos.

For the sake of animal welfare in our nation and for the sake of the incredible conservation work currently being carried out, I would like to urge you to vote against this bill at second reading.

Reluctantly, I will not ask for a recorded vote. I will allow this bill to be passed at second reading on division, so that the three committees listed earlier today can begin their work and try to bring us a bill that makes sense for our country. Thank you, colleagues.

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

**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?

**Some Hon. Senators:** Agreed.

**An Hon. Senator:** On division.

(Motion agreed to and bill read second time, on division.)

(Pursuant to the order adopted earlier this day, the bill was deemed referred to the Standing Senate Committee on Legal and Constitutional Affairs, and both the Standing Senate Committee on Agriculture and Forestry and the Standing Senate Committee on Energy, the Environment and Natural Resources were authorized to examine and report on the subject matter of the bill.)

## ENACTING CLIMATE COMMITMENTS BILL

BILL TO AMEND—SECOND READING

On the Order:

> Resuming debate on the motion of the Honourable Senator Galvez, seconded by the Honourable Senator Gignac, for the second reading of Bill S-243, An Act to enact the Climate-Aligned Finance Act and to make related amendments to other Acts.

**Hon. Michael L. MacDonald:** Honourable senators, I rise today to speak as the critic for Bill S-243, An Act to enact the Climate-Aligned Finance Act and to make related amendments to other Acts.

Bill S-243 is an ambitious piece of legislation for a Senate public bill. I will not spend a lot of time summarizing Bill S-243 because its author and sponsor, Senator Galvez, has already done that, and there are substantive materials on her website that provide a brief overview of the bill.

For the record, however, and to refresh your memory, I do need to mention a few things.

First, Bill S-243 sets out to achieve two broad objectives. One objective is to align the activities of federal financial institutions and other federally regulated entities with the superseding economic and public-interest matter of achieving climate commitments. Second, the bill aims to make timely and meaningful progress towards safeguarding the stability of both the financial and climate systems.

In other words, this bill attempts to protect our financial institutions from risks posed by climate change and to protect our climate from risks posed by our financial institutions.

I would note that these are not imaginary risks. The March 2023 *Climate Risk Management* report by the Office of the Superintendent of Financial Institutions breaks this down into two categories: physical risks and transition risks.

Physical risks can be understood as the risks posed by severe climate-related events such as floods, storms and wildfires. These events can cause physical damage to infrastructure and properties, including those owned by financial institutions. The costs of repairing or replacing damaged assets can be substantial and could impact the financial stability of these institutions.

Transition risks arise from the process of transitioning to a low-carbon economy. As governments and regulators implement policies and regulations to mitigate climate change, industries that rely heavily on carbon-intensive activities, such as fossil fuels, may face significant challenges. This can lead to stranded assets, devalued investments and increased credit risks for financial institutions that have exposure to these industries.

In addition to physical risks and transition risks, we could add liability, reputational and market risks.

Liability risks are those faced by financial institutions due to climate change-related events. For example, if a company's operations contribute to greenhouse gas, or GHG, emissions or environmental degradation, they may face lawsuits or regulatory penalties. Financial institutions that have invested in or provided financing to such companies could be held liable for their actions.

Reputational risks are largely public relations concerns but should not be misunderstood as insignificant. One only needs to recall the rapid slide into insolvency that was experienced by a number of U.S. banks after the public lost confidence in the viability of their balance sheets. Although climate-related reputational risk is not likely to manifest itself on this scale, it underscores the reality that public confidence in our banking institutions must be maintained. Customers, investors and other stakeholders are increasingly demanding that financial institutions align their activities with sustainable practices, and failure to do so could lead to reputational damage and potential loss of business.

Market risks are changes in consumer preferences and regulations which, in turn, lead to shifts in market demand for certain products and services. Financial institutions that are not prepared to adapt to these changes could experience decreased demand for their offerings or lose out on investment opportunities in emerging sustainable sectors.

However, these are just the risks that our financial institutions face from climate change. There are also risks that the climate faces from our financial institutions, which are also very real.

For example, as noted by Senator Galvez and other speakers, financial institutions play a crucial role in providing funding and capital to industries that contribute to GHG emissions, such as the continuation and expansion of fossil fuel projects, new oil and gas exploration and high-emission transportation. If left unchecked, these investments could prolong the reliance on carbon-intensive energy sources, further exacerbating climate change.

• (1720)

Inversely, if our financial institutions demonstrate a lack of support for the low-carbon transition, this will result in a diversion of capital away from low-carbon or renewable energy projects. Insufficient investment in clean technologies and sustainable infrastructure would hinder the transition to a low-carbon economy, slowing down efforts to mitigate climate change.

Colleagues, there are more risks we could talk about, but suffice it to say that the risks are real. If our federally regulated financial institutions choose to ignore them, they do so at their peril and at ours.

It is these risks which Bill S-243 attempts to address by implementing the following seven measures.

First, the legislation establishes a duty for directors, officers and administrators to align their entities with climate commitments set out in the bill. The idea is that financial institutions should be working towards the achievement of these commitments, not against them.

Second, the Climate-Aligned Finance Act, or CAFA, establishes a requirement for various federal adjacent organizations such as the Bank of Canada, the Office of the Superintendent of Financial Institutions, or OSFI, Export Development Canada and others to align with climate commitments.

Third, federally regulated organizations must develop action plans, targets and progress reports on meeting climate commitments.

Fourth, certain boards of directors will have to have a director with climate expertise and they will need to avoid conflicts of interest.

Fifth, the bill would establish capital adequacy requirements to ensure financial institutions can withstand potential climate change shocks or vulnerabilities.

Sixth, the bill requires that the government develop an action plan to align financial products with climate commitments. This is one of those measures that cannot be addressed in a Senate public bill, so Senator Galvez has done what we see other senators do, which is essentially calling for the government to create a framework to see it happen. This skirts the problem of introducing a Senate bill which imposes spending obligations on the government.

Finally, Bill S-243 mandates timely public review processes on implementation progress to ensure we are learning as we go and can build on our successes.

By now you should understand why I said at the beginning that this was an ambitious piece of legislation for a Senate public bill.

The problem, senators, is that, in my view, it is too ambitious. I do not quarrel with the objectives of ensuring that our financial institutions are protected from risks posed by climate change and that our climate is protected from risks posed by our financial institutions. But I do believe this is the wrong way to proceed to do that.

There are numerous reasons why I believe this, but allow me to briefly share two of them with you.

Number one: The Office of the Superintendent of Financial Institutions and the Bank of Canada are already working on this.

On January 14, 2022, the Bank of Canada and OSFI released a completed climate scenario analysis pilot in collaboration with six Canadian federally regulated financial institutions. This analysis was the culmination of a pilot project which had launched in November 2020 in order to: (i) build the capabilities of authorities and participating financial institutions to perform climate transition scenario analysis; (ii) support the Canadian financial sector in improving its assessment and disclosure of climate-related risks; and (iii) contribute to the understanding of the potential exposure of the financial sector to climate transition risk.

Later, in January 2021, OSFI released a discussion paper entitled, "Navigating Uncertainty in Climate Change: Promoting Preparedness and Resilience to Climate-Related Risks." The purpose of this discussion paper was to engage federally regulated financial institutions and federally regulated pension plans in a dialogue on the risks resulting from climate change that could affect the safety and soundness of these institutions. The objective was to begin to define, identify, measure and build resilience to climate-related risks.

Following the release of the January 2022 climate scenario analysis, OSFI then launched a public consultation on draft guidelines for climate risk management in May of 2022. Those consultations led to the release of the finalized Guideline on Climate Risk Management in March of this year.

This guideline sets out OSFI's expectations for the management of climate-related risks by federally regulated financial institutions and followed one of the most extensive consultations in OSFI's history where over 4,300 submissions from a wide range of respondents were received.

The guideline implements three expected outcomes for federally regulated financial institutions to achieve: they must understand and mitigate against potential impacts of climate-related risks to its business model and strategy; they must have appropriate governance and risk management practices to manage identified climate-related risks; and they must remain financially resilient through severe, yet plausible, climate risk scenarios, and operationally resilient through disruption due to climate-related disasters.

The burden to achieve these goals is placed on the financial institutions, and will be assessed through minimum mandatory disclosure requirements with specific deadlines.

The impact of this guideline effectively addresses the second objective of this bill, which was to make timely and meaningful progress towards protecting our financial institutions from risks posed by climate change. Although Senator Galvez's response to the guideline was to point out a number of deficiencies, I note that OSFI itself sees this as one step in the right direction and intends to review and amend the guideline as practices and standards evolve.

Furthermore, on the question of climate scenario analysis and stress testing, along with capital and liquidity adequacy, OSFI has noted it is likely to develop their guidance on these issues further in a future iteration of the guideline.

I do understand, however, that while this work by OSFI addresses the risks that climate change poses to our financial institutions, it does not address the need to protect our climate from risks posed by our financial institutions.

That brings me to my second point that this, too, is already being addressed.

In April 2021, 43 founding members established the Net-Zero Banking Alliance, which has since grown to represent over 40% of global banking assets totalling more than $74 trillion U.S. dollars. The number of Canadian institutions which have joined this alliance has grown to eight and includes Vancity, Coast Capital, Bank of Montreal, Bank of Nova Scotia, Canadian Imperial Bank of Commerce, National Bank of Canada, Royal Bank of Canada and the Toronto-Dominion Bank.

The alliance was convened by the United Nations Environment Programme Finance Initiative and represents a group of banks committed to aligning their lending and investment portfolios with net-zero emissions by 2050.

In order to join, each bank's chief executive officer must sign a commitment statement that describes the target setting and reporting process said to be the primary catalyst for achieving the net-zero transition. All signatories must commit to transitioning the operational and attributable greenhouse gas emissions from their lending and investment portfolios to align with pathways to net zero by 2050 or sooner; to, within 18 months of joining, setting 2030 targets — or sooner — and a 2050 target, with intermediary targets to be set every five years from 2030 onwards; to focusing the banks' first 2030 targets on priority sectors where the bank can have the most significant impact, with further sector targets to be set within 36 months; to publishing absolute emissions and emissions intensity annually in line with

best practice, and within a year of setting targets disclose progress against a board-level, reviewed transition strategy setting out proposed actions and climate-related sectoral policies; and to taking a robust approach to the role of offsets in transition plans.

Colleagues, considering that the alliance represents over 40% of global banking assets, this is not to be dismissed lightly. It is a tremendous commitment that, frankly, is not likely to be achieved as quickly or as efficiently through the heavy-handed legislative process modelled by Bill S-243.

As noted in the January 2023 edition of *The Sustainable Finance Law Review*:

> In Canada, sustainable finance has developed within the voluntary frameworks and best practices developed through the International Capital Market Association's (ICMA) Green Bond Principles, Sustainability-Linked Bond Principles, Social Bond Principles and the Climate Transition Finance Handbook. There is broad market acceptance of the various sustainable finance instruments contemplated within these frameworks.

• (1730)

It continues:

> Growing market understanding of the importance of environmental, social and governance . . . considerations to stakeholders has led more companies to adopt voluntary sustainability disclosure frameworks such as the Task Force On Climate-Related Disclosures . . . but also others, as part of their regular disclosure, which, in turn, has facilitated the utilisation of sustainable financing instruments. More and more companies are adopting net-zero emissions targets in line with Canada's national commitments, including Canada's largest banks.

Colleagues, I propose to you that what Bill S-243 wants to do is already taking place through both regulatory and voluntary means.

I would further suggest that if legislation of this magnitude were ever needed, it is imperative that it be a government bill, not a Senate public bill. This legislation would not only implement the climate-aligned finance act, but it would also amend the Bank of Canada Act, the Financial Administration Act, the Office of the Superintendent of Financial Institutions Act, the Public Sector Pension Investment Board Act, the Business Development Bank of Canada Act, the Canada Infrastructure Bank Act, the Canadian Net-Zero Emissions Accountability Act and the Canada Pension Plan Investment Board Act.

In my view, this is a significant overreach for a Senate public bill. To attempt to impose sweeping changes on our federally regulated financial institutions through private members' business is far from an appropriate use of Senate public bills.

However, to quote Senator Harder from his article *Complementarity: The Constitutional Role of the Senate of Canada*, this does not mean the bill has no purpose, for I believe it is to be primarily an exercise of exerting:

> . . . influence in the policy process through a wide range of "soft power" tools (such as public policy studies and Senate public bills).

Senator Harder went on to note:

> . . . the Senate works wonders when it uses its power not to coerce but to persuade, whether through a first round of amendments to legislation received from the House of Commons, leveraging the visibility of Parliament to alert public opinion, initiating Senate Public bills, or through the publication of prescient committee reports addressing public policy.

The exercise of soft power through initiating Senate public bills is an appropriate role for this legislation, so in my view Bill S-243 has served its purpose.

In Senator Galvez's speech on this bill, she noted that financial institutions must help finance the transition to sustainable emissions targets and that the vulnerability of the financial sector to climate change catastrophes must be addressed. As I have outlined, this process is already well under way and that continuing further with Bill S-243 would potentially delay and perhaps even hurt rather than help the ongoing process.

In light of the already-established initiatives I have outlined, and in spite of this bill's good intentions, I don't believe we should support it at second reading, and I don't recommend that we send it to committee for further study. The concerns raised in this bill, albeit legitimate, appear to be already addressed and well in hand. Thank you, honourable senators.

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

**Some Hon. Senators:** Agreed.

**An Hon. Senator:** On division.

(Motion agreed to and bill read second time, on division.)

REFERRED TO COMMITTEE

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

(On motion of Senator Galvez, bill referred to the Standing Senate Committee on Banking, Commerce and the Economy.)

## CRIMINAL CODE

BILL TO AMEND—SECOND READING

On the Order:

> Resuming debate on the motion of the Honourable Senator Wallin, seconded by the Honourable Senator Tannas, for the second reading of Bill S-248, An Act to amend the Criminal Code (medical assistance in dying).

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

**Some Hon. Senators:** Agreed.

**An Hon. Senator:** On division.

(Motion agreed to and bill read second time, on division.)

REFERRED TO COMMITTEE

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

(On motion of Senator Wallin, bill referred to the Standing Senate Committee on Legal and Constitutional Affairs.)

## CRIMINAL CODE

SECOND READING—DEBATE CONTINUED

On the Order:

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

**Hon. Yonah Martin (Deputy Leader of the Opposition):** Honourable senators, I rise to speak to Bill S-251, An Act to repeal section 43 of the Criminal Code (Truth and Reconciliation Commission of Canada's call to action number 6).

I want to begin my speech by recalling the words of Senator Kutcher when he spoke to this bill last October. He said, "I think every member of this chamber wishes that all violence against children would stop."

I couldn't agree more. But of course, wishing it and achieving it are two different things. In the specific case of parents, I can't imagine any sane or responsible parent who would wish to inflict physical violence on their child. Legislation or no legislation, it almost goes against nature. My sense is that those who have done so, maybe in a fit of pique or exhaustion, did not do so at least without feeling some huge measure of remorse. And as for those who don't, I don't think the repeal of section 43 is going to stop them.

I understand the appeal of this legislation, honourable senators, but I think for the most part, when it comes to parents, few need a bill or a section of the Criminal Code to stop them from beating or even laying a hand on their child. We have come a long way from the very long-ago days when it was common to hear the phrase "spare the rod, spoil the child."

All children in Canada are protected from all forms of violence through the Criminal Code, which contains general criminal offences to protect all persons from violence, and several offences that specifically protect children — for example, the failure to provide the necessaries of life, child abandonment and several child-specific sexual offences.

In addition to protections under the Criminal Code, every province and territory has laws to protect children from family violence and abuse. These laws allow the state to act where a child is in need of protection from physical, emotional and psychological harm or neglect. Many provinces and territories also have laws and policies that prohibit the use of physical punishment of children in foster homes, child care settings such as daycares, as well as in schools.

In B.C., section 38 of the Teachers Act states that a teacher is prohibited from engaging in:

> (a) physical harm to a student;
>
> (b) sexual abuse or sexual exploitation of a student;
>
> (c) significant emotional harm to a student.

This bill, and section 43, which it seeks to repeal, goes beyond simply parents to include teachers or anyone else standing in the place of a parent. Specifically, section 43 of the Criminal Code states:

> Every schoolteacher, parent or person standing in the place of a parent is justified in using force by way of correction toward a pupil or child, as the case may be, who is under his care, if the force does not exceed what is reasonable under the circumstances.

This bill, as Senator Kutcher and others have noted, is the latest rendition in a succession of bills attempting to address the issue of corporal punishment. Senator Kutcher mentioned that former Senator Hervieux-Payette introduced the bill eight times before former Senator Sinclair took over the responsibility. I believe that Senator Kutcher mentioned other efforts going back to 1989.

I think the length of time that has elapsed between when the effort first began to the current bill we are dealing with today is a significant indication that this is not necessarily a straightforward issue. It is worth noting that as recently as 2004, the Supreme Court of Canada, in the case of Canadian Foundation for Children, Youth and the Law v. Canada (Attorney General), upheld section 43, saying the provision does not violate the Canadian Charter of Rights and Freedoms. As six of nine justices concluded, it does not, infringe a child's rights to security of the person or their right to equality. Nor does it constitute cruel and unusual treatment or punishment.

• (1740)

In its conclusion, the court provided the following guidelines:

One, parents or caregivers can only use corrective force or physical punishment that is minor or "transitory and trifling" in nature. For example, spanking or slapping the child hard enough that it leaves a mark or a bruise would not be considered transitory and trifling and would not be reasonable.

Two, teachers cannot use force for physical punishment under any circumstances. Teachers may be permitted to use reasonable force toward a child in appropriate circumstances, such as to remove a child from a classroom.

Three, physical punishment cannot be used on children younger than 2 years old or older than 12 years old.

Four, physical punishment cannot be used on a child in anger or in retaliation for something a child did.

Five, objects, such as belts or rulers, must never be used on a child, and a child must never be hit or slapped on the face or head.

Six, any use of force on a child cannot be degrading, inhumane or result in harm or the prospect of harm.

Seven, physical punishment cannot be used on a child who is incapable of learning from the situation because of a disability or some other factor.

Eight, the seriousness of the child's misbehaviour is not relevant to deciding whether the force used was reasonable. The force used must be minor, no matter what the child did.

The court ruled — the majority of the court, I should say — that the use of force must be sober and reasoned, address actual behaviour and be intended to restrain, control or express symbolic disapproval. It also must not be intended to harm or degrade the child.

I don't think anything is served by couching this decision in inflammatory language, language such as, "While it is no longer legal to assault wives or employees — as the 1892 law allowed — it is still permissible in our Criminal Code to assault children."

Let me be clear: Parents who go beyond the bounds outlined by the Supreme Court of Canada, those who abuse their children, deserve to be punished.

Raising children is a challenging endeavour filled with trial and error. Parents want what is best for their children. They want them to behave and be productive members of society, to understand the rules and nuances of getting along with others. Parenting is simply the act and attitude of unconditional love. Under those conditions, using corrective force that is minor in nature is a tool some parents will employ. I would suggest that all parents at one time or another consider spanking their children. Most don't, but punishing those parents who do and sending them to jail for this will do irreparably more harm to the family.

As I mentioned earlier, section 43 also goes beyond parents to teachers as well, and the court ruled on that also. While it ruled out corporal punishment as permissible in schools, it said teachers may use force to remove children from classrooms or to secure compliance with instructions.

Honourable senators, the unfortunate fact of our society today is that you are more likely to see students assaulting teachers than the other way around. Don't get me wrong; neither is something that you want to see or something that should be allowed in schools, but the problem of violence in schools today is a general one, and in many ways, in certain influential and vocal segments of our society, the response to it is the complete reverse of what you might expect.

Police, for instance — the usual ones you would call in response to a violent attack — are now considered to be the perpetrators of violence, sometimes by their mere presence. I'm thinking of an incident recently in an Ottawa school where a child, on Bring Your Parent to School Day, was not allowed to bring his father wearing a police uniform. Police, in general, are often not welcome in the schools nor by school boards.

Honourable senators, as I said, we are dealing with a very complex issue. It is reflective of that, that the court was split in 2004. Justice Ian Binnie argued in his dissenting opinion that the section 43 defence should not be available to teachers. Justice Louise Arbour, in her opinion, argued that section 43 was "unconstitutionally vague," a violation of children's security and "not in accordance with the . . . principle of fundamental justice."

Justice Marie Deschamps argued that section 43 violates section 15 of the Charter because it:

> . . . encourages a view of children as less worthy of protection and respect for their bodily integrity based on outdated notions of their inferior personhood.

It was her view that a law that permits more than only very minor applications of force unjustifiably impairs the rights of children.

Honourable senators, while the majority ruled on the court, as it is intended in our democracy, it would be an oversight in our debates here not to recognize that there were very different and strongly argued opinions as well.

We have that here in the Senate, which we saw in the exchange between Senator Kutcher and Senator Plett. As you will have guessed from my earlier remarks, while I respect the views of Senator Kutcher and all those who have spoken to this bill since — mostly in favour — I have concerns about the bill for reasons I have articulated.

Nonetheless, I support this bill being referred to committee for further study and further debate.

Thank you.

(On motion of Senator Plett, debate adjourned.)

## INCOME TAX ACT

BILL TO AMEND—SECOND READING

On the Order:

> Resuming debate on the motion of the Honourable Senator Martin, seconded by the Honourable Senator Marshall, for the second reading of Bill C-241, An Act to amend the Income Tax Act (deduction of travel expenses for tradespersons).

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

**Hon. Senators:** Agreed.

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

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

(On motion of Senator Martin, bill referred to the Standing Senate Committee on National Finance.)

## ROMAN CATHOLIC EPISCOPAL CORPORATION OF OTTAWA
## ROMAN CATHOLIC EPISCOPAL CORPORATION FOR THE DIOCESE OF ALEXANDRIA-CORNWALL

PRIVATE BILL TO REPLACE AN ACT OF INCORPORATION—SECOND READING—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Clement, seconded by the Honourable Senator Duncan, for the second reading of Bill S-1001, An Act to amalgamate The Roman Catholic Episcopal Corporation of Ottawa and The Roman Catholic Episcopal Corporation for the Diocese of Alexandria-Cornwall, in Ontario, Canada.

**Hon. Tony Dean:** Honourable colleagues, I rise today to lend my support to Bill S-1001, An Act to amalgamate The Roman Catholic Episcopal Corporation of Ottawa and The Roman Catholic Episcopal Corporation for the Diocese of Alexandria-Cornwall, in Ontario, Canada.

This Senate private member's bill was introduced in the Senate by our colleague Senator Clement on April 19 of this year. This was preceded by the necessary first step of the tabling of a petition in the Senate, which was undertaken by Senator Clement on April 18 of this year.

As Senator Clement has pointed out, private bills were historically used to grant divorces, but they can also amend existing acts of incorporation, which is the case here. Senator Clement launched second reading on May 3, 2023, so we've had over a month now to examine this and think about it.

Colleagues, this culminating proposal follows years of discussion between the Archdiocese of Ottawa and the Diocese of Cornwall, which recognized shifting and declining enrolment and the benefits of the administrative and financial efficiencies which would accrue from amalgamation. This is, of course, not unlike the process of municipal amalgamations, with which we are, perhaps, more familiar.

• (1750)

Prior to this, in 2020, Pope Francis announced via papal bull the canonical amalgamation of the Diocese of Alexandria-Cornwall and the Archdiocese of Ottawa, thereby creating the Archdiocese of Ottawa-Cornwall.

Colleagues, I know many of you will be wondering about the concept of a papal bull, so I'm going to grab this one by the horns and explain that a papal bull is a type of public decree, letters patent or charter issued by a pope of the Catholic Church. It is named after the leaden seal, the *bulla*, that was traditionally appended to the end in order to authenticate a document. Papal bulls have been in use at least since the sixth century.

Turning back to the present, colleagues, at this stage a private bill introduced in the Senate is necessary to complete the civil amalgamation. Our colleague Senator Clement has taken this on.

This bill will give legal effect to the merger of the Roman Catholic Episcopal Corporation of Ottawa and the Roman Catholic Episcopal Corporation for the Diocese of Alexandria-Cornwall. The property, liabilities and any claims of the amalgamating diocese will be the responsibility of the newly amalgamated corporation.

Here are two brief examples out of several: The property of each of the amalgamating corporations becomes the property of the corporation; the corporation becomes liable for the obligations of each of the amalgamating corporations; and any cause of action or claim against or liability of either of the amalgamating corporations that exists immediately prior to the coming into force of this act becomes a cause of action or claim against or liability of the corporation; and so on.

I know you will all want to look at the text of what is a very short bill.

As you will have gathered, colleagues, this is a relatively straightforward proposition, and Senator Clement has done her homework, including prior to joining us here in the Senate, participating in community consultations at the outset of this process several years ago. The bill has been developed with advice from our senior legal advisers in the Senate, and it is ready to move forward.

Our colleague Senator Martin is the critic, and I have no doubt that she will be a friendly one.

Colleagues, thank you. This is a straightforward bill that can be dispatched without delay. Thank you for your attention.

(On motion of Senator Martin, debate adjourned.)

### *DELIVERING FOR CANADIANS NOW, A SUPPLY AND CONFIDENCE AGREEMENT*

IMPACT OF THE AGREEMENT BETWEEN THE NEW DEMOCRATIC PARTY AND THE LIBERAL PARTY ON PUBLIC FINANCES—INQUIRY—DEBATE CONTINUED

On the Order:

> Resuming debate on the inquiry of the Honourable Senator Plett, calling the attention of the Senate to the impact on Canada's public finances of the NDP-Liberal agreement entitled *Delivering for Canadians Now, A Supply and Confidence Agreement.*

**Hon. Donald Neil Plett (Leader of the Opposition):** Honourable senators, I note that this item is at day 15, and I'm not ready to speak to it at this time. I'm kind of exhausted. Therefore, with leave of the Senate and notwithstanding rule 4-15(3), I move the adjournment of the debate for the balance of my time.

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

**Hon Senators:** Agreed.

(Debate adjourned.)

### HUMAN RIGHTS

COMMITTEE AUTHORIZED TO DEPOSIT REPORTS ON THE STUDY OF ISSUES RELATING TO HUMAN RIGHTS GENERALLY WITH CLERK DURING ADJOURNMENT OF THE SENATE

**Hon. Salma Ataullahjan,** pursuant to notice of June 6, 2023, moved:

> That the Standing Senate Committee on Human Rights be permitted, notwithstanding usual practices, to deposit with the Clerk of the Senate, no later than September 30, 2023, interim reports on issues relating to human rights generally, if the Senate is not then sitting, and that the reports be deemed to have been tabled in the Senate.

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

**Hon. Senators:** Question.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

### JANE GOODALL BILL

BILL TO AMEND—NOTICE OF MOTION TO AUTHORIZE LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE TO STUDY SUBJECT MATTER WITHDRAWN

On Motion No. 128 by the Honourable Marty Klyne:

> That, notwithstanding any provision of the Rules, previous order or usual practice, and without affecting progress in relation to Bill S-241, An Act to amend the Criminal Code and the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (great apes, elephants and certain other animals), the Standing Senate Committee on Legal and Constitutional Affairs be authorized to examine and report on legal and constitutional aspects of the subject matter of Bill S-241; and
>
> That, for greater certainty, if Bill S-241:
>
> 1. has been referred to a committee before the adoption of this motion, the adoption of this motion have no effect on that referral; and
>
> 2. is referred to a committee after the adoption of this motion, that referral have no effect on the study on legal and constitutional aspects of the subject matter of the bill as authorized by this motion.

**Hon. Marty Klyne:** Honourable senators, pursuant to rule 5-10(2), I withdraw this notice of motion.

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

**Hon Senators:** Agreed.

(Notice of motion withdrawn.)

(*At 5:56 p.m., the Senate was continued until Tuesday, June 13, 2023, at 2 p.m.*)

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