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Tuesday, November 7, 2023

The Honourable RAYMONDE GAGNÉ,
Speaker

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THE SENATE

Tuesday, November 7, 2023

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

Prayers.

BUSINESS OF THE SENATE

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

Is it agreed, honourable senators?

Hon. Senators: Agreed.

[*Translation*]

NEW SENATOR

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

[*English*]

INTRODUCTION

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

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

Hon. Rodger Cuzner, of Cape Breton, Nova Scotia, introduced between Hon. Marc Gold, P.C., and Hon. Hassan Yussuff.

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

CONGRATULATIONS ON APPOINTMENT

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, on behalf of the Government Representative Office, or GRO, I would like to welcome Rodger Cuzner as the newest member of the Red Chamber. Senator Cuzner is an experienced parliamentarian and most recently a diplomat representing Canada as our Consul General in Boston.

As a proud son of Nova Scotia, Senator Cuzner has worked tirelessly with industry and business in promoting the tourism sector in his province. He's also an avid hockey fan and former coach of Team Nova Scotia at the Canada Games.

Now, without putting too much pressure on Senator Cuzner, colleagues, let me point out to you that Senator Cuzner was twice voted "most collegial member of Parliament" by his colleagues. I hope that his good nature is contagious and rubs off on all of us as we approach the busy and somewhat hectic season.

Senator Cuzner, I know that your experience as a parliamentarian and advocate for your region is a welcome addition to the Senate of Canada. Welcome.

• (1410)

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, on behalf of the opposition and the Senate Conservative caucus, I am pleased to rise in this chamber to welcome our new colleague, a long-time Liberal parliamentarian, the Honourable Rodger Cuzner of Nova Scotia.

Senator, I am truly pleased to extend to you a very warm welcome to the Senate of Canada. I look forward to our future political debates in this chamber.

I also welcome the fact that Prime Minister Trudeau has removed the fig leaf from his Senate appointments and is now openly appointing partisan Liberals to the upper chamber.

Canadians do not buy the claim that Prime Minister Trudeau's Senate appointment process is any better than what previous prime ministers did in the past. Because at the end of the day, regardless of the process behind how names are brought forward — whether it involves a list of 50 names or 3 — it is the Prime Minister who chooses who will be appointed. After eight years in power, the only real change to Prime Minister Trudeau's selection process is that it now costs Canadians more money.

Senator Cuzner, you are a well-rounded politician, and your experience speaks to your commitment to serving our country and making it a better place. I want to recognize that even though we are from two different political parties, when senators are genuine about their political alliance, their friendships are honest.

I look forward to getting to know you better. As Senator Gold pointed out — even though he had the wrong name — Senator Cuzner, you have twice been voted the most collegial member of Parliament by your colleagues and were also described by *Maclean's* magazine as "Parliament's sense of humour."

You, sir, are a great addition to the Senate family.

Canadians have increasingly been looking to the Senate for hope — hope that their voices are heard and the severity of the affordability crisis will be a priority for all parliamentarians.

Senator Cuzner, people across our beautiful country need reassurance right now, and to see common sense in Ottawa. They need to see parliamentarians take on their duty to work and fight for their best interests. I am proud to be part of the Conservative team that aims to do that.

Senator Cuzner, please know that Conservatives look forward to working in collaboration with you on ways to improve the lives of all Canadians.

On behalf of the opposition and the Conservative caucus, I want to warmly welcome you to the Senate of Canada.

[*Translation*]

Hon. Raymonde Saint-Germain: Colleagues, Honourable Senator Cuzner, I am pleased to welcome you among us today as a new colleague, after you proudly served your fellow Cape Bretoners in the other place from 2000 to 2019.

Your impressive political longevity is all the more exceptional considering that you received almost 75% of the vote in your last election. I am happy to see you today as you pursue your commitment to serving your community and our country in the Senate of Canada.

[*English*]

Senator Cuzner served as parliamentary secretary and went on to hold numerous other important positions as a parliamentarian in the House of Commons.

Before returning today to public service with your nomination to the Senate, you entered the field of diplomacy and held the very strategically important position of Consul General of Canada to New England. This experience will also serve you here because a diplomatic touch is always welcome at the Senate of Canada.

More than anything, I believe that your parliamentary experience in the other place will energize our discussion in this chamber. In this modern Senate, we pride ourselves on our diverse origins and professional backgrounds, and once again, I concur with Senator Plett on the relevance of your appointment, but for different reasons.

I do not believe that senators should be penalized for having previously held an elected public office. On the contrary, I believe such expertise helps us in our role as a complementary chamber to the elected House of Commons. I am happy that we can count on your experience and wisdom as a former federal MP. As such, you will add your voice and perspective to those of the 15 senators who were once elected representatives either at the federal, provincial, territorial, municipal or community level. All 15 of them are members of our various caucuses and groups.

You will, however, notice that our style of debate differs from that of the House of Commons. The Senate, as you know, is a place of sober second thought, a less partisan complement to the elected House of Commons. I wish you the best in adapting to your new role.

Senator Cuzner, in my name and those of all the members of the Independent Senators Group, I wish you a warm welcome to the Senate of Canada. We look forward to working alongside you. Thank you, *meegwetch*.

Hon. Senators: Hear, hear.

Hon. Scott Tannas: Honourable senators, I'm pleased to rise on behalf of the Canadian Senators Group to welcome you, Senator Cuzner, to the Senate of Canada. As others have mentioned, you are no stranger to Parliament Hill. We're looking forward to working with you.

With the announcement last week of five new senators from Atlantic Canada, there have now been 1,000 people in the last 155 years — since 1867 — who have been appointed to the Senate. That's a remarkable milestone we should all reflect on — over its history, 1,000 people from every corner of this country who have been called to sit in this chamber.

Interestingly, just over 300 of those 1,000 people appointed to the Senate also served as members in the House of Commons, though it has been over a decade since this last happened.

I think the appointment of an experienced parliamentarian to this place is an asset, and it's a tradition that, when balanced, should be welcomed. A truly independent Senate welcomes Canadians of all political perspectives, because a diversity of thoughts and experiences is critical to our duty to represent Canada's distinct regions and minority communities.

Senator Cuzner, we look forward to working with you and seeing you apply your well-known affability and unique insights as an experienced parliamentarian to your work as an independent senator from Nova Scotia. Again, welcome to the Senate of Canada.

Hon. Senators: Hear, hear.

Hon. Jane Cordy: Honourable senators, I am truly delighted to join the other leaders today in welcoming our newest senator, a fellow Cape Bretoner and someone I have had the pleasure of working with for a number of years in service of Nova Scotians.

Senator Cuzner — that's going to take a while to get used to, but I love it — on behalf of the Progressive Senate Group, it's wonderful to see your public service continue as we welcome you to the upper chamber.

I think we all know about Senator Cuzner's long career as a member of Parliament, and I thank Senator Gold for putting those highlights on the record. I daresay we also all know he's a fierce partisan — that is, for his beloved Toronto Maple Leafs. But we'll forgive him for that as the team has caused him to suffer long enough. But maybe this year will be different, Rodger — hope springs eternal.

Senator Cuzner may be best known for his sense of humour, quick wit and good-natured demeanour. As others have said, his colleagues in the other place certainly felt that way, twice voting him the most collegial MP. I have no doubt that you will earn a similar reputation here.

In your farewell speech in the other place, you certainly demonstrated your ability to tell a great story — in fact, you shared several. You reminded your colleagues, “I took my responsibilities seriously but I never took myself seriously.” With that in mind, I will do my best to retell one of my favourite stories: a tale of rescue.

This story takes place back in 2009. Two Nova Scotian MPs, who were also roommates, were on their way home on a Wednesday night when they spotted something unusual. Was it a dog? No. It was a beaver, standing on its hind legs, in the middle of Sparks Street. Obviously, Senator Cuzner and Mark Eyking couldn’t abandon this great symbol of our country, so when they couldn’t get help from emergency services, they decided to tackle this challenge on their own.

• (1420)

It took about an hour of careful wrangling, and holding up traffic, but they finally succeeded in returning the poor beaver to the Ottawa River. Not unlike anyone else who has spent quality time with these two gentlemen, the beaver was reluctant to leave his new friends. But with a final slap of his tail on the water, away he went. I love this story because not only does it make me laugh every time I think of these two trying to coax a beaver to follow them in downtown Ottawa, but I also feel like it describes Senator Cuzner perfectly: always ready to lend a hand, eager to find solutions and able to get along with even the wildest of creatures.

Senator Cuzner, if you’ll forgive me, I’d like to quote you one more time. You once said:

. . . I measure success by how you can improve the lot of Canadians. When we all get together and try to do the right thing, then that’s possible.

Rodger, you have made a career out of working to improve the lot of Canadians, particularly Nova Scotians who are lucky, indeed, to have you continue to work in their service in this new role.

On behalf of the Progressive Senate Group, it’s my pleasure to officially welcome you to the Senate of Canada. We look forward to working with you, Senator Cuzner.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Lynn Cuzner, Senator Cuzner’s spouse. She is accompanied by other guests of Senator Cuzner.

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

Hon. Senators: Hear, hear!

SENATORS’ STATEMENTS

BROKERLINK-OVCA JUNIOR SUPERSPIEL

Hon. Donald Neil Plett (Leader of the Opposition):

Honourable senators, I rise today to speak on chapter 7 of “Team Plett’s Curling Journey.” But before I begin my remarks, I want to thank everyone in this chamber for the incredible support and kindness you showed Team Plett last Thursday.

I was personally touched by your actions, and I wish to share with you that Team Plett will forever hold dear the outstanding welcome you have given them.

Colleagues, I want to read a short note to you from Team Plett. It’s addressed:

To Senator Plett / Grandpa,

Thank you so much for allowing my team to attend such an amazing experience. We really enjoyed meeting everyone and getting to visit such a cool building.

Thank you to the staff that helped us out and showed us around.

In addition to this, thank you for such an amazing and heartfelt speech about the team. The whole experience was super fun and one worth remembering.

Love, Myla, Alyssa, Chloe and Allie

Colleagues, I also thank every one of you for all that you did to make last Thursday such a wonderful experience for Team Plett. The warm welcome came through in many ways: from the moment the Speaker introduced the team, to when Senator Cotter spoke to their curling accomplishments, to the standing ovation from every one of you in this chamber. It also continued with the presentation of medallions to each member of the team by Greg Peters, the Usher of the Black Rod. But your outstanding welcome did not end there. Colleagues, let me tell you that when the girls walked into the third-floor boardroom and saw all of you standing there, wall to wall, ready to welcome them, they were astonished and awestruck. They had never anticipated such a warm reception, and they had never thought that we would all come together in such a way.

Colleagues, your support didn’t end there, either. As many of you watched them curl online over the weekend, some of you even actually attended a game in person, and some of you recorded video messages of support.

It is, indeed, a lot of fun when we — me, and others — can find occasions where we can put aside partisanship and celebrate something that we all enjoy together.

Yes, colleagues, Team Plett was in Ottawa to curl. And they did this marvellously, as they are now the 2023 Ottawa Junior SuperSpiel champions. They went 6-0 in their continued quest for excellence.

Following the Senate's incredible welcome from last week, I think it is fair to say that we all wish them well as they continue to travel and represent Canada wherever their curling journey brings them next.

In closing, I will add that I am proud that they represent Canada in such an amazing professional manner.

Congratulations, Team Plett!

Hon. Senators: Hear, hear!

[*Translation*]

JOB LOSSES AT TVA

Hon. Julie Miville-Dechêne: Last Thursday, Quebec experienced a media disaster when TVA Group announced that it was laying off 547 employees, which is roughly a third of its workforce. TVA is the most popular channel back home, even more popular than Radio-Canada.

This is a hardship for all those who are losing their jobs, but it also means the loss of a lot of regional news in Saguenay—Lac-Saint-Jean, the Eastern Townships, the Mauricie region, the Lower St. Lawrence area, the Gaspé and the North Shore.

TVA says that it wants to protect regional news and will do so by keeping three or four journalists in Saguenay, Trois-Rivières, Sherbrooke and Rimouski. That will also enable TVA to meet the CRTC's minimum requirements concerning regional news.

The TVA stations in each of these four cities, which had at least 30 employees each, will disappear. The evening news for these regions will be produced in Quebec City, and will thus become a watered down broadcast without any local colour. It is hard to imagine how three journalists will be able to cover an area as big as the North Shore, the Lower St. Lawrence and the Gaspé combined.

This is a direct affront to democracy because many people watched these news broadcasts. The first to complain were elected officials themselves. Municipal councillors, mayors and reeves may not always like journalists, but they recognize that journalists do essential work and that city councils work better when their decisions are scrutinized by the press.

These elected representatives also underscore that each of their regions is facing economic or social issues that get little or no exposure on national news broadcasts out of Montreal. How will this information get out and reach the public if the necessary means no longer exist?

We know that traditional news media are facing a crisis in all regions of the country. For TVA, it is too late. The group was counting on Bill C-18 to come into force quickly so that it could replenish its coffers, but Meta has already jumped ship and Google offered no guarantees. It is a major loss.

[*English*]

YOUTH-PARLIAMENTARIAN NUCLEAR SUMMIT

Hon. Marilou McPhedran: Honourable senators, I thank the Progressive Senate Group for my time to speak today. I want to speak to the escalating threats of nuclear strikes, and how senators may choose to respond.

In an article published today, Nobel Laureate Dr. John Polanyi issues a clarion call of warning that nuclear disarmament represents “the very best hope” for humanity. He cautions that despite:

... the dictum that “a nuclear war cannot be won and must never be fought,” we continue to plan for nuclear war. This is the source of our peril.

A recent *The Hill Times* article by the publisher emeritus termed this “a global suicide pact.” In fact, in 2022, nuclear states spent \$83 billion on nuclear weapons — spending that has been steadily increasing year over year, with no resulting measurable improvement in our global security.

With this context, I am pleased to announce the launch of the first-ever Youth-Parliamentarian Nuclear Summit to be held 13 days from now here — on Parliament Hill — on November 20 to November 21, for high school-aged and university-aged youth across Canada who will be attending in person and online.

This summit will include interactive panels for parliamentarians, youth leaders, diplomats, Indigenous leaders and civil society leaders. Invited keynote speakers include Ambassador Maritza Chan, permanent representative to the UN in New York, and a young dynamic, diplomatic leader in nuclear disarmament; Setsuko Thurlow, the 2017 Nobel Peace Prize recipient, and Hibakusha/Hiroshima survivor; and renowned Canadian disarmament expert Dr. Jennifer Allen Simons, as well as my parliamentary co-host.

• (1430)

Summit participants will engage in an intergenerational multilateral dialogue across all aspects of nuclear policy, disarmament advocacy, climate justice, peace and security. These are intergenerational issues that will have compounding effects on youth.

I praise the hard work of co-organizers of this summit, which include Reverse the Trend Canada; The Simons Foundation Canada; Nuclear Age Peace Foundation; International Campaign to Abolish Nuclear Weapons; Mines Action Canada; Project Ploughshares; Canadians for a Nuclear Weapons Convention; Canadian Voice of Women for Peace; as well as my parliamentary co-hosts, Senator Kim Pate and MPs Lindsay Mathysen, Heather McPherson and Elizabeth May.

In addition to the excellent work sessions, a parliamentary reception is organized for Monday, November 20, at 5 p.m. You are all enormously welcome.

Thank you, *meegwetch*.

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of His Excellency Vinh Quang Pham, Ambassador of the Socialist Republic of Vietnam to Canada. He is the guest of the Honourable Senator Oh.

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

Hon. Senators: Hear, hear!

CANADA-VIETNAM DIPLOMATIC RELATIONS

Hon. Victor Oh: Honourable senators, I stand before you today to highlight the enduring relationship between Vietnam and Canada as we celebrate the fiftieth anniversary of our diplomatic relations.

Since this establishment in 1973, our partnership has evolved into a multi-faceted collaboration. We have engaged in trade, development cooperation, educational exchanges and cultural interactions, among others. These interactions have not only benefited both countries but also contributed to regional and global stability.

Canada has also been an active supporter of Vietnam's development goals, particularly in areas like education, health care and sustainable development. This partnership has enhanced the well-being of our countries and has strengthened our ties.

Our relations also extend to people-to-people connections, as Vietnamese communities living in Canada have enriched our cultural diversity and contributed to our shared understanding.

I had the privilege to visit Vietnam this summer for the Ho Chi Minh City Economic Forum, which focused on environmental challenges, circular economy and promoting green-energy initiatives.

This forum was a pivotal platform for fostering sustainable and environmentally conscious economic development in the country, with attendees coming from around the globe, including industry leaders, government officials and academics. Initiatives such as these stand as a testament to Vietnam's commitment to a greener and more sustainable future, emphasizing the importance of environmental responsibility in the economic landscape.

I would also like to acknowledge the new ambassador of the Socialist Republic of Vietnam, His Excellency Vinh Quang Pham. I look forward to Canada and Vietnam's continuous efforts to further strengthen our relationship in diplomacy, cooperation and friendship.

Thank you.

[*Translation*]

THE HONOURABLE MARY T. MOREAU

CONGRATULATIONS ON APPOINTMENT

Hon. Paula Simons: I rise today to pay tribute to the new justice of the Supreme Court of Canada, Mary Moreau, former chief justice of the Court of King's Bench of Alberta. She is an outstanding jurist.

I am speaking French in her honour, in recognition of the work she has done all her life to stand up for the rights of Franco-Albertans.

Ms. Moreau was born into a bilingual family. Her father, Joseph Paul Moreau, was a strong advocate of French-language education. A French school in Edmonton bears his name today. Justice Moreau's mother was anglophone, but she embraced her husband's idea that their eight children should be educated in French.

As a young lawyer, Mary Moreau won a landmark case arguing that Albertans had the right to be tried in French. She argued that the rights of francophones in what was then the Northwest Territories were not abolished when Alberta joined Confederation.

In another prominent case, she won the right for Franco-Albertans to be educated in French-language schools, and not just in immersion programs.

In addition to constitutional law, she also practised criminal law, family law and business law, in both French and English, while also raising her four children. Her husband told this revealing story about his wife, during her early days as a judge, when she was only 38 years old:

Mary was conducting her first criminal jury trial, at which time she was approximately nine and a half months pregnant with our daughter. The jury was all male, took nine minutes to acquit her client, and then quickly returned to the courtroom, urging Mary to go directly to the hospital.

Later, she argued a case before the Supreme Court while very pregnant. The judges begged her to sit down while making her arguments, but she declined.

Now, at last, she will take her place alongside her colleagues at the Supreme Court.

Congratulations, Madam Justice. We here in Edmonton are very proud of you. Thank you.

NEONATAL SCREENING FOR SICKLE CELL DISEASE

Hon. Marie-Françoise Mégie: On Saturday, I had the opportunity to participate in the 10th anniversary of universal neonatal screening for sickle cell disease in Quebec. This disease is not only the oldest known genetic disease in the world, but also the most widespread.

I'd like to thank Wilson Sanon, president of the Sickle Cell Anemia Association of Quebec, for inviting me to the event. It was a gathering of people from the medical, pharmaceutical and community sectors, as well as people with the disease and their families, to mark this important date in the association's history after many years of hard work.

For me, there were three takeaways. Supporting research is essential. Making information about sickle cell disease easy to understand is crucial. Setting up a national registry is vital.

This disease affects not only the people who have it, but also their family members, their friends and the community as a whole. The Food and Drug Administration's study of a cure for the disease marks a major turning point.

I'm counting on Canada to be a leader in the fight against sickle cell disease.

Thank you.

• (1440)

[English]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Charlotte Yates, President and Vice-Chancellor of the University of Guelph, and Mellissa McDonald, Assistant Vice President, Government Relations and Community Engagement at the University of Guelph. They are the guests of the Honourable Senator Coyle.

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

Hon. Senators: Hear, hear!

ROUTINE PROCEEDINGS

AUDIT AND OVERSIGHT

TENTH REPORT OF COMMITTEE TABLED

Hon. Marty Klyne: Honourable senators, I have the honour to table, in both official languages, the tenth report (interim) of the Standing Committee on Audit and Oversight entitled *Study on the Fact-Finding Mission on Audit and Oversight Practices in the United Kingdom Parliament*.

LEGAL AND CONSTITUTIONAL AFFAIRS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY 2023 STATUTES REPEAL ACT

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 the report on the *Statutes Repeal Act* for the year 2023, tabled in the Senate on February 1, 2023, be referred to the Standing Senate Committee on Legal and Constitutional Affairs for examination and report; and

That the committee submit its report to the Senate no later than Tuesday, December 5, 2023.

[Translation]

NATIONAL FRAMEWORK ON SICKLE CELL DISEASE BILL

FIRST READING

Hon. Marie-Françoise Mégie introduced Bill S-280, An Act respecting a national framework on sickle cell disease.

(Bill read first time.)

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

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

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO DEPOSIT REPORT ON STUDY OF THE CANADIAN FOREIGN SERVICE AND ELEMENTS OF THE FOREIGN POLICY MACHINERY WITHIN GLOBAL AFFAIRS WITH CLERK DURING ADJOURNMENT OF THE SENATE

Hon. Peter M. Boehm: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Foreign Affairs and International Trade be permitted, notwithstanding usual practices, to deposit with the Clerk of the Senate, no later than December 29, 2023, its final report relating to its study on the Canadian foreign service and elements of the foreign policy machinery within Global Affairs Canada, if the Senate is not then sitting, and that the report be deemed to have been tabled in the Senate.

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET DURING SITTING OF THE SENATE

Hon. Rosa Galvez: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Energy, the Environment and Natural Resources be authorized to meet on Tuesday, November 21, 2023, at 6:30 p.m., even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

[English]

QUESTION PERIOD

BUSINESS OF THE SENATE

REORDERING OF BUSINESS

Hon. Donald Neil Plett (Leader of the Opposition): Government leader, we received word just before the Senate began sitting this afternoon that you will be reordering Government Business to put Inquiry No. 5 ahead of Government Bills. Inquiry No. 5 is about the budget the Trudeau government handed down way back in March.

Senator Gold, is it correct that you are reordering business today? If so, why are you doing it?

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

Yes, it is correct. We had a request from a senator who is not able to speak to an issue and is not able, necessarily, to speak later today, and we have acceded to that request.

Senator Plett: As I said, this is a government budget that was handed down in March. The senator has had all kinds of time to speak since March. Clearly, there is no hurry. He has all kinds of time to speak going down. He just doesn't have time to speak today ahead of the 5:30 vote on Bill C-234.

Does that play into why the senator needs to speak to an inquiry today? Does he want to delve into Bill C-234?

Senator Gold: Thank you for the question.

As I said, we received a request from the senator, and we acceded to the request. I don't know exactly what the senator will say, but I think we all look forward to hearing his remarks.

GLOBAL AFFAIRS

ISLAMIC REVOLUTIONARY GUARD CORPS

Hon. Leo Housakos: Senator Gold, it has now been five years since the House of Commons passed the motion — and earlier this year, this chamber did the same — calling upon your Liberal government to list the IRGC — the Islamic Revolutionary Guard Corps — as a terrorist group. At the time, Senator Omidvar stated that the crimes of the Islamic regime and the IRGC go beyond the borders of Iran. Senator Omidvar cited the support that the IRGC provides Hamas in significantly destabilizing the region, which was reflected in those barbaric acts we saw on October 7 against men, women and children.

Senator Gold, given the horrific scenes from that day and Hamas's ability to never run out of rockets, fuel or tunnels in which they're able to hide, what will it take for your government to list the IRGC as a terrorist group and to stop funding Hamas in their attempt to destroy the State of Israel and murder the Jewish people?

Hon. Marc Gold (Government Representative in the Senate): Canada has listed the Islamic Republic of Iran, including many senior officials and the IRGC, as a regime that has engaged in terrorism and engaged in gross human-rights violations against its people, the people in the region and around the world. This is a strong measure representing Canada's abhorrence of the state-sponsored terrorism for which the Islamic Republic of Iran is responsible.

Canada continues to hold Iran accountable through many robust measures that are already in place, including listing the IRGC Qods Force as a terrorist entity under the Criminal Code, as well as three Iran-backed regional militias that are also listed as terrorist entities.

Senator Housakos: The Trudeau government's inaction always speaks volumes. The fact is that Hamas is a designated terrorist organization in Canada — isn't it, Senator Gold? — yet, we have Hamas operatives in this country waving terrorist flags on our streets without fear of reprisal from authorities. So even if we did list the IRGC in actual terms, it's not like anyone in this government is prepared to do anything about it; isn't that true, Senator Gold? If it is not true, explain to me where I'm wrong. Are you okay with having Hamas operate on campuses, recruiting —

The Hon. the Speaker: Thank you, Senator Housakos. Senator Gold, your reply.

Senator Gold: Your concern for the presence of Hamas on our streets is laudable. The question, though, borders on the obscene.

• (1450)

The fact remains it is up to the police, not the government of Canada, to enforce the criminal laws against hate speech, incitement to violence. I live across the street from the Israeli consulate. I'm very aware of the activities of those who are supporting Hamas, and I look forward to the strict application of the Canadian law in all that it entails.

GOVERNOR-IN-COUNCIL APPOINTMENTS

SENATE VACANCIES

Hon. Donna Dasko: My question is for the Government Representative in the Senate.

Senator Gold, it's great to see some Senate vacancies being filled last week. I offer congratulations and a very warm welcome to our new colleague and to the colleagues who will join us in a couple of weeks.

Coincidentally, my question is about Senate vacancies. At this point, my province of Ontario has four vacancies, which is by far the highest number of vacancies of any province. Ontario is Canada's most populous province by far, and even with a full complement of 24 senators from Ontario, my province is underrepresented in this chamber relative to our population.

When can we expect the Prime Minister to act on filling the vacancies to ensure that Ontario is adequately represented in the chamber of sober second thought?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your questions. I've said on many occasions all of us want to see all the vacancies filled. The appointment process that was put in place by this government, designed to recruit and attract the interest of and make available to the Senate a diverse range of competent Canadians, is under way. My understanding is the process is well in place in terms of Ontario.

I'm not able to answer as to when those vacancies will be filled, but the government is proceeding with dispatch with regard to those vacancies.

IMMIGRATION, REFUGEES AND CITIZENSHIP

AFGHAN REFUGEES

Hon. Ratna Omidvar: Senator Gold, we've all read that the Government of Pakistan is forcing millions of Afghan refugees to return to Afghanistan. This is not just shocking; it's against international law and puts many lives at risk.

I know there are Afghans who have been accepted into Canada as refugees but haven't been able to leave Pakistan. Many of them are Hazara minorities. They are now being forced back to Pakistan, which puts them obviously at further risk of persecution by the Taliban.

What is our government doing to ensure these refugees are allowed to exit Pakistan and come to Canada?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. The government is very aware of the situation Afghan refugees are facing in Pakistan and continues to monitor it closely.

I've been advised that the government is in dialogue with the Government of Pakistan to ensure safe and expedited passage of Canada-bound Afghan refugees. While the government has already met its target of resettling at least 40,000 Afghan refugees to Canada, which is a significant achievement, the government will continue to do everything it can to bring Afghans here and to safety.

Senator Omidvar: I'm encouraged by your statement that the Government of Canada is in dialogue with the Government of Pakistan. The forced return of refugees, also known as refoulement is against international human rights, humanitarian and customary law.

In the conversations with the Government of Pakistan, what is Canada doing to push countries — not just Pakistan but others as well, I imagine — to meet international legal obligations, including the principle of non-refoulement and to stop the crackdown against Afghan refugees?

Senator Gold: Thank you for your question. I do not know the specifics of the conversation, but I am assured that they're in constant dialogue. Canada's commitment to international law in its international affairs is well known, and I have every confidence that forms part of those conversations.

JUSTICE

PROGRESS OF LEGISLATION

Hon. Scott Tannas: My question is for Senator Gold.

On October 24, Senator Dennis Patterson asked you a question about whether the government was seeking an extension to the Supreme Court of Canada's deadline on Bill S-12. You replied saying that we should respect the deadline. Two days later, you informed the Senate that a three-month extension was granted.

We know extensions don't happen overnight. Senator Gold, when did the Attorney General of Canada first give notice and apply to the Supreme Court for an extension? When were you informed? Finally, were you happy with the process?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. Let me begin by referring back to my intervention at the message stage on Bill S-12. On Thursday, October 26, I advised the chamber that my office was subsequently informed that for contingency purposes, the government did, indeed, seek an extension of the deadline as a responsible course of action in the event that things did not work out as part of the parliamentary process.

As you know, the court granted the extension. I was informed of this the next day, prior to the start of the sitting and our debate, and I immediately informed all leaders to that effect.

As it turns out, the existence of the motion for an extension was, in fact, part of the public record and readily accessible online to any interested person, any Canadian or, indeed, any parliamentarian, where their office could have checked the record of the case on the Supreme Court website. We did not, and I'm afraid others did not either.

That said, I've brought your concerns to the attention of the government. Efforts will be made in the future to ensure that this chamber is more readily made aware of legislation that may be subject to court-imposed deadlines.

Senator Tannas: Thank you.

INDIGENOUS SERVICES

INFRASTRUCTURE IN INDIGENOUS COMMUNITIES

Hon. Marty Klyne: Senator Gold, the government has pledged to close the infrastructure gap in Indigenous communities by 2030. However, the House of Commons Indigenous and Northern Affairs Committee has warned in its June 2022 report that at the current pace of investments, this target will not be met when it comes to housing.

Can you please elaborate on how the Department of Indigenous Services Canada measures the existing gap, and when we will see the promised estimate of First Nations' infrastructure needs? Will this estimate be included as part of the investment package in the upcoming Fall Economic Statement?

Hon. Marc Gold (Government Representative in the Senate): Thank you for these important questions, senator. There is indeed a significant infrastructure gap between Indigenous and non-Indigenous communities in Canada. Infrastructure investments are a key element of the government's commitment to foster the growth of safe, healthy and prosperous Indigenous communities and to support the participation in our economy of Indigenous communities and their businesses.

Let me note that since April 2016 and as of June 30, 2023, \$9.92 billion in targeted funds has been invested towards 9,457 projects that will benefit Indigenous communities. I have been assured that Indigenous Services Canada will continue to work directly with First Nations, First Nations organizations and other federal organizations to identify what further measures and investments may be required to close this infrastructure gap by 2030.

Senator Klyne: Senator Gold, I appreciate that you've highlighted some of the importance of this. The federal underfunding of Indigenous housing has negatively affected many generations in many ways. Failure to fulfill treaty rights and failure to keep promises only lead to Indigenous nations unnecessarily having to beg and litigate.

Given the House of Commons Indigenous and Northern Affairs Committee's projections, is the government planning on increasing investments, implementing additional programs aimed at providing on-reserve housing in order to deliver on this promise to Indigenous communities?

Senator Gold: Thank you, senator. The government has committed over \$6 billion in funding since 2016 to address these long-standing housing gaps in First Nations, Inuit and Métis communities. Recently the government made investments in First Nations housing, committing \$2.4 billion over the next five years

to support closing the housing gap in First Nations. More needs to be done, but the government is doing as much as it can at this juncture.

NATIONAL DEFENCE

NATIONAL MONUMENT TO CANADA'S MISSION IN AFGHANISTAN

Hon. Yonah Martin (Deputy Leader of the Opposition): Government leader, in May 2014, former prime minister Stephen Harper said a national memorial to those who served in Afghanistan would "... ensure that their contributions are forever in the hearts and minds of Canadians ..."

Here we are approaching Remembrance Day almost 10 years later, and this monument is still not in place. An official design was only announced this past June, and its selection process is surrounded by controversy, as the Trudeau government overruled a professional jury's design choice. Last week, the Minister of Veterans Affairs confirmed to a House committee that construction has still not begun.

Leader, why has the Trudeau government mismanaged the creation of this monument so badly?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your questions. With respect, I do not believe that the project has been mismanaged at all.

The National Monument to Canada's Mission in Afghanistan will be a solemn tribute to the 40,000 Canadians — the military, police and civilians — who served there. I understand that in the process, Veterans Affairs Canada heard from more than 10,000 Canadians about the monument designs. The Team Stimson design best reflects the input of veterans, their families and others who served on the mission.

• (1500)

Senator Martin: I beg to differ because, as I said, it's been 10 years since this promise was made. An NDP-Liberal government official said last month that, according to the current tentative timeline, the National Monument to Canada's Mission in Afghanistan will not be unveiled until 2027.

Leader, given your government's poor track record for getting anything done, especially in regard to this particular monument, why should Canadians have confidence in the 2027 date?

Senator Gold: The process that the government has undergone is deeply rooted in the needs, interests and input of veterans and their families. Although the government appreciates the work that the jury did in evaluating, the design that was chosen after this long process is one that the veterans of the mission and their families felt best represented the bravery, sacrifices and losses of those who served in Afghanistan.

JUSTICE

MANDATORY MINIMUM PENALTIES

Hon. Donald Neil Plett (Leader of the Opposition): Government spokesperson, last Friday, the Supreme Court of Canada issued a ruling that many Canadians — myself included — found disappointing, disturbing and, quite frankly, disgusting. The Supreme Court ruled that mandatory minimum penalties for the despicable crime of child luring are unconstitutional. Our highest court says a six-month jail sentence for a summary conviction and a one-year sentence for an indictment amount to cruel and unusual punishment. Child luring is cruel and unusual punishment. Canada's children deserve better protection.

After the decision was handed down, Canadians were told the Minister of Justice was reviewing it closely. What is the Trudeau government going to do in response? For example, will it invoke the notwithstanding clause?

Hon. Marc Gold (Government Representative in the Senate): Let's be clear about what the Supreme Court did and did not do. First of all, child luring and all sexual crimes are appalling and intolerable. They deserve to be punished accordingly. Those who read the decision and know how the Supreme Court addresses this know the decision was rendered on the basis of hypothetical potential case issues and not necessarily the facts of the case. In fact, the Supreme Court increased the prison sentence for the perpetrator in this case, which is an unmistakable message from the Supreme Court that these offences must be punished severely. The Supreme Court's decision emphasizes:

. . . that sentences for these crimes must account for the far-reaching and ongoing damage sexual violence causes to children, families and society at large . . .

I have no knowledge to suggest that the government would invoke the notwithstanding clause in this regard.

FEDERAL OMBUDSMAN FOR VICTIMS OF CRIME

Hon. Donald Neil Plett (Leader of the Opposition): Having this Liberal government is cruel and unusual punishment. Time and again, the Prime Minister shows he's not worth the cost, and this response to the matter of victims' rights is no exception. The NDP-Liberal government let the position of the Federal Ombudsman for Victims of Crime go vacant for 361 days. In 2018, when the position of the ombudsman for federally sentenced offenders became vacant, it was filled the very next day.

Why are victims' rights and safe streets always an afterthought for the Trudeau government?

Hon. Marc Gold (Government Representative in the Senate): Well, the short answer to that question is that they're not an afterthought. The government's approach to criminal law issues generally and criminal law reform differs from that of the

Conservative Party, and the government stands on its record of introducing balanced, humane and constitutionally valid measures to keep Canadians safe.

[Translation]

HEALTH

MEDICAL ASSISTANCE IN DYING

Hon. Julie Miville-Dechêne: Senator Gold, in 2022, the number of Canadians who were authorized to receive medical assistance in dying, or MAID, increased by 31%. In Quebec, there was a 46% increase. In a *Globe and Mail* editorial published last week, we learned that Quebec, sadly, is the MAID world champion. Unsurprisingly, the chair of Quebec's commission on end-of-life care is worried about borderline or non-compliant cases.

In that context, expanding MAID to include mental illness raises many questions. In its editorial, *The Globe and Mail* wondered if, considering the statistics and justifications, some requests for MAID were granted only because the applicants were old.

Senator Gold, is the government aware of the problem? Will it tighten some of the criteria, which are much too vague?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. MAID is a complicated and deeply personal subject. Every individual has his or her own history. Requesting MAID is a serious decision.

As you know, colleague, the Special Joint Committee on Medical Assistance in Dying has reconvened to examine these issues and is continuing its work today. I look forward to its report.

Senator Miville-Dechêne: Like you, Senator Gold, I believe that the issue of medical assistance in dying is a delicate and difficult one. There are currently some serious doubts about the legislation's implementation.

Shouldn't there be a pause on expanding medical assistance in dying to those with mental illness as the sole underlying medical condition? There's no consensus on the issue. Quebec has rejected the idea.

Why doesn't the federal government apply the precautionary principle in this specific case in order to slow the momentum and prevent things from getting out of hand?

Senator Gold: Thank you for your question. As you know, the joint committee has been reconvened specifically to study this important issue. The government is awaiting the report before deciding what to do about the recommendations it will contain.

[English]

ENVIRONMENT AND CLIMATE CHANGE

CARBON TAX

Hon. Leo Housakos: Senator Gold, it's getting cold outside. Even here in Ottawa, there is no denying that winter is on its way. However, yesterday, your Liberal colleagues in the House of Commons chose to further punish hard-working Canadians by voting against our motion to remove the carbon tax from all home heating in Canada. The gimmick announced by Justin Trudeau a couple of weeks ago does nothing to promote the use of cleaner forms of home heating fuel, but does leave 97% of Canadian households out in the cold. Those Canadians are struggling not only to keep the heat on this winter but also to fill up their cars to get to work, keep food on the table and keep their barns warm to produce food that the rest of us eat. Do they not matter because not enough of them voted Liberal? Is that what this is all about, Senator Gold? Is this a bribe, Senator Gold, or a threat? Which of these two is it?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. It's neither one nor the other. The government has made fighting climate change a central element of its legislative agenda and policies. It's hard work. It's going to take time, and, indeed, progress is painfully slow at times. The government also makes adjustments, as it has done from the beginning, to try to mitigate the impact that a price on pollution imposes necessarily — by virtue of its nature — on Canadians. It will continue to do so and try its best to chart a responsible path forward, because we and future generations face an existential crisis in this country and on this planet. The government remains committed to addressing that crisis.

Senator Housakos: Senator Gold, the only thing this tax does is punish working-class Canadians. It has created divisions in our country. Pausing the tax for one group while quadrupling it for another is completely unfair.

Senator Gold, just admit it — Justin Trudeau isn't making decisions to benefit Canadians. He's making decisions to try to save his sinking political ship. Also, just admit that the Prime Minister is not worth the cost for Canadian taxpayers and only Pierre Poilievre and a majority Conservative government will keep the heat on for all Canadians.

Senator Gold: I don't know how to answer that. I like a good slogan. If I hear one once or twice, it's cute and will land. After a while, it becomes like last year's hits that seem to fade and become tiresome.

The fact is that this government is pursuing the policies that it deems to be in the best interests of Canadians.

HEALTH

CANADA MENTAL HEALTH TRANSFER

Hon. Yonah Martin (Deputy Leader of the Opposition): Government leader, the Trudeau government has yet to fulfill a promise — another promise — made during the 2021 federal election campaign to create a new federal transfer to the provinces and territories called the Canada Mental Health Transfer, with an initial investment of \$4.5 billion over five years.

In March, after the federal budget failed yet again to put this transfer in place, the Canadian Mental Health Association said that your government was out of touch with the mental health crisis in our country.

• (1510)

When the previous minister of health was asked about this a year ago, he would only say that he'd continue to engage with the provinces. Leader, what is the current status of the Canada Mental Health Transfer?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question and for underlining that support for mental health in Canada is an important and pressing issue, as is support for other dimensions of our health care system of which all aspects are feeling the strain of increased demand, increased costs and never enough resources, either provincial or federal.

The federal Minister of Health and his counterparts have regular discussions about the provinces' priorities and capacities, and those discussions will continue.

Senator Martin: The Liberal government has failed to live up to its promise to fund a Canada Mental Health Transfer despite the growing scale of the mental health crisis, the government's expansion of medical assistance in dying and the widespread use of dangerous, highly addictive drugs.

Should Canadians expect that the Canada Mental Health Transfer will be included in this fall fiscal update? If it's not there, what should Canadians make of that omission?

Senator Gold: I'm not in a position to advise as to what may or may not be in the fall economic update, but when that becomes public, I think Canadians will know exactly what the government is intending to do.

ENVIRONMENT AND CLIMATE CHANGE

CARBON TAX

Hon. Donald Neil Plett (Leader of the Opposition): Well, again, government spokesperson, yesterday — as Senator Housakos already pointed out — Liberal MPs, together with Bloc

MPs, voted against supporting Canadians. Instead, they continue to support Prime Minister Trudeau's carbon tax as punishment for not voting Liberal — and they had help, as I said, from the Bloc.

Yesterday, *La Presse* reported that the Bloc MPs have told Liberal cabinet ministers they will be patient about triggering an election, which is scheduled two years from now. They have Jagmeet Singh, and now they have a group that is sworn to breaking up our country supporting the Prime Minister.

What did the Prime Minister promise the separatist Bloc to vote with him against carbon tax relief for all Canadians and support him for another two years?

Hon. Marc Gold (Government Representative in the Senate): Well, the decision by the members in the House of Commons to vote for or against the Conservative motion was a decision that those members took. I have no knowledge of promises that were made — indeed, if any were made.

The fact is that members of Parliament, whatever their political party, have the right to express themselves. They have the right to form groups. They have the right to make collective decisions. Past governments have not been averse to making arrangements with and seeking the support of members of different political parties, even those in the Bloc, if my memory serves me correctly.

Senator Plett: You might be tired of us saying he's not worth the cost. We're tired of you saying nothing.

The Prime Minister always seeks to divide Canadians, and his MPs are happy to follow his lead. When one of his MPs gave the Conservative caucus the middle finger during the vote in the House yesterday, he wasn't just insulting fellow parliamentarians. That MP was revealing exactly what Trudeau and his government think of Canadians. Isn't that a fact, leader? Are you doing the same?

Senator Gold: No, it is not a fact, and I think that question applied to me is very inappropriate. That is not what I'm doing here. I'm answering the questions, regardless of their tone and regardless of their motivation, to the best of my ability, and I'll continue to do so.

GLOBAL AFFAIRS

UNITED NATIONS TREATY ON THE PROHIBITION OF NUCLEAR WEAPONS

Hon. Marilou McPhedran: My question is to Senator Gold, and it relates to the Treaty on the Prohibition of Nuclear Weapons. I like that smile.

As you know, Canada — rather resolutely — ignores this treaty, the third of three dealing with nuclear proliferation. Beginning in just a couple of weeks, on November 27 in New York at the United Nations, there will be the second meeting of states parties to the treaty. At the first meeting last June in Vienna, no one from Canada was there even to observe — except for me, at my own expense. And now we have the second

meeting of the states parties. We have country members of North Atlantic Treaty Organization, or NATO, sending observers, but so far, not a peep from Canada.

Senator Gold, could you please tell us if Canada is actually going to pay any attention and send observers to the second meeting of the states parties?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question and for your ongoing commitment and focus on the danger of the proliferation of nuclear weapons. I simply do not know what the government's intentions are in that regard, and I imagine they'll be become clear as the days and weeks advance.

Senator McPhedran: Thank you. Would you be so good as to convey this question with a request that we get an answer prior to the start of the second meeting of states parties for this very important treaty?

Senator Gold: I'll certainly convey the question. Absolutely.

Senator McPhedran: Thank you very much.

ORDERS OF THE DAY

BUSINESS OF THE SENATE

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate): Honourable senators, pursuant to rule 4-13(3), I would like to inform the Senate that as we proceed with Government Business, the Senate will address the items in the following order: Inquiry No. 5, followed by all remaining items in the order that they appear on the Order Paper.

[*Translation*]

BUDGET 2023

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Gold, P.C., calling the attention of the Senate to the budget entitled *A Made-in-Canada Plan: Strong Middle Class, Affordable Economy, Healthy Future*, tabled in the House of Commons on March 28, 2023, by the Minister of Finance, the Honourable Chrystia Freeland, P.C., M.P., and in the Senate on March 29, 2023.

Hon. Pierre J. Dalfond: Colleagues, I rise today to draw your attention to certain measures in the 2023 federal budget related to climate change.

On page 69, Budget 2023 states the following:

Since 2015, the federal government has taken action to build Canada's clean economy and create good middle class jobs. This includes: Putting in place a federal carbon pricing system, which puts money back in the pockets of Canadians and gives businesses the flexibility to decide how best to reduce their emissions

The centrepiece of these measures is imposing a price on those who produce greenhouse gas emissions, or GHGs. This policy was implemented in 2018 with the approval of the Senate.

[English]

The logic of carbon pricing is simple: Emissions that impose an environmental cost with pollution should have a price to encourage reduction at this time of climate crisis. Carbon pricing is considered by top economists to be the most efficient way to reduce carbon emissions. The yearly rising price is a powerful signal to consumers that fossil fuels will become more expensive and that decisions to adopt cleaner alternatives will result in substantial savings.

When alternative technologies exist or more efficient ones are readily available, the price on carbon provides a strong incentive to switch. The carbon price is not a punishment but an incentive to seek alternatives sooner than later and take action to reduce emissions to meet our targets. That is the reason why it is not, strictly speaking, a tax.

In their 2021 decision, the Supreme Court of Canada concluded at paragraph 219:

. . . The levies imposed by Parts 1 and 2 of the [Greenhouse Gas Pollution Pricing Act] cannot be characterized as taxes; rather, they are regulatory charges whose purpose is to advance the . . . regulatory purpose by altering behaviour. . . .

[Translation]

In June 2021, we passed Bill C-12, An Act respecting transparency and accountability in Canada's efforts to achieve net-zero greenhouse gas emissions by the year 2050. The bill requires the government to set national GHG emissions reduction targets, and to establish a planning, assessment and reporting process for achieving net-zero emissions by 2050.

Unfortunately, reaching GHG reduction objectives is a major challenge. Earlier today, the Commissioner of the Environment and Sustainable Development, Jerry DeMarco, published a report finding that Canada's 2030 Emissions Reduction Plan isn't enough for the country to reach its emissions reduction target of 40% to 45% below 2005 levels by 2030.

[Senator Dalphond]

• (1520)

As the chamber of detailed, non-partisan analysis, must we not reaffirm our commitment to meeting the set targets and to the carbon pricing policy recognized by a majority of economists in Canada and around the world as the most effective means of reducing greenhouse gas emissions?

[English]

Since the adoption of the carbon price policy, a lot of political rhetoric has emerged. Some claim that this policy has contributed significantly to inflation; others claim that this policy is responsible for the high price of food. But we, as independent senators, should not be moved by partisan lines, or by misleading arguments put forward by powerful lobbies. We should, rather, attempt to obtain all the relevant facts before reaching a conclusion.

One of these relevant facts is our inflation rate; it is currently at 3.8%, while it is at 3.7% in the U.S., 4.3% in the European Union, 4.9% in France and 6.7% in the U.K. Thus, it seems that we are doing better than many other developed countries.

On September 8, Tiff Macklem, the Governor of the Bank of Canada, indicated that 0.15% of the Canadian inflation rate can be attributed to the carbon price. To put it differently, in 2023, the carbon tax accounts for an extra \$0.30 on a \$200 grocery bill. If you want to go back to the time of its introduction four years ago, it now accounts for an extra \$1.20 on a \$200 grocery bill. Renowned University of Calgary economist Trevor Tombe confirms that the carbon tax is responsible for less than 1% of grocery price increases.

Another fact to consider is that the federal price on emissions is a backstop program. Respectful of our federal system of government, each province and territory can determine how to price carbon emissions to reach national targets. Currently, B.C. and Quebec are the two provinces that have put in place provincial programs to meet the reduction targets by measures adapted to their reality. To put it differently, the system was designed to provide provincial governments with flexibility on the details if they meet the scientific targets required to address the climate crisis.

[Translation]

As a result, under the existing provincial system, farmers in Quebec pay less carbon tax than those governed by the federal program. Meanwhile, other sectors of the Quebec economy may pay more.

[English]

Another feature of carbon pricing is the rebate system. Page 31 of the 2023 budget states that the federal price on pollution puts more money back in the pockets of 8 out of every 10 Canadians in the provinces where it applies. Incidentally, the Parliamentary Budget Officer, or PBO, agrees with that conclusion.

For the current fiscal year — 2023-24 — the Department of Finance estimates on page 207 of the budget that the proceeds from the pollution pricing framework will amount to \$10.1 billion. For the same period, it estimates on page 212 that the proceeds returned will amount to \$11.2 billion — which is \$1.1 billion more. Quite clearly, the proceeds from the pollution pricing framework are not used to finance government operations, military procurement or social programs, but returned to Canadians.

According to the PBO, the costs of heating and curing fuels to farmers, including the carbon price, represent, on average in Canada, 0.8% of their overall expenses — estimated by Statistics Canada at over \$77 billion. That percentage is 0.5% in Alberta, 0.4% in Manitoba and 0.3% in Saskatchewan.

There are, of course, some variations between the categories of farms. Without surprise, the largest share of energy costs compared to overall expenses is for greenhouses, which range between 4% and 5%. For that reason, greenhouses with glass roofs receive an 80% exemption from the carbon tax in order to impose on them a carbon price comparable to other farming enterprises in Canada. For oilseed and grain farms, heating and curing fuels represent 0.4% of their expenses, and for animal production farms, the percentage is 0.7%. Finally, under the current federal system, all farmers are also exempt from the diesel and gasoline fuel charge — used on farms for operating combines, tractors, trucks and some other machines.

Incidentally, the carbon price paid by farmers in the eight provinces and the territories in 2023-24 is estimated by the PBO at \$13 million in connection with propane, and \$63 million in connection with natural gas — for a grand total of \$76 million. Also worth noting, 58% of this total will be paid by farmers in Ontario, 22% by those in Alberta, close to 16% by those in Saskatchewan and close to 4% by those in Manitoba. Those in the Atlantic provinces will pay about 1% of the total.

It is also worth noting that despite the April 1 increase of \$15 per tonne on the carbon price — to bring it to \$65 in 2023-24 — farmers using natural gas have paid, on average, less for it this year because the commodity price is down compared to last year.

[*Translation*]

The other thing we need to think about is the passage of Bill C-8, An Act to implement certain provisions of the economic and fiscal update tabled in Parliament on December 14, 2021 and other measures. My colleague, Senator Clément Gignac, sponsored this bill in the Senate. On June 10, 2022, at second reading, he talked about four amendments that Bill C-8 would make to the Income Tax Act. He described the fourth amendment as follows, and I quote:

Fourth, recognizing that a large number of farmers use natural gas and propane as part of their operations, Bill C-8 proposes a refundable tax credit to return fuel charge proceeds to farming businesses in provinces in which the federal fuel levy applies . . .

[*English*]

The required steps to implement the refundable tax credit to farmers are now in place. Its operation can be summarized as follows: In each province, a pot is created where the carbon price paid by farmers is put. This amount is shared between the farmers of this province as a tax credit. The proportion allocated to each farmer is based on a percentage equal to his or her total expenses divided by the total expenses of all the farmers of the province.

The recent report from the Agriculture Committee regarding Bill C-234 contains a series of interesting observations adopted unanimously. One of them recommends that the Department of Finance work with the Canada Revenue Agency to target the refund more precisely and effectively to farms that rely on natural gas and propane. The committee also noted that if Bill C-234 is adopted, an adjustment to the credit system provided in the Income Tax Act will be necessary to avoid double compensation. Other observations deal with alternative technologies, additional support for agricultural clean technology and the fact that climate change is a major and worsening threat to the stability of Canada's agricultural sector.

In closing, the climate crisis is causing death and suffering in Canada and around the world, as stated many times in this independent chamber. We have all breathed the smoke. Emissions continue to rise. We know what lies ahead for young people and future generations — unless we take urgent action. That is why our group, Senators for Climate Solutions, has urged us to do more. Let's seize every opportunity to act.

Colleagues, what is the price of the air we breathe? What is the price of our grandchildren playing outside? What is the price of this miraculous earth? Let us reaffirm our support for a price on carbon and a greener economy.

• (1530)

To conclude, the Agriculture and Forestry Committee report should be part of the context as we proceed to a fulsome and thorough debate that will enable a fair discussion of all amendments and points of view throughout the chamber, to quote Senator Duncan.

Thank you. *Meegwetch.*

[*Translation*]

Hon. Pierre-Hugues Boisvenu: Would Senator Dalphond take a question?

Senator Dalphond: Gladly.

Senator Boisvenu: Senator, the carbon tax appears to be practically sacred within Justin Trudeau's government. However, when you look at the numbers with respect to reducing greenhouse gas emissions, British Columbia, the province with the highest carbon tax, increased its emissions by 4% from 2008

to 2019. Meanwhile, Nova Scotia, the province with the lowest carbon tax, reduced its greenhouse gas emissions by 36% over the same period.

Can you explain the logic in that?

Senator Dalphond: Thank you, Senator Boisvenu.

Honourable senators, we would have to also compare the growth rates of Nova Scotia and British Columbia in terms of population and economic output, for example. We must note that there are many possible explanations for the increase in greenhouse gas emissions, because the more factories there are, the more carbon emissions are produced.

Senator Boisvenu, you're absolutely right in saying that the fight against climate change requires determination. We can't look at the numbers in the abstract. We need to tackle the problem head-on, specifically by cutting greenhouse gas emissions. That's what the carbon tax does, and it's designed to change behaviours. Economists, including Nobel Prize winners, have said so. Everyone agrees that this is the best policy.

Thank you.

[*English*]

Hon. David Richards: Would Senator Dalphond take another question?

The Hon. the Speaker: Senator, I'm sorry, but the time for debate has expired.

(On motion of Senator LaBoucane-Benson, debate adjourned.)

[*Translation*]

NATIONAL COUNCIL FOR RECONCILIATION BILL

THIRD READING—DEBATE

On the Order:

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

Hon. Michèle Audette: Thank you, honourable senators.

[*Editor's Note: Senator Audette spoke in Innu-aimun.*]

I also want to thank the Anishinaabe people. Thank you for welcoming me on your land every day. I hope that will continue for a long time as I continue working as a senator.

Thank you also to my fellow senators.

Honourable senators, I'm rising today to discuss and share some thoughts with you about Bill C-29, An Act to provide for the establishment of a national council for reconciliation.

[Senator Boisvenu]

I really like history, so before I get into the crux of the matter, I think it's important to review what has been done here in this chamber, what you did long before some of us arrived in the Senate.

As you may have heard when I gave my maiden speech, I really like talking about beading, portaging, the path of healing and so on.

Every bead that we leave is precious and helps us along the path of healing and reconciliation, but also along the path to building a new relationship and maintaining the existing one, a relationship that is, of course, built on respect, partnership and the recognition of rights.

In 2007, we were all very animated. For those who remember, our leaders, members of our families and people who were affected by residential schools worked very hard to reach a settlement on residential schools to provide reparations. This settlement contained several provisions, including the one to set up a Truth and Reconciliation Commission. Obviously there was talk of making an apology. I want to thank the leaders, the people of that time for their courage and their determination, who allow us today to pick up where they left off, to start over and move forward in partnership.

In June 2008, Prime Minister Stephen Harper apologized to Indigenous peoples. For many of us, for me too, this apology was important. It was more than symbolic. It put words to our pain and to much of our suffering.

In his message, which I encourage you to reread, Prime Minister Harper apologized to the First Nations, the Métis and the Inuit for those who experienced the effects of residential schools or suffered at the residential schools.

This was part of his message:

The government now recognizes that the absence of an apology has been an impediment to healing and reconciliation. Therefore, on behalf of the government of Canada and all Canadians, I stand before you, in this chamber so vital, so central to our existence as a country, to apologize to aboriginal peoples for the role the government of Canada played in the Indian residential schools system.

In 2015, a man we knew and worked with, our former colleague, the Honourable Murray Sinclair, together with former commissioners Wilson Littlechild and Marie Wilson of the Truth and Reconciliation Commission, submitted and made public their final report. Many of us were there. I was there. We remember.

During a 2018 study by the Standing Senate Committee on Indigenous Peoples, Marie Wilson, a former commissioner of the Truth and Reconciliation Commission, explained the following:

It was the largest substantive consultation of indigenous people on any subject in the history of our country, Canada's 130-year history of forced residential schooling for indigenous children. We based our 10-volume findings on almost 300 days of public hearings in every region of the

country, from coast to coast to coast. We based our findings on dozens of commissioned research reports, together with an exhaustive reference of hundreds of documented sources.

She added the following:

Most compellingly and most centrally, we based our findings on almost 7,000 recorded statements from former students who spent their childhoods in the more than 150 church-run, government-sponsored institutions known as residential schools. They were isolated from traditional lands and cultural groundings and deprived of kinship ties and parental devotion, protection and love.

Prime Minister Justin Trudeau, after receiving the final report of the Truth and Reconciliation Commission, stated the following:

Today, on behalf of the Government of Canada, I have the honour of accepting the Commission's Final Report. It is my deepest hope that this report and its findings will help heal some of the pain caused by the Indian residential school system and begin to restore the trust lost so long ago.

On June 3, 2021, the Senate passed Bill C-5, to create the National Day for Truth and Reconciliation. During the legislative process leading up to Royal Assent of the bill, which responds to the Truth and Reconciliation Commission's Call to Action 80, our colleague Senator Francis said the following:

Honourable senators, the national day for truth and reconciliation is but one step. However, it is the sum of all our individual and collective actions, of all the Calls to Action of the Truth and Reconciliation Commission that, when fully implemented, will create our new normal. If we follow this path, we will continue to move forward as a country in a positive direction.

Colleagues, this chamber also passed the United Nations Declaration on the Rights of Indigenous Peoples Act in response to the Truth and Reconciliation Commission's Calls to Action 43 and 44.

Of course, the Senate also followed suit with an Act to amend the Citizenship Act, which responded to the Truth and Reconciliation Commission's Call to Action 94.

Some things have happened, and it's important for me to talk about them.

[*English*]

It has been nearly eight years since the Truth and Reconciliation Commission of Canada released its final report and the 94 Calls to Action. These Calls to Action present a pathway as well as a road map for all levels of government, no matter where we are or where we live. It could be municipal, provincial or territorial government. It could be the education sector, private sector or the health sector. It is everywhere in this country. We're all responsible for doing something.

• (1540)

For me, it's also very important to remind ourselves that it's to ensure that Indigenous people are respected, valued and, of course, included for today, tomorrow and the next generation to come.

[*Translation*]

That is what Bill C-29 seeks to achieve by establishing a national council for reconciliation. This is one more positive step forward, one more thing Canada can do to make major strides along the shared path of reconciliation.

Bill C-29 acts on Calls to Action 53 to 56 in the report of the Truth and Reconciliation Commission. It will create a national council responsible for monitoring progress on reconciliation in Canada, publishing reports and making related recommendations.

In addition, Bill C-29 will enable the conduct of research in accordance with a multi-year plan. Research is important; data is important. Integrating Indigenous and western knowledge and thinking is crucial to advancing reconciliation in the hope of developing new approaches and new programs to support understanding among people outside the government apparatus.

Marie Wilson, a former TRC commissioner recently testified before the committee during its study of the bill. She reminded us of the following:

We are all aware, I hope, that we have lost more than half of the survivors who were alive at that time. All these many years later, we are still not able to answer questions about whether things are getting better or worse. What are the inspirational things we can learn from? What are the discouraging and deteriorating things that we need to put a sharper lens and attention on? So the national council, as we said at the time, was essential.

[*English*]

The journey of this bill has been very long. Remember, when I started as sponsor of this bill, as we say in English, or to embrace it, as I would say in my own words, I was with a group, and now I wear another pair of moccasins, but my passion, feelings and emotions are the same. We have to remember that the people who were involved before us who worked on this are key people. I would say thank you, of course, to the people who provided their knowledge, passion or expertise, which is the interim board and the transitional committee. Remember this: They were and today are still independent and Indigenous-led — we've been asking for this — who were key in this process. I want to say thank you for all your hard work.

[*Translation*]

Almost a year ago, on December 1, 2022, this bill was passed unanimously in the House of Commons. I want to thank all the political party representatives and everyone involved for their hard work on this bill in committee. Thank you.

I'd also like to thank my colleagues, the members of the Standing Senate Committee on Indigenous Peoples, who took the time to listen to the 52 witnesses who agreed to come and see us and share their concerns, vision or interest in taking the matter further, and who made it possible for the bill to move forward. It took many hours of consideration, not to mention all the briefs and written responses that the committee received. As you will remember, the task was difficult, but we made it through and I'm confident. Thank you to everyone who came and shared, once again, their truth with us.

Their testimony allowed us to make observations and engage in constructive discussions among colleagues on the Standing Senate Committee on Indigenous Peoples and, of course, to propose ways of strengthening the bill.

[*English*]

Following Royal Assent, the first step for establishing the national council for reconciliation, of course, will be to establish its board of directors, which will be composed of between 9 and 13 people who have knowledge of and experience with Indigenous people and the work of the council. The Minister of Crown-Indigenous Relations and the transitional committee would jointly select the first circle of people. It would form the first board of directors with a composition of no less than two thirds being Indigenous people — a place where it was very sensitive, and I think it's important that I say this in French, because in French it will be more comfortable.

[*Translation*]

Rights-holding organizations, what does that mean for an Innu woman, a woman from Quebec? I celebrate both my cultures.

For example, I'm a member of the Uashat mak Mani-utenam community, and my band council if we use the jargon of the Indian Act — Our chief will participate if he wishes, whether I vote for that person or not. It is our form of governance, which I completely respect, regardless of where a person lives, regardless of the place of residence. Our elected members can participate in the assembly of chiefs of Quebec and Labrador, which can also participate at our discretion — we, the elected members of the community, have that power — at the assembly of chiefs.

That's what it means when we talk about rights-holding organizations.

We give a mandate, as in the democracy of Canada, where it is possible to belong to a political party or a social movement; it is your individual right. It is very important when we talk about these organizations. They have been very sensitive to our approach to organizing or proposing this board of directors.

[Senator Audette]

As a result of this sensitivity, of course, there will be exchanges to ensure that the Inuit, the Métis and the First Nations members of these political rights-holding organizations can appoint people to sit on the board of directors.

We also got a lot of comments and had many conversations about making sure that men, women, young people, older people, people who live in the North, people with expertise, residential school survivors and second-generation survivors are all represented.

When we look at the provision of the bill on who can be or become a member, we find these people. They are there. Of course, they're also there to represent those who speak French as a first or second language. French is the first language for some Indigenous nations in Quebec. We must therefore make sure that there is a place for those people and for those who want to keep their Indigenous language. This will be an important exercise for the board of directors, which will have to ensure that this mosaic and this expertise from the various territories and communities have a place in this big circle.

Those who were there may remember Mr. Case, who is part of the transitional committee. He was wearing a beaded vest. I want to paraphrase what he said, which was very important.

He told us that we must not let the perfect be the enemy of the good. In other words, we need to understand that when we start something, it's not always perfect, but it's still fundamental and important.

Once the board of directors has been chosen, of course, the whole technical aspect will be paramount in incorporating this organization under the law governing non-profit organizations. Subsequent to that, the board will be able to obtain non-profit status, which will also give it legal status so it can obtain contracts. Most of us have worked in this kind of non-profit organization. The organization can have its own name, sign contracts and, most importantly in this case, it is not part of the government apparatus.

• (1550)

Ensuring that the organization plays an independent role was a very important Call to Action by the Truth and Reconciliation Commission. For me and those who followed the work, the importance of independence must be emphasized once again.

[*English*]

In their testimony, witnesses raised concerns over funding — the lack of funding or concerns about the annual funding for the council in Bill C-29. That is an important point that I want to raise. We were concerned about this as members of the Indigenous Peoples Committee and want to make sure that is also in the report as an observation.

I don't think I was there during our study on the day the minister came and that question was raised.

I will go through what Minister Anandasangaree said about the funding.

[*Translation*]

Budget 2019 included \$125.6 million to support the establishment and operation of this council, including initial establishment funding of \$1.5 million in the first year and a \$125-million operating endowment fund. It is enshrined in legislation in addition to being included in Budget 2019.

It's obviously impossible to know what the costs are in the first year. We have to rely on experts who have administered much larger funds than these \$126 million for Indigenous peoples. This trust is important, of course.

I thank my colleagues for the questions they asked when the minister appeared. Minister Anandasangaree committed to provide additional funding if the council requested it. This is what he said:

In this particular case, one of the key recommendations of the Truth and Reconciliation Commission is that this council be independent. It would be independent of government, which means there is no ongoing dependency on government. The initial \$125 million is a significant investment into an endowment that will enable the council to operate from a starting point in a robust way. Now, as we develop the council and as the council comes up with an action plan and figures out the scope of the work and budgetary requirements, we need to be open to definitely increasing that. I, for one — and I can assure you our government — will respond when that call is there. As a starting point, \$125 million is a significant amount of money, you will agree, that will get this started. As the work plan is developed and implemented, we will certainly be open to additional conversations, and my personal commitment would be to support additional funding when required.

Then, we heard from representatives of political organizations. Senators will recall that last spring, Inuit Tapiriit Kanatami, ITK, raised a number of issues concerning rights-holding organizations already working towards reconciliation and preserving the integrity of existing bilateral mechanisms. I thank my colleague Senator Patterson for working with those organizations and the government to propose amendments. *Nakurmiik*, thank you for the work you have done.

In my beautiful little office, members of the transitional committee and political staff capitalized on our relationship to discuss how to ensure that this council doesn't simply serve as a box to be checked off when government decides to consult an Indigenous organization. No, this shouldn't overshadow the important work being done with governments, including the federal government. That is important. Thank you for the proposed amendments to this effect.

[*English*]

That said, the amendment adopted by the Indigenous Peoples Committee recognized that the council will not take the place of the existing nation-to-nation, Inuit-Crown or government-to-government relationships. That's very important. This council will be entirely different than the permanent bilateral mechanism and the relationship already in place. It will not be an agent of the Government of Canada. That's very important.

It will be a non-political body led by strong Indigenous leadership which operates independently of government and promotes and monitors progress towards reconciliation.

Within three months after the end of each fiscal year, the council must submit an annual report to the Minister of Crown-Indigenous Relations on the state of reconciliation and its recommendations. Within 60 days of the release of this report, the Prime Minister must, on behalf of the Government of Canada, respond to the report by publishing an annual report on the state of Indigenous people that outlines the Government of Canada's plans for advancing reconciliation.

[*Translation*]

What we still need to know is how the council will get the information it needs to do its job and fulfill its mandate. Bill C-29 provides clear direction in that regard. Under the bill, the Minister of Crown-Indigenous Relations must, in collaboration with the national council, develop a protocol respecting the disclosure of information by the Government of Canada to the council. Bill C-29 provides for the development of such a protocol within six months after the council is incorporated.

Such a protocol will make it possible to coordinate and streamline the disclosure of information from several federal departments while, of course, respecting the provisions of the Privacy Act. There are precedents in Quebec. Once laws and protocols are in place, then many people will finally be able to get on the path to healing. That is another subject.

If the council has an interest in information held by a province or territory, it will have the ability and the latitude to negotiate other agreements.

Honourable senators, our responsibility is to go a little further, to take another step to ensure that we can celebrate, react to or learn from what is being done or what should be done. The independence of this council is a fundamental principle. It is very important.

When we were examining this bill, Minister Anandasangaree reminded us that it is important for his government that the council be independent.

In conclusion, honourable senators, there are people who leave an impression on us sometimes. There are people who touch us, but there are also those whom we love. I remember that man, Jay Launière-Mathias, who participated in a march last year from Mashteuiatsh to Quebec City to meet the pope. He gently reminded us to focus on what is important: supporting the survivors of residential schools.

I was also touched by the words of our colleague and friend Senator Greenwood, who said, and I quote:

Sometimes the purpose is already there. The purpose is that we are lifting up the survivors and the gift that they gave us with their stories.

[*English*]

Colonization is interwoven into this country's social, economic, political and cultural fabrics. Untangling it and repairing the wrongs caused by its legacy won't be an easy path, but we need to do it and we need to acknowledge that many of us have already started that.

• (1600)

As we debate this legislation before us today, I urge — with love, of course — my colleagues to maintain their focus on the clear path in front of us: advancing reconciliation.

This bill is an important step along this journey. It responds directly to four Calls to Action from the Truth and Reconciliation Commission. It also commits Canada, which is very important, to taking meaningful action year over year — not only in one year but year over year — on initiatives that bring us further along in our journey of reconciliation.

We have an opportunity here through this legislation to fulfill a vision and make good on a significant part here in this chamber but also, of course, across Canada, across this big place, Turtle Island, the place where I live.

But creating this national council for reconciliation is overdue. It will also bring more and more people to read or embrace the report that comes every year, even the national political organizations. They might use it or add something, or they might say, “No, not this time,” but that's normal. In my world, we're not all the same, and that's what makes us special and powerful.

[*Translation*]

I want to once again quote Mr. Case from the transitional committee. Some of you might have seen the beadwork on his vest. This is what he said:

I'm a pretty good bead worker.

As a beader myself, I can say that he's amazing.

He continued:

Do I think this vest is perfect? Absolutely not. To you, sure, but I can see that there are still things that I would change about it. However, that doesn't mean it's not a beautiful vest and that it should not go out into the world and do some nice work.

I will end with a personal note. When trying to figure out the impact that all of this could have and which amendments could be made, we turn to those we love and ask, “Mom, am I in a good place with this bill?”

[Senator Audette]

I want to tell you about Nishapet, a woman who was born in the woods. She has never been to a hospital. She was born in the woods and is among those who almost lost their lives due to the great famines that our people have endured on our land of Nitassinan. Her mother, a nomad, told her, “Nishapet, you must go to school. You must receive an education. You will be the only educated member of our family.”

She was talking about being educated at residential school. I'm sharing the story of my mother-in-law, who is 82 years old. Living in a residential school cut her off from everything she knew, affecting the integrity and dignity of this Innu woman, but also affecting her relationships with her sons, with her children.

The same is true of my mother, Evelyne. She was told, “You are going to school. You're going to go and you will stay there.” Then, like thousands of other people, they were subjected to abuse and certain situations.

However, during the Pope's visit last year, I was with them every day, and I told them that I heard some people say, “I'm not interested in any apologies,” while others were saying, “Finally, I'm hearing something meaningful.”

At the end of the visit, these two women said to me, “Why does he have to be the only one to apologize? Why is Canada not putting a program in place?”

I told them, “Yes, lots of things are happening, mom.” Anyway, the point is, last September 30, we passed legislation on this subject. We got a society and governments to rally around a bill that is now part of our culture in Canada. It will bring about action, education and empowerment. Go to a mall, go anywhere and you'll see people who aren't of Indigenous or Inuit or Métis origin proudly wearing orange shirts. Education about this is happening.

Then the two women said to me, “It's good to see people walking with us. It should have started long ago, but you can thank them.”

Little things like that are what make me realize that coming here every day is worth it because there are good people. We don't always agree, but for some things, we're the ones who have to spread this message on behalf of the women and men who experienced these horrific things. Like me, they are very hopeful. I'm a very optimistic person. I wasn't always this optimistic, but as I've aged, I've gained some wisdom.

I'm an optimistic person, despite the multi-generational or intergenerational trauma. I have hope and determination.

Just imagine if we had the kind of collaborative, coordinated approach across the country that many people have taken within their communities by creating wonderful initiatives to bring people together and get to know one another, to take action or work together for reconciliation.

That is how I see this national council. It could help us to take another step forward and to be better. We have the right to be better.

In closing, I want to say that I left you a little bead during my maiden speech in this chamber. I left you another one today, and it is up to you whether to pick it up, take it or just look at it. I will respect your choice, but it will respond to some of the Calls to Action, and we should give ourselves a gift.

[English]

We need to do more, we need to go further, and we need to build this together. I hope you will support this bill. To my mom and to my mother-in-law, thank you.

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

Hon. Mary Jane McCallum: As a former student of a residential school, I want to correct something.

The Hon. the Speaker pro tempore: Did you want to ask a question, Senator McCallum?

Senator McCallum: Okay. I'll ask a question.

[Translation]

The Hon. the Speaker pro tempore: Senator Audette, will you take a question?

Senator Audette: Yes.

[English]

Senator McCallum: I heard for the third time people saying that there was extensive consultation done with residential school survivors. As a former student who went through an eight-hour day to do my story, you cannot consult when we are in the midst of darkness and just starting to sift through experience. Don't you think that testifying publicly about painful personal memories and having it relegated to consultation is hurtful and does injury to former students? Thank you.

[Translation]

Senator Audette: Thank you very much. If the choice of words hurt you, I'm sorry. If the words I used for quotes from a former commissioner hurt you, I'm sorry. However, for many people in my family, and for me as I participated alongside them, when we were asked if the consultation was clear and precise, I might reply that we were asked if we had any recommendations or suggestions.

I suppose it depends on the region, but there will never be enough dialogue. We can do away with the term "consultations." I will heed your message, however, because it's important. You are among those who were subjected to these traumas. I'm so sorry. I'll be careful.

Nevertheless, I want to honour those who asked us to do more. Maybe we can choose better words together so we can get more done together.

[English]

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, I rise today to speak at third reading of Bill C-29, an Act to provide for the establishment of a national council for reconciliation, as the official critic.

• (1610)

Bill C-29 provides a framework for the implementation of a national council for reconciliation. The Truth and Reconciliation Commission's — TRC — Call to Action number 53 sets out the conditions for the establishment of the council, stating specifically:

We call upon the Parliament of Canada, in consultation and collaboration with Aboriginal Peoples, to enact legislation to establish a National Council for Reconciliation. The legislation would establish the council as an independent, national, oversight body with membership jointly appointed by the Government of Canada and national Aboriginal organizations, and consisting of Aboriginal and non-Aboriginal members. . . .

As I said in my second reading speech, above all, "Reconciliation must be centred on the future of Indigenous peoples . . ." As senators, we have an important responsibility to ensure that what we do is in the best interest of all those who will be most affected by the bill.

I would like to take this time to acknowledge the work of Senator Audette as sponsor, our chair Senator Francis, all the members on the Standing Senate Committee on Indigenous Peoples, the clerk, the analysts and researchers for all their work on this important bill. As a committee, we heard from witnesses and organizations with compelling testimonies, stories and knowledge.

Bill C-29, in its current form, recognizes the following groups: the Assembly of First Nations, or AFN; Inuit Tapiriit Kanatami, or ITK; the Métis National Council and the Native Women's Association of Canada, or NWAC. The bill guarantees them all a seat.

I support Bill C-29 and the work of these important national organizations. Indigenous reconciliation lies at the heart of Canada's ongoing journey toward acknowledging past wrongs and building a more just and equitable future for all Canadians, both Indigenous and non-Indigenous. Reconciliation represents a commitment to healing the historic wounds inflicted upon Indigenous peoples, a commitment to mending the broken relationships between Indigenous and non-Indigenous Canadians and a commitment to building a nation where the rights, cultures and contributions of Indigenous peoples are fully recognized and respected.

It is crucial to acknowledge the historical injustices that have been perpetrated against Indigenous peoples in Canada. For centuries, Indigenous communities have faced forced removal from their ancestral lands, the imposition of residential schools and discrimination that has persisted through generations. The

consequences of these actions are still felt today in the form of economic disparities, health inequities and social challenges that disproportionately affect Indigenous communities.

Bill C-29 is, at its core, an important step toward reconciliation between Indigenous peoples and non-Indigenous peoples in Canada. Almost eight years after the Truth and Reconciliation Commission's report was published, we finally have a bill in front of us to honour Call to Action number 53 for the creation of a national council for reconciliation.

In my opinion, the Call to Action is an important step toward reconciliation. If we want to rigorously evaluate the progress of reconciliation in Canada, we must have a national council who can monitor, evaluate and report to ensure government accountability. The government must respond within 60 days to the annual report which outlines the Government of Canada's plans to advance reconciliation.

As I reflected on the testimonies and the second reading speeches, many concerns were raised. For example, during her second reading speech, Senator Anderson raised the important issue of consultations, or lack thereof, by the government with Indigenous peoples. It goes against the TRC report's Calls to Action, which say the consultations must be done with the Indigenous organizations and not hand-picked by the government. I share that concern because, too often, the federal government will consult whom it wants.

Senator Francis made a valid point in his speech on the committee's report that the TRC is based on research and consultation which recommended the establishment of the national council. In my experience, the federal government, as a whole, too often uses the term "consultation" very broadly. In regard to Bill C-29, consultation with Indigenous organizations is crucial.

During our committee study, we heard from a range of witnesses: national organizations, provincial associations, stakeholders such as youth, and many others. The committee heard concerns, especially from the ITK, or Inuit Tapiriit Kanatami, on the possibility of the national council on reconciliation affecting bilateral mechanisms and government consultations. Amendments were accepted at the committee and hopefully they clarified that the council being created by the enactment of this bill should not interfere with these mechanisms.

Finally, the committee heard an important number of witnesses voicing their concerns on the composition of the board of directors. As written in clause 10 of Bill C-29, we currently have four of the five national organizations who will have a guaranteed seat on the board of directors: the AFN, ITK, the Métis National Council and NWAC.

Honourable senators, the one national organization missing from this bill is the Congress of Aboriginal Peoples, or CAP. For over 50 years, CAP has advocated for the rights and interests of urban, non-status, off-reserve First Nations, Métis and southern Inuit peoples. By doing so, they have often been the only voice for these indigenous communities. In the House of Commons Standing Committee on Indigenous and Northern Affairs, an

amendment was moved to include the Congress of Aboriginal Peoples and the Native Women's Association of Canada as guaranteed members of the board of directors.

That amendment passed with a majority vote, but once at the report stage, the government decided to reverse the committee's decision by removing only CAP from the board of directors' guaranteed seats. We heard testimonies at committee as to why CAP is certainly deserving of a guaranteed seat. Therefore, at our Senate Standing Committee on Indigenous Peoples, I moved an amendment to reinsert CAP to give them a guaranteed seat on the board of directors, along with the other four groups. The amendment was narrowly defeated in a tie vote.

Honourable senators, as I said earlier in my speech, I support the bill. I believe Bill C-29 is an important step in reconciliation. I bring up the question of representation on the board of directors because I am concerned, like some of my colleagues on the committee, that the government is removing an important voice from the board of directors. In my opinion, the decision goes against the spirit of the bill with the government hand-picking whom they accept or reject.

The preamble of Bill C-29 clearly states "Whereas the Government of Canada recognizes the need for the establishment of an independent, non-political, permanent and Indigenous-led organization . . ." As you see, colleagues, Bill C-29 is clear: The national council on reconciliation is to be a non-politically led organization. Yet the government's decision to accept NWAC and not CAP seems political. Instead of accepting both groups as adopted by the House committee, the government seems to have applied a unique set of rules to NWAC but not to CAP. The government reversed the committee's decision. It is an unfair decision to leave CAP out of the board of directors after they were included along with NWAC at committee in the other place.

The purpose of the council is to advance reconciliation between Indigenous and non-Indigenous peoples. How can reconciliation advance for all when a national organization like CAP is ignored? In good conscience, I cannot stand idle.

The testimony heard in our committee was compelling. Senator Brazeau offered great insight on the long history of CAP. The senator provided important context to better understand that there are five national organizations and that CAP has an historical heritage. His testimony was important, and I thank him for his insightful words.

And as CAP National Vice-Chief Kim Beaudin said:

Just because our people move off reserve does not mean their trauma disappears. Reconciliation cannot be just for some; it must be for all.

Honourable senators, this is a powerful statement that reconciliation must be inclusive to all.

• (1620)

With 11 provincial and territorial affiliates, the Congress of Aboriginal Peoples, or CAP, can provide important insights from different regions of the country and continue to work towards reconciliation in Canada. By adding CAP, a fifth national

organization, I believe we will have a better representation of voices from all segments of Indigenous communities across Canada.

Including CAP in the bill ensures that this legislation truly reflects the spirit of Bill C-29: that the council is non-political and independent. Including CAP as a guaranteed seat on the council is to acknowledge the many experiences and challenges faced by the hundreds of thousands of Indigenous peoples they represent across Canada.

As I have said earlier, the Standing Committee on Indigenous and Northern Affairs in the other place supported the amendment, while at our Senate committee, the amendment did not pass due to a tied vote.

Therefore, I now turn to you, honourable senators, to seek your support in correcting the government's political decision to remove only CAP at report stage in the other place, and to reinstate the Congress of Aboriginal Peoples as a guaranteed member on the board of directors of the truth and reconciliation council. In doing so, we would also be reflective of one of the important observations made by the Standing Senate Committee on Indigenous Peoples' report on Bill C-29:

The Board of Directors of the Council should strive to include a broader representation of Indigenous peoples than those currently identified in the Act; in particular, the council should reflect the wide diversity, backgrounds and experiences of Indigenous peoples regardless of where they live.

MOTION IN AMENDMENT—DEBATE

Hon. Yonah Martin (Deputy Leader of the Opposition): Therefore, honourable senators, in amendment, I move:

That Bill C-29, as amended, be not now read a third time, but that it be further amended, in clause 10, on page 5,

(a) by replacing line 7 with the following:

“been nominated by the Métis National Council;”;

(b) by replacing line 10 with the following:

“Canada; and

(e) one director who may only be elected after having been nominated by the Congress of Aboriginal Peoples.”;

(c) by replacing line 12 with the following:

“in paragraphs (1)(a) to (e), the remaining directors may”.

Thank you.

Hon. Mary Jane McCallum: Thank you for your speech. I have asked CAP four times these questions, and they have not answered them. Perhaps they gave you the answers. I asked them: Who are your members? How do you verify their

indigeneity? How are the elections carried out? What percentage of membership is in each province? They're saying that their membership is 850,000. When I challenged them in committee, they reduced it to 600,000.

How do you practise reconciliation without land or language? When they called me last week, I said that I would not speak to them unless they answered these questions, and they haven't to date.

So that causes me great concern.

Senator Martin: I can't speak for CAP, but as I said in my speech, I'm aware — based on testimony that we heard at committee as well as from looking at their website — that they have 11 provincial and territorial affiliates, and have done extensive work for over 50 years. I stand by what I included in my statement today, but in terms of speaking for them in regard to your specific questions, I don't have the answers to them.

Senator McCallum: I worked extensively with organizations, even before I became a senator. I have worked with the Native Women's Association of Canada, or NWAC, with the National Association of Friendship Centres and other groups, and they have been great allies and advocates. I have asked groups of women in the past week — healing groups — if CAP has advocated for them, and each group said no. I have never worked with CAP in the 30 years that I have worked with Indigenous people.

Can you tell me why you say that because NWAC is there, CAP should be there, when NWAC has done such great work? Thank you.

Senator Martin: I think that NWAC deserves to be there with the other guaranteed seats. What I'm saying is that I also believe that CAP is a national organization that has been recognized in a number of ways, including by receiving funding. Our colleague Senator Brazeau came to the committee and gave us a very good testimony on the history and work of CAP. He himself led the organization.

I think there are so many organizations across the country. Senator, I know you work tirelessly, but I think that not everybody will have worked with every single organization. I just stand by the position that I'm taking because of what we heard at committee, including from Senator Brazeau.

Hon. Frances Lankin: Thank you very much for your speech, your presentation and the work you do on these issues and committee work. It's very important, and I appreciate the sensibilities you bring to the discussion.

I was searching for information earlier on different organizations, and in Labrador right now there is an organization that first began to present itself as Métis and now as Inuit. There is controversy about it. I don't know the details, and I need people who are from these communities to inform me.

Similarly about CAP, I have spoken to Senator Brazeau and have a good understanding of what he attempted to do when he led that organization. But from various native organizations — not all of them, but many of them comprised of rights holders —

there has been concern expressed about CAP with regard to whom they really represent, how they represent them and how the organization works.

This may not be a fair question to ask you. I'm just wondering if you learned anything more than what you've told us thus far in committee, and if there are other people who are going to speak to your amendment, particularly Indigenous senators. It's a question that I hope people will try to answer for some of us who aren't as familiar with CAP as perhaps you have become.

Senator Martin: Yes. This is a complex situation, and I am learning so much by being at committee and by looking through Hansard of the other house and understanding what happened.

For me, I'm just looking at the intent of the bill, the spirit of the bill — reconciliation — and the importance of including the range of voices and groups that are in Canada, but I almost feel like it's next to impossible because there are only 13 seats.

In terms of the guaranteed seats, I know of CAP from the work that Senator Brazeau did, the work that our government previously did and that it is an organization. Their website is quite extensive. There is the *Daniels* decision that recognized them.

I am just thinking about inclusivity and respecting a national group such as CAP. Other groups' opinions about the Congress of Aboriginal Peoples, or CAP, what they have or have not done with them — all of those complex factors — are not something I am looking at. I am looking at the testimony we heard, what happened in the House and the spirit of this bill. I'm urging honourable senators to consider what I've said and vote accordingly.

• (1630)

[*Translation*]

Hon. Renée Dupuis: Thank you for your speech, Senator Martin.

We know that, since the early 1970s, the Congress of Aboriginal Peoples has been representing First Nations people who live off-reserve. We also know that one of the most important aspects of the work done by the Assembly of First Nations has been recognizing the jurisdiction of First Nations governments, not only over their members living on-reserve, but also over their members who move off-reserve.

Isn't there a risk of double representation if the Congress of Aboriginal Peoples is added?

When you were doing your research, did you find any information on this subject?

[*English*]

Senator Martin: I see the organizations as being distinct and different. CAP, on its own merit, has done extensive work over the past 50 years. Based on the testimony that was heard, the fact

that both CAP and the Native Women's Association of Canada, or NWAC, were included in the other place but the government removed one and not the other, the criteria for that is not clear to us. Based on what happened, the history of this bill, the work that CAP has done over the past 50 years and on their merit, that's what I believe. I'm not talking about removing anyone else but adding a guaranteed seat to a national organization that has been in existence for decades.

[*Translation*]

Hon. Éric Forest: Would the senator take another question?

Senator Martin: Yes.

Senator Forest: It is all about representation. If I understand correctly, the Congress of Aboriginal Peoples, which is a very good organization that does a lot of work to promote the cause of Indigenous people, is not necessarily an elected organization.

What your amendment is proposing is to formally reserve a seat on the council for the Congress of Aboriginal Peoples. Why that organization and not some other national organization? Would it not be appropriate for us to instead set out criteria for selecting an organization? People may or may not be members of the Congress of Aboriginal Peoples. If I were an Indigenous person who was not a member of that organization, I might not feel as though it could speak on my behalf.

I have a problem with arbitrarily granting this organization a seat on the council.

[*English*]

Senator Martin: I don't see it as arbitrary. Only NWAC and CAP were included to have a guaranteed seat in the House. This is the history of the bill and what happened in the other place.

There are so many organizations. I'm not taking away from any of the others as to what they do and how important they are, but CAP is a national organization that has done a lot of work and it was accepted by the committee in the other place. That's why I'm focusing on CAP and no other groups, which I could have. I don't know how I would choose because there are so many that do such good work.

I think this will be the challenge for the council, even after we adopt this bill, namely, what will the makeup of the board be? I chose CAP specifically because of what happened in the other place.

Hon. Yvonne Boyer: Would the senator take another question, please?

Senator Martin: Yes.

Senator Boyer: Thank you. I am curious as to where the hundreds of thousands of members come from with CAP. My experience with CAP was when I first became a senator, I asked them to come and sit with me and talk to me about their membership. They did. The question that I had was, "Who are your members and where are they?" The answer I got was, "I don't know."

I'm curious to know where that 850,000 comes from because, as a Métis, they don't represent me and they don't represent any of my family or anybody I know.

Senator Martin: I can't answer that question specifically, senator. As I said, I am basing it on the testimony that we heard and the information that I gathered. I was on their website, and I have met with their leadership. Like I said, they were included in the House. That's why I brought it forward. That's what I can say to your question.

Senator Boyer: If you're taking this information from the website and you didn't directly say, "Where do those members come from," then you don't know that answer, do you?

Senator Martin: I don't know that.

Senator Boyer: Thank you.

Hon. Mary Coyle: Thank you very much to my colleague and fellow member of the Indigenous Peoples Committee, a committee that has worked so hard. I know you've worked very hard. This was not an easy bill for any of us, on so many levels and in so many ways. I thank everybody for their work.

Senator Martin, when we had our second reading of this bill, I asked a question about differentiating between rights holding, membership-based national organizations, let's call them oranges, and others that are peaches, pears or plums. You had a hard time answering that question. But this issue keeps coming up again and again. That is, this claim of 800,000 and some odd members of CAP and claiming that pretty much everybody who doesn't live in a First Nations land-based community as their own.

At our committee, I did not speak against CAP. I have nothing against CAP. I know they provide good services to people. But what I spoke against was us, as senators — and at that point as a committee — making the choice that CAP should be at that table when I personally felt that decision should be made by those initial Indigenous leaders who would see the value of which other organizations should be at that table.

My question for you is this: Do you agree that the membership be on those three rights-holding organizations and the one national Indigenous women's organization so that any other seats there should, frankly, be ones that are discussed and decided upon by those four as opposed to by us?

Senator Martin: I don't agree that we should not include CAP. That's why I've moved this amendment. As you said, there are the three rights-holding organizations: the Assembly of First Nations, Inuit Tapiriit Kanatami and Métis National Council, and the Native Women's Association of Canada, which is different, but they are included and they are deserving. I feel the same way about CAP. We can agree to disagree, but I'm explaining why I believe that CAP shouldn't have been removed and should have a guaranteed seat.

• (1640)

Hon. Denise Batters: Thank you, Senator Martin. Following Senator Brazeau's speech about this matter, I asked him about its history, since he was someone who had previously been the head of the Congress of Aboriginal Peoples, or CAP. There are generally five recognized national organizations of Indigenous people, and Senator Brazeau mentioned that the government helped create them. Four are included in this bill. At one point while it was in the House of Commons, it included the Congress of Aboriginal Peoples as well, but CAP was later removed.

Do the government's criteria consider all five of them, in the many things that the government is dealing with, to be proper national organizations for Indigenous people? If so, is this bill a bit of an outlier in that it does not include the Congress of Aboriginal Peoples?

Senator Martin: Yes, exactly. There are five national organizations. The government kept the Native Women's Association of Canada, or NWAC, but removed CAP, and it's not clear what criteria they were using. That inconsistency was noted. As I said earlier, based on the testimony that we heard and the history of this bill, I believe that CAP should be included.

Hon. Ratna Omidvar: Senator Martin, I am sure the committee called the minister to testify for Bill C-29. Was the minister asked by you or anyone else why CAP was removed and what criteria were used in doing so? Can you shed some light on that?

Senator Martin: Yes, the new minister, Minister Anandasangaree, did appear. When I asked the question regarding CAP and we were talking about the inclusion or the exclusion, he was new to the file, so he didn't specifically talk about the criteria. To me, it's still unclear. I believe that CAP should be included.

Hon. Scott Tannas: First of all, let me congratulate Senator Audette on her shepherding of this bill. This was not an easy task. She spoke of being in new moccasins, but she conducted herself and moved the work through like a person who had been in her moccasins for a long time. It was terrific, and here we are.

As was said, we heard an enormous amount of testimony, and a large chunk of it was on guaranteed membership. I would say, maybe with a bit of exaggeration, we could probably fill this council twice over with guaranteed seats from people who wanted them — groups of all kinds, all worthy and hard-working, who represent all kinds of subgroups of Indigenous people.

It was interesting to learn of the provenance of the guaranteed seats when they arrived from the House of Commons. The government — to Senator Coyle's point — started the bill having three guaranteed seats, which were for the three rights holders. It was the Inuit Tapiriit Kanatami, or ITK, the Assembly of First Nations, or AFN and the Métis National Council, or MNC.

Then in committee — and I suspect they got into the same kinds of issues that we did — they discovered that there were five national Indigenous organizations funded by the government, and only three were represented, and two weren't: NWAC and CAP.

The committee said we should have all five national organizations at the table. I can see the government's original rationale for going to the rights holders and limiting it to that. But I can also see the Standing Committee on Indigenous and Northern Affairs in the other place's rationale for having all five.

But then it goes to the floor, and the government, together with the NDP on one side and the Conservatives and the Bloc on the other, decide to pluck one out. Now it makes no sense. There is no sense to be made of the selection of four. There's some sense to the three and some sense to the five.

As we went through this process, we tried to find some kind of rationale for this. We know what the government wants. We don't know why they want it. We suspect there's somebody in that group of three or four who doesn't like CAP and doesn't want them or whatever it is. We don't know.

One person who, for me, was important, and part of the reason why I'm going to support this amendment, is Marie Wilson, one of the original commissioners of the Truth and Reconciliation Commission. She sat through all of the testimony — God bless those who testified — given over so many days and from across the country, listening to the stories and developing the Calls to Action. I told her we've had all these problems, we don't understand and we're a little frustrated because we can't seem to get the answers. I asked her, "Whom did you envision?" And she pointed it out to us, quite simply, with a sentence: "We envisioned those who were at the apology." Well, those who were at the apology were the five national organizations.

For me, that is very significant.

The other thing that's significant is that all the way along, we have had 6-to-5 or tied votes in the committees who listened to, in our case, 50-some witnesses. I don't know how in-depth the House went, but I'm certain it was to some degree, and we were always split on this issue.

I want to commend Senator Martin for having the bravery to take this question, which I think regards something quite right for us to decide: Should we send the bill back, which we're now sending back with amendments, with this awkward arrangement with four guaranteed seats and one excluded seat that we can't find a rational explanation for? Or should we send it back with an amendment and give them one more chance to decide whether they want three or five seats? It makes sense for us to at least consider sending it back to the House of Commons with the other amendments — it's going back there anyway — to highlight that this is still an unfixable problem and that maybe they should look at it.

I would also say focusing on and excluding one national organization diminishes decades of its work. Some might say, and we heard a bit of it here, that they're in a bit of disarray. Frankly, a number of the national organizations have been in disarray at different times. Any organization that's around for 10, 20 or 50 years will go through ups and downs.

To me, out of fairness and, if nothing else, out of respect for the past contributions of that particular organization, it is at the very least worthy of one last look in the Senate and, I would say, one last look in the House of Commons.

I want to thank everyone who has spent their time and asked great questions here today. I'm keenly aware of the fact that I'm not Indigenous, but I have to say that this bill is extremely important. It's important because it forms a commission that is going to do the work that, I believe, is so vitally necessary so that the 96% of Canadians who are not Indigenous get the message from the 4% who are.

• (1650)

The work that is going to be so vitally important is not to become another political organization that we create and fund. It's about being an organization that is going to measure, monitor, broadcast and hold accountable governments and organizations who have a role to play in reconciliation. It is so vitally important — that's why we have to give ourselves every opportunity to get it right.

Thank you, colleagues.

Some Hon. Senators: Hear, hear.

Senator Coyle: Thank you. You are quite the orator. I always appreciate hearing from you. It always makes sense when it comes from you; I'm saying that sincerely. I know that we sat next to each other at that committee, and struggled back and forth, and shared a lot of ups and downs.

I appreciated that in committee, you did not try to remove the Native Women's Association of Canada, or NWAC — which would be one move to make it a more even playing field. I'm glad we didn't do that at committee, and would not promote that.

You spoke just now about respect. It's respect that I'm concerned about as well. I have a fear that if this body, this chamber, imposes a decision, which includes the Congress of Aboriginal Peoples, or CAP — which, in my opinion, has misrepresented itself, and is not on the same level as those three national Indigenous organizations that represent people who have Indigenous rights here in Canada — we would be showing disrespect to those three national rights-representing organizations.

Do you share a concern about us reintroducing CAP as a member of the board of this very important national council for reconciliation, as well as what that might do to how those three organizations would feel regarding how we respect them?

Senator Tannas: It's a very good point. Again, it goes to the heart of one of the discussions we had, which was that we have the three national rights-holders organizations. There were two other organizations that are also national organizations funded by the government, et cetera. If they had stuck with the three, we would have had a very consistent position that we all could have gotten our minds around.

When they added the other two in committee, and then took one out, we wound up with something that we could not rationally explain — except to say that CAP is not a worthy organization. We've heard about that today.

If that is the case, then let the government say it. Let the other national organizations say it by asking the government to remove CAP specifically, and send it back to us with that stripped — that will diminish the work, surely, that CAP has done in the past, but at least there will be some honesty around the whole process.

Hon. Marty Klyne: I could make this a question; it's more of a statement.

I have heard what Senator Tannas has had to say here. Has anybody on the committee, as well as witnesses or others, delved into this whole permanent guaranteed seating?

I was under the impression that, at one point, there was going to be three seats, and others would be intermittent. I'm surprised — I can't say that I'm pleasantly surprised — that NWAC is on there. I've done a lot of work with them — they have a right to be there — through the experiences I've had, and watching Harry Daniels when he was the national president, and how he dealt with NWAC at the constitutional table when there was no seat for them. He had an extra seat; he invited them to the table. It put everybody on their heels because that was the only woman representative who was sitting around that table.

I'm a little surprised. Senator Tannas was on to something there with what he just said.

I would not opine upon this without first talking to Cassidy Caron, the President of the Métis National Council, or without calling my chief. I'm a member of Little Black Bear's Band. I would call the chief there, and ask him to consult with the chief-in-council. I would also want to speak to some of the regional chiefs within the Assembly of First Nations, or AFN.

To the point that Senator Tannas was making, I would throw that back over to those who have guaranteed seats on that, and those three.

The constitutional definition of "Aboriginal peoples" — thank you very much, Harry Daniels — includes Métis. It is First Nations, Métis and Inuit; those groups are the constitutional definition of "Aboriginal peoples." They should have a say in this.

This is a reminder of something from the early days of trying to form this: There was First Nations representation around the table as it was being discussed. Somebody asked one of the chiefs there — a chief from Saskatchewan — "What do you think about what the Métis need or want?" He said, "That's a little

colonialism because we don't speak on behalf of Métis. If you want to know what they think, you ask them and get them to this table."

Has anybody explored this type of thing? Has anybody consulted with these other organizations, which are the established organizations within the Constitution?

Senator Tannas: We did not talk, nor did anybody volunteer — that I recall — in any of the testimony to say, "Look, we don't want to be part of this if these guys are part of it, or those guys." There was none of that done, certainly, in our committee.

We can draw our own conclusions as to what conversations are going on between the three main organizations, plus NWAC and the government. Perhaps that product is what we have right now. But it was a bit chaotic in reaching that number of four.

It's worth having them revisit it over there, and send us the strong signal that they have, in fact, consulted, and that what came over here was right, even though it doesn't appear to have any symmetry to anything we've been able to divine — and certainly no symmetry to what was on the mind of, at least, one of the three Truth and Reconciliation Commission commissioners when they drafted the recommendation that this bill is meant to adhere to.

Hon. Michèle Audette: I will try to be short, but I'm speaking in English, so it might take longer — ensuring that my colleague Senator Martin gets it. Thank you so much for advocating for this group because maybe one day I'll ask you, "Can you also advocate for this group?"

I want to be very honest in terms of where I'm coming from: I'm coming from a place where, not long ago in Canadian history, we weren't allowed to be more than 10 people. We are called "Indian" under the Indian Act, so I would say the "Innu people." It was illegal.

In the 1970s, many organizations were popping up or created, such as NWAC and AFN — it was another name: the Congress of Aboriginal Peoples. But it slowly opened the door for any government that came into power to say, "I will consult with them. I will speak with them."

• (1700)

But at the end of the day, it was taking my voice away as a human being, as an Innu woman and as a person who wonders, "If I don't belong to those organizations, where do I go, or who is speaking on my behalf?"

It's important for us to have that debate today.

So here is what I propose. Maybe it won't be through this bill, because it's a deep-rooted problem. There are so many places where we can go further. If we're sincere, we can have a study on that. But with Bill C-29, I can understand groups. I don't only mean CAP, which wants to get in to make sure they have the urban voice.

I live in Quebec City. It used to be the traditional land for many nations. Reserves made us think that “this is our land,” which is false. So that is no matter where we live.

For me, I believe that with the Congress of Aboriginal Peoples, I was honest with them. I said, “I’ll be the sponsor. I’ll be quiet. I’ll let you do the work, your lobbying and advocacy, but I cannot support. This is why: You are not my government. If you want to be a non-profit organization, perfect, but to say you’re my voice, you’re taking something that we fought to take back.”

So let’s have that dialogue, discussion and debate somewhere else and not within this bill, please. Thank you.

Hon. Mary Jane McCallum: I wanted to say that the three, especially the AFN — I know for certain — are not rights holders. They represent rights holders, but they aren’t themselves.

I have heard of CAP before. They were a really great organization at one time, and then it fell into disarray. I know because I worked and I heard what happened there. That is why I asked them the questions in the committee. I asked them the questions and asked them to send the answers by the end of that week. They never sent the answers, and those are critical.

I became concerned that they weren’t doing the work they are saying they do and they’re not representing the people they say they do. If they were doing such great work — and we keep hearing that, but with this group of CAP, I have not heard one example of great work. I have tried to be fair to them. I have told them four times that I would like this information, and they never came back with it. That makes me suspicious.

When you say there’s respect for past contributions, yes, we have that, but we need to respect what is happening now. My sense is that there is very little being done.

Yes, this bill is extremely important, and we need to base it on truth. We have not received truth from CAP. We understand NWAC; we worked extensively with them on Bill C-69, working with Indigenous women across the country, so I know how hard they work.

You can’t say there’s symmetry or it’s not fair. I look at who does the work. I will support those.

There is the issue of “pretendians” and identity theft. That was the basis. Who is CAP? They still have not said who they are. There is not a CAP organization in Manitoba. I don’t know anyone whom they represent, and that is why if we say this is truth and reconciliation, then let’s base it on truth. Not one person here has said what they’ve done.

I just wanted to put that out there. I don’t have anything against them. If they had told me what they did, who their membership was, and what they had accomplished, I would support them, but I can’t.

Hon. Jim Quinn: I would like to ask a question if the senator will take one.

Senator McCallum: Yes.

Senator Quinn: Thank you very much. During the committee’s work, did any members — CAP is purporting to represent whomever they represent — but the people who are represented, did they email? Usually in these situations, we get advocacy from people who are part of the organization. So did any of that happen? Were there any emails or letters that committee members or you received that said, “Hey, I’m part of that organization, and they do represent me.” Was there any of that at all?

Senator McCallum: I’m not a regular member of the Indigenous Peoples Committee. I didn’t receive any mail. I did go out and ask those representing missing and murdered women. They said they come to our meetings, but they haven’t done anything. I have gone to Sixties Scoop; they don’t represent them. I have asked people in Manitoba, “What do you know about CAP?” and I have not heard anything.

Maybe other members received information, but I didn’t. I did talk with two of the administrators, and they’ve never provided information to me. Thank you.

Hon. Dennis Glen Patterson: Honourable senators, I didn’t intend to participate in this debate until Senator Klyne asked his question just now.

This is a difficult matter. I want to say that I respect Senator Martin and the leader of my group, Senator Tannas, for what they have said. But I also want to mention that, as a representative of Inuit in Nunavut — and by the way, it’s International Inuit Day today; I didn’t get a chance to make a statement on that — as a representative of a region with a population that is 85% Inuit, I do have to say that the national Inuit organization, Inuit Tapiriit Kanatami, which represents Inuit in all four regions of Canada, has recently released an open letter to Canadians about the erosion of rights and status. They are very concerned about what President Obed has said is “. . . a tidal wave of false claims to Indigenous identity.”

You might wonder why I feel this is relevant to the debate on this amendment today, but I think it is relevant and will influence my vote against the amendment, with all due respect to Senator Martin. I was a part of the committee. I heard all the witnesses and the debate. I heard from CAP, and I think Senator Tannas has very eloquently described the steps that got us here today. But the issue for the ITK is that there is a concern about a member of CAP which has been endorsed by the Congress of Aboriginal Peoples, called the NunatuKavut Community Council, or NCC. As President Obed said in a recent public letter, they have made efforts:

. . . to engage federal leaders, academic institutions, and Canadians in an attempt to advance its illegitimate claims to Inuit rights and status. NCC seeks to secure the lands and

rights of legitimate Indigenous peoples and to further misappropriate the already limited resources that are intended to benefit Inuit, First Nations, and Métis.

NCC is not an Inuit rights-holding organization, and the organization has no affiliation with the four Inuit treaty organizations that collectively represent all Inuit in Canada.

Instead, their affiliation is with the Congress of Aboriginal Peoples, or CAP.

• (1710)

In light of the strong concerns about this organization, which is part of the Congress of Aboriginal Peoples, usurping Inuit identity according to their claims — and I have met with the community council, and I know they were greatly encouraged by a previous minister of Inuit-Crown relations who signed a memorandum of understanding, which led them to believe that they would be recognized by the federal government as a rights-holding organization — I cannot in good conscience, as a representative of Inuit in this chamber, support the inclusion of CAP along with other rights-holding organizations on the truth and reconciliation council as recommended in this amendment.

I would note that the Innu Nation — who are also neighbours with the NunatuKavut Community Council as are the people of Nunatsiavut in Labrador — have also questioned their rights-holding identity, and have supported Inuit Tapiriit Kanatami, or ITK, in rejecting what ITK called their false claims to Indigenous identity.

This is not an easy vote for me, and, like Senator Tannas, I am acutely aware of my non-Indigenous status. However, as a representative of Inuit in this chamber and having discussed this matter with President Obed, who represents the Inuit of Canada, I will be voting against the amendment.

Thank you.

BUSINESS OF THE SENATE

The Hon. the Speaker pro tempore: Honourable senators, it being 5:15 p.m., I must interrupt the proceeding. Pursuant to rule 9-6, the bells will ring to call in the senators for the taking of a deferred vote at 5:30 p.m., on the adoption of the twelfth report of the Standing Senate Committee on Agriculture and Forestry (Bill C-234, An Act to amend the Greenhouse Gas Pollution Pricing Act, with an amendment and observations), presented in the Senate on October 26, 2023.

Call in the senators.

• (1730)

GREENHOUSE GAS POLLUTION PRICING ACT

BILL TO AMEND—TWELFTH REPORT OF AGRICULTURE AND FORESTRY COMMITTEE NEGATIVED

On the Order:

Resuming debate on the motion of the Honourable Senator Black, seconded by the Honourable Senator Osler, for the adoption of the twelfth report of the Standing Senate Committee on Agriculture and Forestry (*Bill C-234, An Act to amend the Greenhouse Gas Pollution Pricing Act, with an amendment and observations*), presented in the Senate on October 31, 2023.

The Hon. the Speaker: Honourable senators, the question is as follows: It was moved by the Honourable Senator Black, seconded by the Honourable Senator Osler that the twelfth report of the Standing Senate Committee on Agriculture and Forestry (*Bill C-234, An Act to amend the Greenhouse Gas Pollution Pricing Act, with an amendment and observations*) be adopted.

Motion negated on the following division:

YEAS THE HONOURABLE SENATORS

Audette	Harder
Bellemare	Hartling
Boniface	LaBoucane-Benson
Cardozo	Lankin
Clement	Loffreda
Cordy	Massicotte
Cormier	Mégie
Coyle	Moodie
Dalphond	Omidvar
Dupuis	Petitclerc
Forest	Petten
Galvez	Ringuette
Gerba	Saint-Germain
Gold	Yussuff—28

NAYS THE HONOURABLE SENATORS

Ataullahjan	Marshall
Batters	Martin
Black	McCallum
Boehm	Mockler
Boisvenu	Oh
Boyer	Osler
Burey	Patterson (<i>Nunavut</i>)

Busson	Patterson (<i>Ontario</i>)
Cotter	Plett
Dagenais	Poirier
Deacon (<i>Nova Scotia</i>)	Prosper
Deacon (<i>Ontario</i>)	Quinn
Downe	Ravalia
Duncan	Richards
Francis	Seidman
Gignac	Smith
Greene	Sorensen
Housakos	Tannas
Klyne	Wallin
MacAdam	Wells
MacDonald	White—42

ABSTENTIONS
THE HONOURABLE SENATORS

Kutcher Simons—3
Miville-Dechêne

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

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

NATIONAL COUNCIL FOR RECONCILIATION BILL

THIRD READING—MOTION IN AMENDMENT NEGATIVED

On the Order:

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

And on the motion in amendment of the Honourable Senator Martin, seconded by the Honourable Senator Seidman:

That Bill C-29, as amended, be not now read a third time, but that it be further amended, in clause 10, on page 5,

(a) by replacing line 7 with the following:

“been nominated by the Métis National Council;”;

(b) by replacing line 10 with the following:

“Canada; and

(e) one director who may only be elected after having been nominated by the Congress of Aboriginal Peoples.”;

(c) by replacing line 12 with the following:

“in paragraphs (1)(a) to (e), the remaining directors may”.

Hon. Andrew Cardozo: Honourable senators, I will make a very short statement. This is a complex issue and I’ve listened to it quite carefully. At the end of the day, I want to follow the principle of “nothing about us without us.” I therefore take my lead from my Indigenous colleagues in the chamber and feel it’s my duty and responsibility to be an ally, especially when they’ve explained the issue as well as they have.

The suggestion that Senator Audette made to discuss the issue further or look into it further at another point is a useful compromise so that we’re not completely ignoring the request by CAP — the Congress of Aboriginal Peoples — to be part of the council. Thank you.

• (1740)

[*Translation*]

Hon. Renée Dupuis: Honourable senators, I’ve learned that, in the Senate, it’s in vogue to say at this point, “I wasn’t planning to speak to this topic today.”

Here’s what I’d like to say, with reference to the Supreme Court of Canada’s 2016 decision in *Daniels v. Canada*. The Congress of Aboriginal Peoples asked three questions. First, should they be recognized as Indians? The answer was yes. Second and third, did they have the right to be consulted and should they automatically be part of negotiations? The answer was no.

This is an extremely complex issue both politically and legally. I cannot imagine the Senate, on the basis of an amendment like this one, deciding to take a stance one way or the other. I must therefore vote against the amendment.

Thank you.

[*English*]

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

Some Hon. Senators: No.

The Hon. the Speaker: Those in favour of the motion will please say “yea.”

Some Hon. Senators: Yea.

The Hon. the Speaker: Those opposed to the motion will please say “nay.”

Some Hon. Senators: Nay.

The Hon. the Speaker: In my opinion, the “nays” have it.

And two honourable senators having risen:

The Hon. the Speaker: Do we have agreement on a bell?

An Hon. Senator: Now.

The Hon. the Speaker: Is leave granted?

Hon. Senators: Agreed.

Motion in amendment of the Honourable Senator Martin negated on the following division:

YEAS
THE HONOURABLE SENATORS

Ataullahjan	Oh
Batters	Plett
Boisvenu	Poirier
Housakos	Richards
MacDonald	Seidman
Marshall	Tannas
Martin	Wells—15
Mockler	

NAYS
THE HONOURABLE SENATORS

Audette	Klyne
Bellemare	Kutcher
Boehm	LaBoucane-Benson
Boniface	Lankin
Boyer	Loffreda
Burey	Massicotte
Busson	McCallum
Cardozo	Mégie
Clement	Miville-Dechéne
Cordy	Moodie
Cotter	Osler
Coyle	Patterson (<i>Nunavut</i>)
Dagenais	Patterson (<i>Ontario</i>)
Dalphond	Petitclerc
Deacon (<i>Nova Scotia</i>)	Petten
Deacon (<i>Ontario</i>)	Prosper
Duncan	Quinn
Dupuis	Ravalia
Forest	Ringuette
Francis	Saint-Germain
Galvez	Simons
Gerba	Smith
Gignac	Sorensen
Gold	Wallin
Greene	White
Harder	Yussuff—52

ABSTENTION
THE HONOURABLE SENATOR

MacAdam—1

THIRD READING—DEBATE CONTINUED

On the Order:

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

(On motion of Senator McCallum, debate adjourned.)

• (1750)

CRIMINAL CODE

BILL TO AMEND—THIRD READING—DEBATE

On the Order:

Resuming debate on the motion of the Honourable Senator Gold, P.C., seconded by the Honourable Senator LaBoucane-Benson, for the third reading of Bill C-48, An Act to amend the Criminal Code (bail reform), as amended.

Hon. Dennis Glen Patterson: Honourable senators, I rise today to speak to Bill C-48, An Act to amend the Criminal Code (bail reform).

Colleagues, as I get closer and closer to retirement, I find myself becoming increasingly reflective about our role here as senators. We are a lot of things: We are champions of our regions, as well as the voices of minorities. We are advocates, leaders and mentors, but first and foremost, we are legislators. That places within our purview an incredible power to help or hinder the lives of all Canadians. So, for me, I become incredibly uncomfortable when we pass legislation that many committee witnesses speak out against.

This bill is one of them. I want to say that I agree in principle with being tough on crime. I personally believe in the importance of ensuring that we are not letting dangerous criminals in danger of reoffending out on bail. However, I was disheartened to hear throughout the committee's study of this bill that many respected legal professionals disagree with this bill. We heard time and time again that this bill is politically motivated and would essentially do nothing.

I don't say this lightly. After I heard from a number of credible, experienced and acknowledged expert witnesses in committee, I made a note that the committee had heard a litany of warnings that this bill — these are my words — was a knee-jerk reaction to recent events, which raised a chorus of alarms, but that it would not make a difference. Our committee's

observations on this bill state this in more diplomatic language, but in speaking to this bill on third reading, I believe it is important for all my colleagues to hear these clear warnings.

Kat Owens, a lawyer and Project Director at the Women's Legal Education and Action Fund told us that:

. . . changes to the bail system like this do nothing to address the underlying causes of gender-based violence, and they actually may make things worse in terms of the impact of detention on people, like losing their jobs, homes and mental health supports

She also recommended to the committee that we begin the review in three years as opposed to five years after Royal Assent, stating that:

We know there's a significant risk that this bill will negatively impact marginalized communities, and so as soon as we have the data . . . let's get this review started so that we can make evidence-based policy changes.

On October 4, we had three witnesses on the same panel who all spoke out strongly against the bill. It seemed to me at the time to be a veritable indictment of the bill. Danardo S. Jones, an assistant professor in the Faculty of Law at the University of Windsor, told the committee:

I want to begin by saying that the recent tragic incidents that we've seen in Canada cannot be attributed solely to one piece of legislation. I know there have been talks around Bill C-75 and some of the measures that piece of legislation brought in. This is a much more complex issue, which we can't target with one piece of legislation. It is overly simplistic to suggest otherwise.

Really, the question that this committee should be considering is the constitutionality of Bill C-48 and whether or not this bill would withstand constitutional scrutiny.

Now, to uphold the constitutional right to bail under section 11(e) of the Charter is not to be confused with being anti-public safety. To frame the narrative in that way is dangerous. The courts have engaged in this balance since *Morales* and *Pearson*. It is an important and delicate balance to strike. Public safety is paramount, but ensuring the rights of Canadians is also paramount.

Similarly, Nicole Myers, an associate professor with the Department of Sociology at Queen's University, was clear that this bill will not solve the many issues facing our bail system. In her testimony, she said:

Our bail system is not working well. It is a system in need of reform. The reforms in Bill C-48, however, will do nothing to address the multi-faceted and entrenched issues with the bail system.

Incidents of repeat violence are both tragic and alarming. These events, however, are not the result of legislative failure. Creating more reverse onus provisions —

— as this bill does —

— will not improve public safety. Instead, it is likely to cause disproportionate harm to the most marginalized and overrepresented people in our criminal justice system.

Her testimony was followed by Michael Spratt, a partner at AGP LLP, who drew on his more than 20 years of experience in practising criminal law to state:

It is vitally important that criminal justice legislation be fully studied and considered at every step of the legislative process. When it comes to justice issues, the stakes are too high to legislate without careful consideration of all the available evidence.

He went on to say:

We must remember that people denied bail are presumed innocent, and we shouldn't seek to punish people before they have been found guilty of anything. Pretrial detention is punishment of the worst kind, and we should be incredibly reluctant to throw behind bars people who haven't been found guilty of anything — but we aren't. . . .

The truth about our bail system is that it doesn't apply equally. The wealthy and the privileged, in my experience, are much more likely to be released and much more likely to be released more quickly than people who are impoverished and racialized and have faced other challenges in their life. That's the built-in inequity in our system, and this bill does absolutely nothing to remedy that.

More importantly, the measures in this bill are performative. The government itself has admitted they don't have sufficient data to say what impacts, if any, this bill would have had or will have in the criminal justice system. The current discussion about bail and firearms offences has been driven by some very high-profile and tragic cases, but there is not one iota of evidence that this bill would have saved one life.

The reversal of onus for firearms and intimate partner violence offences — and we can have a discussion about this — I don't think is going to change very much. The system is already bad. It's already broken. This will make it worse, but worse in a way that when you're falling 999 feet out of a plane without a parachute and you know you're going to hit the pavement, the guy with the parachute beside you says, "It could be worse." You say, "How could it be worse?," and he says, "Well, you could be falling from 1,000 feet."

That last line struck a chord with me, and I thought it important that I include it here today.

Honourable senators, I've quoted heavily from our transcripts because, while I think it's important for us to share our opinions in this chamber during debates, it is just as important, if not more

important, for us to act on the advice of the experts that we have identified and called on to share their expertise with us during the committee's consideration of this bill.

None of us can be experts in everything, so I believe it is important, as we undertake our important duty to legislate, to listen to those who are subject-matter experts. All we can do is attempt to make the best possible decision based on all of the information available, and as we are not all members of the committee, I felt it was important to share this testimony, which I found very compelling, to aid senators as they prepare to vote on third reading.

I also feel that it is particularly important to take these observations seriously in light of the other place, in their wisdom, passing this bill at all stages by unanimous consent, meaning that it skipped study at committee there. That makes the Senate the only place where subject-matter experts have had an opportunity to share their views with legislators. Thank you for your attention. *Qujannamiik*.

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

Some Hon. Senators: Agreed.

Some Hon. Senators: No.

The Hon. the Speaker: I heard a "no." Leave is not granted.

Honourable senators, the sitting is therefore suspended, and I will leave the chair until 8:00 p.m.

(The sitting of the Senate was suspended.)

[*Translation*]

(The sitting of the Senate was resumed.)

• (2000)

The Hon. the Speaker: Resuming debate on Bill C-48.

Hon. Pierre-Hugues Boisvenu: Honourable senators, I rise today to propose an amendment to Bill C-48, An Act to amend the Criminal Code (bail reform), introduced in the House of Commons on May 16 by the Minister of Justice and Attorney General of Canada.

The amendment I'm proposing today reintroduces the reverse onus for repeat offenders previously discharged for domestic violence offences.

Doing so sends a clear message to victims and to the public, specifically, that our legal system recognizes the seriousness of recidivism in cases of domestic violence and is taking all necessary steps to prevent future tragedies that could result in further victimization.

This amendment deals with cases of individuals who have already been discharged for similar acts of domestic violence. Bill C-48 originally provided for the application of this reverse onus principle, a measure I strongly support. However, this vital component was removed from the bill through an amendment brought forward by Senator Clement at the Standing Senate Committee on Legal and Constitutional Affairs.

As you know, domestic violence is endemic in Canada. If we want to better protect victims, encourage them to report their abusers and reduce recidivism, we need to adopt a tougher, more rigorous approach to abusers.

Bill S-205, which was passed before the end of the last session, is similar to the amendment I'm proposing today. My bill received support from all the provinces consulted, victim support groups, Indigenous communities, police services and therapists who treat these violent men.

Further to that point, I'd like to reiterate my appreciation for your support in passing this important bill. Once again, thank you.

As I mentioned in my speech at second reading of Bill S-205, in 2018, 148 women were murdered in Canada, and in 2022, 184 women were murdered by their spouses or ex-spouses, men who didn't accept that these women had chosen to free themselves from a prison of violence and silence. The vast majority of these murderers had a violent past and, in several cases, a violent past with several of their partners.

I therefore hope that my bill, Bill S-205, which passed second reading in the other place, will be passed before I leave my seat in this chamber. In combination with Bill C-233, which we passed earlier this year, this bill, if it is passed, will finally provide Canadian women with a secure legislative framework to protect them and their children when they report their abuser.

Senators, it is important to reinstate in Bill C-48 the important measure regarding the reversal of the burden of proof and to remind people of why this measure is essential for victims.

When an individual is accused of a domestic violence-related crime, the fact that he was previously discharged shouldn't alleviate his responsibility in a later case. In fact, a previous discharge should be seen as a warning to be taken into account in future rulings, particularly if new accusations are made.

In that respect, let's not forget the tragic death of Christine St-Onge, who was murdered by her partner, Pierre Bergeron, who was previously discharged in a case of intimate partner violence against another woman. This case clearly illustrates the need for more vigilance. Prior discharges can hide repetitive behaviours and leave future partners vulnerable and defenceless.

By excluding this measure from Bill C-48, we are running the risk of sending the wrong message, that despite a history of violence, an individual could be granted a type of clemency if he reoffends. That isn't the message we want to send to current victims, who are caught in a vicious circle of domestic violence.

Justice must above all protect the potential victims and consider recidivism not a mere coincidence, but a potential indicator of a repetitive, aggressive and dangerous behavioural pattern.

To strengthen my argument, I want to note that the decision to grant a discharge is never taken lightly. A judge evaluates several factors, including the seriousness of the offence and the risk of reoffending. If a new offence is committed, that may indicate a poor initial assessment of the risk of reoffending or a change in the accused's behaviour. In either case, the future partners are at risk and it is vital to review the way these offenders are treated in future.

Bill C-48 will soon be passed, despite the fact that I think it is imperfect. It should have encompassed all forms of domestic violence, not just gun-related violence. A large proportion of women murdered in this country are killed with knives or by strangulation. Bill C-48 represents another step forward in protecting women who are victims of domestic violence. I would also remind senators that in rural areas, one woman in three is murdered with a firearm, while in urban areas, the ratio is only one woman in six. Clearly, many more women are murdered with knives than with guns. The danger for these victims isn't the presence of a weapon nearby, but the attacker's background.

However, I'm pleased that Bill C-48 has retained one of the elements of Bill S-205, which you all voted in favour of, namely maintaining the reverse onus against an assailant who reoffends despite having obtained a conditional or absolute discharge. These abusers reoffend and will always reoffend if they don't receive a court order to undergo therapy.

Meanwhile, what we need to hope for now is that the provinces develop programs to support violent men in their therapy and in learning to control their often deadly anger. I also hope that, as a result, the federal government will answer the provinces' call for funding to support organizations that help violent men, as it does with shelters for victims of domestic violence.

To come back to my argument about the granting of a discharge, historically, it was considered a great privilege if the justice system granted a discharge to an accused who was found guilty of a criminal offence. When the justice system grants a person such a privilege, it must not be taken lightly. When the justice system takes such action, it puts all of its trust in the accused and his future behaviour.

A discharge doesn't erase the crime that was committed in the eyes of the victims, which is why they are often so frustrated. Abusers have an obligation to ensure that their behaviour toward women is exemplary, particularly in the case of domestic and sexual violence.

When someone commits a crime of the same nature as the one for which he was privileged enough to be granted a discharge, he is betraying not only his commitment but also the promise he made to society and to the justice system, which granted him their trust. In my opinion, a broken promise and lost trust must have consequences.

Colleagues, know that I understand and respect the concerns raised by some witnesses who suggested that this measure might unfairly target the survivors of domestic violence. However, after

careful consideration and an analysis of the challenges, I'm convinced that keeping this provision in the bill is not only necessary, but it is also essential for the protection of potential victims of violence for four reasons.

First, it is important to make a clear distinction between the victims and the perpetrators of violence. Our goal is to prevent recidivism in those who, having already benefited from a discharge, end up facing justice again for similar reasons. It is imperative to understand that this provision targets repeat offenders specifically.

Second, prevention and victim protection are at the heart of this measure. By reversing the onus, we are putting in place an essential precautionary mechanism for preventing repeated abuse. This extra barrier requires repeat offenders to actively prove that their release doesn't represent a risk to the victim. It is a crucial step for other potential victims.

• (2010)

Third, this measure acts as a significant deterrent. It shows that our justice system takes past domestic violence seriously and is prepared to take concrete action to deter future offences. It sends a clear signal that recidivism will not be tolerated and that personal responsibility is a key component of our justice system.

Fourth, maintaining this provision will help strengthen the integrity and credibility of our justice system. It demonstrates that past discharges are not a free pass for future offences. Our system must remain vigilant and respond to the risk of reoffending. Public confidence in our justice system is at stake, as is the victims' absolute trust in justice — a trust they are too often deprived of.

Honourable senators, this is why it's so important to be consistent with the decision you made a few months ago when you passed Bill S-205, which included this section, that is, the decision to ensure consequences for a repeat offender who assaults a spouse or a ex-spouse again, even after obtaining a prior discharge. In my view, reoffending must revoke any privilege the accused had received and for which he has breached his obligation not to assault anyone again, otherwise the notion of discharge will also lose all meaning.

We must ensure that offenders meet their obligations in relation to a discharge and that we emphasize the importance of a discharge when it is granted, otherwise the confidence of victims and the public will be lost, both when a discharge is granted and when it's not respected.

For all of these reasons, I urge you, honourable senators, to think carefully about the impact of removing this provision. Failing to recognize the seriousness of recidivism in the context of domestic violence can undermine both protection for victims and the fundamental responsibility that our justice system has of ensuring that victims are protected. We have a duty to protect the most vulnerable members of our society and to ensure that justice is done fairly, effectively and responsibly.

Honourable senators, as legislators, it is our duty to guarantee the safety and protection of all citizens. Reinstating this measure in Bill C-48 isn't simply a matter of legal procedure; it is an act of responsibility toward those who are vulnerable and whose voices are often not heard in our justice system.

I therefore urge you with all of the conviction and urgency this cause demands to support my amendment to ensure the safety of our fellow citizens and bring them justice. Thank you.

MOTION IN AMENDMENT—VOTE DEFERRED

Hon. Pierre-Hugues Boisvenu: Therefore, honourable senators, in amendment, I move:

That Bill C-48, as amended, be not now read a third time, but that it be further amended in clause 1 (as amended by the decision of the Senate on October 26, 2023), on page 2, by replacing lines 28 and 29 with the following:

“(4) Paragraph 515(6)(b.1) of the Act is replaced by the following:

(b.1) with an offence in the commission of which violence was allegedly used, threatened or attempted against their intimate partner, and the accused has been previously convicted or discharged under section 730 of an offence in the commission of which violence was used, threatened or attempted against any intimate partner of theirs;”.

Thank you.

Hon. Senators: Hear, hear.

Hon. Marc Gold (Government Representative in the Senate): Would the senator agree to answer a question?

Senator Boisvenu: Coming from you? Of course.

Senator Gold: Thank you.

The Hon. the Speaker: Senator Gold, we have very little time left, so I'm wondering if you would like to ask for a few more minutes.

Senator Boisvenu: I would like another five minutes, please.

The Hon. the Speaker: Is leave granted?

Hon. Senators: Yes.

Senator Gold: Thank you, Madam Speaker. Senator Boisvenu, I thank you for bringing this proposal forward for our consideration. We're talking here about a provision that, in the original version of Bill C-48, sought to better protect victims of domestic violence. It was supported by all the members in the other place, by the Native Women's Association of Canada and by every provincial and territorial government. What's more, the Attorney General of British Columbia, Niki Sharma, said that she would write to the Minister of Justice to urge him to keep this part of Bill C-48.

Senator Boisvenu, can you confirm that your amendment uses the exact wording of the initial version of the bill?

Senator Boisvenu: Yes, it is the same wording, and I will add an explanation, because it's a rather complex subject. It's important to understand that a man — because in 90% of cases, it's men who abuse women — who has received a pardon and then goes on to assault another spouse, when he appears before a judge, if this section doesn't exist, the onus will be on the Crown to prove that this is a violent repeat offender who shouldn't be released.

If we take away that privilege, any repeat offender who is brought to justice will be treated equally. Whether an offender has been pardoned or not, if he assaults another intimate partner, the onus will not be on the Crown but on the accused to prove that they aren't violent.

What this says is that the offender had a privilege, but if he has breached his obligations, he is treated the same as a violent man who appears before the court after having reoffended.

[*English*]

Hon. Denise Batters: I have a brief question for Senator Boisvenu. In regard to this, I just want to make it clear for those of us who are not fluent in French, and who do not have a full understanding of what has been said. My understanding is that this particular amendment returns the bill to the form in which it existed previously. The part of bail reform relating to serious offences would apply not only to people who have been convicted, but also to people who have been found guilty and were discharged, whether it's an absolute discharge or a conditional discharge. Just so that my colleagues know, absolute discharges can be quite serious matters. For example, in 2008, Saskatchewan Roughriders general manager Eric Tillman received an absolute discharge after he sexually assaulted his children's babysitter. That is the kind of serious charge that we're dealing with here. Is it correct that those are the types of matters that we're dealing with, and that we want to ensure we can have a reverse onus on bail applied to those conditional and absolute discharges?

[*Translation*]

Senator Boisvenu: That is absolutely true. We are referring here to repeat offenders. Put yourself in the shoes of a victim who found out that her abuser, for all sorts of reasons, is travelling to the United States. Justice granted him a full discharge. The victim is under the impression that the individual didn't receive a sentence for the assault he committed. The victim feels frustrated.

It remains a privilege that this individual receives, and it is a unique privilege. This privilege is conditional on one thing: He must not reoffend.

This individual who would abuse another spouse and end up before the same judge might tell him that he's not a repeat offender since he was granted a discharge.

In my opinion, the discharge is a privilege that requires an obligation not to reoffend. If you reoffend, that privilege is revoked. This will apply mostly in the case of men who are repeat violent offenders. We're talking about repeat offenders who are a risk to women, not only abused women, but all women.

• (2020)

[*English*]

Senator Batters: I have a brief follow-up because at one point, Senator Boisvenu, your answer was translated as applying to people who had a pardon. It is not a pardon that we're dealing with here, right? It is a discharge where someone has been found guilty but received a discharge from the judge as their sanction.

[*Translation*]

Senator Boisvenu: Yes, exactly. We're not dealing with pardons. I may have used that word, but we're talking about a discharge. This has nothing to do with pardons.

The Hon. the Speaker: I'm sorry, but the time allotted to this debate has expired. Senator Boisvenu, another question?

Senator Boisvenu: No, I think we're ready to vote on the matter.

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

[*English*]

Hon. Bernadette Clement: Honourable senators, I'd like to raise two points in response to Senator Boisvenu's amendment.

First, we heard from many witnesses at that committee that there was an absolute lack of data to support that this change was actually going to be helpful and make communities feel safer. In fact, we heard the opposite — that this reverse onus does not work and actually creates inequities that are absolutely unacceptable for racialized, marginalized communities.

Second, the discharge piece affects Indigenous women and women who are caught in a cycle of violence and then charged along with their spouses. We call that dual charging. Often they will then be discharged.

Those are the people who will be affected by this reverse onus. I proposed that amendment, which passed at committee, to remove the discharge piece because this is where we see the overrepresentation of Indigenous women in prison.

In August, I went to visit Grand Valley Institution for Women. I had never been inside a prison before. I know the statistics; I've heard the statistics. We heard them when we were having the debates around Bill C-5. But when you sit in that prison in a town hall gathering, you actually see the overrepresentation. You see that more than 50% of the women sitting there in front of you are Indigenous and realize that those statistics have real and true meaning.

[Senator Boisvenu]

My point is that we did not hear any data from the witnesses to support that this reverse onus would be helpful, but it could create more overrepresentation of Indigenous women in particular. Thank you.

Senator Batters: Will Senator Clement take a question?

Senator Clement: Yes.

Senator Batters: Thank you. Senator Clement, wasn't it the case that for this bill generally, we didn't hear any data, period? I think you probably have to concede that the government didn't have any data to justify the provisions here, nor was there any on this particular element.

Senator Clement: Thank you for those comments, Senator Batters. Of course, I agree with you. All of us around that committee table were troubled by the fact that there wasn't sufficient data to justify this bill or prove it would work.

My efforts regarding making amendments to this bill revolved around compromise and trying to find a way to make this better — or less bad — for the people who end up in prisons and Indigenous women in particular.

Hon. Gwen Boniface: I would like to ask a question of Senator Clement, if I may. Thank you.

I'm always caught on this issue because I also know that the reason this bail reform bill is coming before us — as opposed to the tragic circumstances you mentioned — actually involves the deaths of police officers. Domestic disturbances are one of the most serious issues that police officers respond to. I ask then, was any of that introduced at committee?

Second, what about the second victim of someone who is an abuser? What about the third victim? I appreciate the perspective you come from and, as Senator Batters says, that the data was absent, but I'm concerned we may be missing the point with the bill itself. Taking it out of the bill doesn't resolve the issue of mass incarceration of Indigenous women.

Senator Clement: Senator Boniface, I completely understand that question. I personally struggle with that. Obviously, I'm a Black lawyer. I am very concerned by the overrepresentation of Black and Indigenous people in prison. At the same time, every time I turn on the news, every time I come into the Senate and there is a speech — often given by you — recognizing the life and death of yet another police officer, it's a struggle. But I have to come back to data. I have to come back to evidence, which we need to make legislation that is not just reactive and will actually be effective in making communities safer.

For this bill, we just didn't hear the evidence, the data, to support that this change would make things better for our communities, for police officers, for women — Indigenous women and women who are victims of violence. We just didn't hear it.

I completely understand what you're saying. It's a constant struggle. The Standing Senate Committee on Legal and Constitutional Affairs, or LCJC, is the hardest committee to sit on, but we should be data-driven and evidence-driven, and we didn't see it here. I didn't see it here.

Senator Boniface: Thank you very much. I know you share the same concerns I do. I want a bill that's effective, but I look at events such as the ones that just took place in Sault Ste. Marie as an example. Again, there is a second victim, a third victim, now a fourth victim and a fifth victim. I'm not saying that case had anything to do with bail, but the violence that is in perpetrators does not just impact one person. I guess I'm surprised that the committee didn't hear some evidence regarding repeat offenders.

Senator Clement: We didn't hear much evidence at all. We heard the government saying they're making efforts and will start trying to collect data. We know that in provinces like B.C., they're trying to make more investments in data collection, community building and community supports, but I can't say that I heard evidence regarding that.

We did hear Michael Spratt, who is a defence attorney, talk about the dual charging and the fact that the discharge piece was particularly egregious for Indigenous women. We did hear Michael Spratt around that, but in regard to what you're speaking to, I don't feel that I heard sufficient evidence to justify saying this bill will actually make us feel safer.

The point of my two amendments is really to try to make it less bad, if I can say that again.

[Translation]

Senator Boisvenu: Would you be willing to answer a question or two?

Senator Clement: Yes, of course.

Senator Boisvenu: Senator Clement, you're a lawyer. You must know that the Criminal Code already provides for the reversal of the burden of proof in some cases. The Parole Board of Canada also applies a reverse onus when dealing with repeat offenders.

I'm trying to make the connection between taking a privilege away from someone who was granted a discharge and the overrepresentation of Indigenous people in prisons. Should your logic not apply to the bill as a whole? Even if we adopt your amendment to the bill, will it really reduce the overrepresentation of Indigenous people in prisons when this affects just one in every 1,000 men who are granted a discharge?

What is the connection between your argument that there are too many Indigenous people in prisons and discharges? Instead, you should be encouraging all senators to vote against the bill. There's no connection between the granting of a discharge and the overrepresentation of Indigenous people in prisons, unless you can show otherwise.

• (2030)

Senator Clement: Thank you for your question. I repeat: It really comes down to the fact that there is no evidence that this type of bill will be effective in protecting people. I didn't think there was enough evidence to prove that this legislation would work the way it is supposed to work. I am repeating myself, but I'm telling you that I didn't hear any such evidence. The evidence I heard is that Indigenous people are overrepresented in prisons. We heard that during the debates on Bill C-5 and again this time. I would say that I saw far more evidence on one side than the other. To me, there is consistency in all this.

The issue of Indigenous women is really very pertinent, because they sometimes suffer violence that is truly remarkable and difficult. They find themselves in situations where they are the ones convicted following a dispute. This situation primarily affects Indigenous women, and we heard evidence to that effect. I think it's a matter of evidence. I understand your point of view and your work with victims. I too represented victims in my career as a lawyer. However, in this case, I have to be guided by the evidence presented in committee. Personally, I didn't see any. I saw a continuum of laws designed to respond to a difficult situation in communities, but these laws are ineffective, and we don't have the evidence to show that they could be effective.

Senator Boisvenu: I take it, then, that there's no connection between discharges and overcrowding. However, you're saying that there is a connection between the reverse onus for offenders from all walks of life and overcrowding. Will you be voting against the bill?

Senator Clement: This debate is similar to the one I took part in on Bill C-5, which I voted against. I've since been on a journey, and the two amendments I proposed were adopted in committee. If those amendments are included, in particular the one requiring judges to explain that they have considered the issue of Indigenous and Black overrepresentation, I would be able to vote in favour of this bill. That is why I proposed amendments. It's my job as a senator to improve these laws.

This has been a personal journey for me, and that is why I proposed the amendments. I want to try and improve the situation.

Hon. Renée Dupuis: Would Senator Clement take another question?

Senator Clement: Absolutely.

Senator Dupuis: When the minister appeared before the Standing Senate Committee on Legal and Constitutional Affairs, I told him that it seemed like he was covering two completely different things in this bill. The very structure of the bill was intended to respond to crimes during which police officers die. There were consultations with the premiers, interventions and a consensus on this part of the bill. Then a clause having to do with intimate partner violence suddenly appeared in the bill. I asked him whether that issue had been raised during the consultation. He told me that they had taken something from a bill introduced by a senator and included it in this bill.

When the officials came back to the committee, I asked them the same question and asked whether there had been a consultation on this part of the bill that has nothing to do with the crux of the bill, since it is on the issue of intimate partner violence. The officials told us that they could not say because the minister's office had dealt with that.

Do you recall hearing that?

Senator Clement: Thank you for that question. Yes, I remember that. It was a surprising answer. It seems to support my argument that there really was a lack of solid evidence, consultation and information to justify the introduction of this bill.

Getting back to your point about the provinces, we know that they fully supported this bill. At the same time, we know that the provinces will have to make investments. We can't simply bring in a bill without investing in our communities. We've heard that British Columbia plans to make investments, but other provinces may not. This debate could lead to inconsistencies.

The Hon. the Speaker: The time for debate has expired.

[*English*]

Hon. Paula Simons: Honourable senators, I rise today to speak in support of my colleague Senator Clement, who brought forward this amendment which I was happy to support in committee.

I think to understand why, we need to understand why one would reverse the onus in a bail hearing. It is important to understand that in a criminal justice system that is based on the principle that we are innocent until proven guilty, the state cannot constrain our liberty without just cause.

It is typical in a bail hearing that the prosecution must prove to the justice of the peace or the judge why someone should not be granted bail. That is on the basis, (a) that they are a flight risk; (b) that their release would pose a danger to the community; or (c) that their release would embarrass the justice system, that it would fly in the face of what the public believes the justice system should do.

Those are properly high tests, but the Crown has the full power of the state at its disposal to try to prove that fact.

When we reverse the onus, we require of the accused that they accept the burden that would properly belong to the state. Suddenly, they are the ones who have to prove why they should be released, sometimes with the help of a legal aid duty counsel or another lawyer, sometimes as self-represented citizens. They must take unto themselves the responsibility to argue for their liberty.

The Supreme Court has held that in certain circumstances we are allowed to reverse the onus. Bill C-48 would expand that to increase more categories at which we reverse the onus. But the premise of the bill is that this should be for the people who are the worst of the worst, the people who are the greatest danger to our community and perhaps to their own families.

[Senator Dupuis]

This is why I bristled when I saw the words "discharge" in the legislation. As we all know, I am not a lawyer on the Legal and Constitutional Affairs Committee and I am filling in there.

I want to read to you what the Legal Aid Ontario page tells us about absolute discharges in the law:

An absolute discharge is the lowest-level adult sentence that an offender can get.

If an offender gets an absolute discharge, then a finding of guilt is made but no conviction is registered, and they are not given any conditions to follow (i.e. a probation order). The offender is finished with their case. The person does not have to go to court again or check in with a probation officer.

An absolute discharge will stay on an offender's criminal record for a year after the date they received the discharge. . . .

Then I skip ahead:

The discharge will be automatically removed from their record after one year. The person doesn't have to apply for a pardon.

In other words, to receive an absolute discharge, your record suggests that there is no vestige of the previous sin.

• (2040)

Why would someone be granted an absolute discharge? It happens very rarely in cases where the court believes the person is not a risk to reoffend, is not a danger to society and where the person has come forward with a plan to make amends. As Senator Clement correctly points out, this is often the case for Indigenous women because sometimes when police attend a home, there's interpartner violence and are unable to tell who started what or who was the instigator, police will often charge both parties to clear the scene and get everything safe again. Then it may be that the one spouse who was primarily a victim finds themselves countercharged. Oftentimes those are records that are expunged, but that's not the only reason one would receive an absolute or a conditional discharge. A conditional discharge, as the name implies, comes with conditions, and in that case your record is not sealed until three years have passed.

When I looked at this legislation I thought to myself, "All right, if we're going to reverse the onus, we should be reversing the onus for the worst of the worst." If somebody has received a discharge, it implies that their previous offence was relatively minor and that their actions were relatively understandable.

Now, look at the amendment that we have before us. It reads:

. . . with an offence in the commission of which violence was allegedly used, threatened or attempted against their intimate partner, and the accused has been previously convicted or discharged under section 730 of an offence in the commission of which violence was used, threatened or attempted against any intimate partner of theirs;

You could have a scenario where an Indigenous woman who has received an absolute discharge is charged with threatening violence against her partner and would now be under the burden of a reverse onus to be granted bail. This is patently unfair. If we're going to have a reverse onus, let it be for the people for whom they are properly due, for people who are a proven threat to society and who have a track record of criminal behaviour.

To allow a reverse onus to affect somebody whose only previous brush with the law ended in an absolute discharge is a corruption of our bail system and a corruption of the presumption of innocence. Thank you very much.

Senator Gold: Would the senator take a question?

Senator Simons: I will.

Senator Gold: Thank you. As you would expect, the government supports this amendment because it returns the bill to the form that it was when it was passed in the other place with the support of all provinces and territorial governments, who have responsibility for the administration of justice and know something about public safety. I'd like your comments on two things we heard at committee, senator.

First, from the B.C. Attorney General, Niki Sharma. I quote from her testimony before the committee:

. . . I hear from vulnerable women in particular who are victims of repeat violent offenders when they are out on bail. . . . It is my view that there are times in the criminal justice system where it tips over to protecting the community, and this reverse onus is capturing that.

The second piece of testimony that I'd like your views on came from the Native Women's Association of Canada in their brief to the committee, where they wrote, "Protecting them from their abusers between when charges are laid and a hearing is an important concern."

There was testimony, as you know, to that effect, indicating that the second charge is often the tip of the iceberg and, indeed, the first charge may have been as well.

Are you not concerned that, with the best of intentions, removing this amendment actually does put vulnerable victims at risk?

Senator Simons: Thank you very much, Senator Gold. Let me take the first part of the question first.

Ms. Sharma used the phrase "repeat violent offenders." A person who has one absolute discharge on their record could surely not be considered a repeat violent offender. My concern is precisely that: This broadens the net of who is captured in the reverse onus provision and expands it beyond repeat violent offenders who — we could all agree — are a far greater risk to society than a person who has one absolute discharge, for an example.

As to your second point, of course I am concerned about the horrific levels of family violence in this country, which is predominantly violence of men against women and which is

disproportionately affecting the Indigenous population. That does not mean that we throw the baby out with the bathwater. It is necessary to construct a bail regime that provides security for women whose partners have been alleged to have abused them. That doesn't mean the reverse onus, which is a brute cookie cutter of an instrument.

It would be far more beneficial, for example, for a man who's been charged with spousal assault to be provided with a bail bed and some kind of supervised release. The problem comes about if people are released without conditions, if people are released with conditions that cannot possibly be met or if people are released to either the choice of homelessness or returning to the domestic situation where the violence occurred.

By all means, let us find ways to protect women in their homes from violent partners. I fail to see that reversing the onus for somebody who has had one absolute or conditional discharge gets us there.

[*Translation*]

Senator Boisvenu: Would the senator take a question?

Senator Simons: Yes.

Senator Boisvenu: Honourable senators, I think an important clarification needs to be made. We are studying a bill that deals with domestic violence involving a firearm. It does not address all cases of domestic violence, only those committed with a firearm.

Madam Senator, don't you think that when a woman is assaulted, if the man, the assailant, has used a firearm, we're looking at one of the most violent cases?

Senator Simons: That is entirely correct, senator.

[*English*]

We have seen all over the country, most recently with the Mass Casualty Commission report, that all too often cases of domestic violence spill out into the larger community, whether that's an assault on police officers or other first responders or assault on the community at large.

When I was a journalist, I long argued that family violence was a crime not just against the members of the family but also against the entire community. Indeed, I'm proud of the fact that, as a journalist, I fought hard to report on cases — murder-suicide cases — where oftentimes the names of both the offender and the victim were kept quiet by police because I argued that these were assaults against the entire community.

I absolutely support your effort, sir, to fight domestic violence. I stand in awe of some of the things you have fought for and accomplished as a senator.

I have worked for years as a journalist on these issues. But I think in the words of our late colleague Elaine McCoy of blessed memory, we are shooting at the wrong duck. If we want to keep families safe, there are far better ways to do it than to impose on

people whose only brush with the criminal law is to have received an absolute discharge to treat them in the same way as the worst of perpetrators.

Let's focus our energies on dealing with the people who are the greatest threat and not criminalize mostly Indigenous women who end up charged in sort of the tidal pool that comes in the wake of these incidents.

Senator Batters: Senator Simons, in your speech, you primarily referred to absolute discharges. Would you concede that conditional discharges are also included in this same framework and so this would eliminate conditional discharges as well? The types of conditional discharges — as I'm sure you know well from the kinds of cases you reported on — can involve weapons and firearms prohibitions, probation and non-contact orders for those types of interpersonal violence, which is very common and that can be, of course, more than one.

As well, a discharge involves a finding of guilt, and then a discharge is the type of sanction that the judge chooses for it. That is not the least bad of anything. They have been found guilty of the criminal offence, and this is simply the sanction that has been chosen.

Senator Simons: That's very true, Senator Batters. And I would put it to you that the judge has every right to deny that person bail. If somebody has received an absolute discharge or — you're right — a conditional discharge, which suggests that there were more conditions attached and, perhaps, graver fact circumstances, I'm not advocating that those people should automatically get bail. The prosecutor still has the power to argue against bail. The judge still has the power to deny bail.

• (2050)

What I'm saying is that if you flip the tables and demand a reverse onus, you should save that for the most egregious of circumstances. But if we expand the reverse onus provision, we could accidentally capture people for whom this law was never intended. Under no circumstances would I say somebody who had committed a violent offence with a firearm should be automatically granted bail because, perhaps, they had a conditional discharge. What I am saying is that you have to save that reverse onus provision for only the very particular circumstances where it is most needed and where it best fits.

Senator Gold: Senator Simons, you've said on a couple of occasions that you object if it's the only brush with the law. There's evidence both before the committee and more generally that very often intimate partner violence does not get reported. Complaints are withdrawn, and charges may or may not be laid.

How do you square your phrase with the fact that it is clear that women are often victims of violence for protracted periods of time before the law gets involved and that the risk increases once charges are laid?

The Hon. the Speaker: The time for debate has expired.

Senator Simons: Could I ask for time to just answer that one question? I think, then, that is probably good.

The Hon. the Speaker: Is leave granted?

Hon. Senators: Agreed.

Senator Simons: As I have said, we have bail laws in this country that allow Crown prosecutors to demand that the judge not grant bail. We have judges and justices of the peace who have the power to deny bail. I'm not opposing that.

What I am saying is that we need to be careful that we use the reverse onus provisions — which are truly extraordinary — in the most extraordinary of cases.

If we want to deal with the issues that you outline, it's pretty difficult to convict people for crimes that they have never been accused of. If we want to provide more resources for women's shelters across the country, by all means, let us do so. If we want to provide more legal advice and legal aid, and more funding for family legal aid programs so that women who are seeking separation from partners and who are seeking protection from domestic violence can receive that, then absolutely.

I could sit here and list 20 public policy strategies that would help to reduce domestic violence in ways that would be far more effectual than this.

The Hon. the Speaker: Are honourable 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.

The Hon. the Speaker: All those in favour of the motion will please say "yea."

Some Hon. Senators: Yea.

The Hon. the Speaker: Those opposed to the motion will 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 standing. Do we have agreement on the bell?

Senator Seidman: The vote will be deferred to the next sitting of the Senate.

The Hon. the Speaker: Pursuant to rule 9-10 of the standing order, the vote will be at 4:15 p.m. during the next sitting of the Senate and the bells will ring at 4 p.m.

**STUDY ON ISSUES RELATING TO HUMAN RIGHTS
GENERALLY**

HUMAN RIGHTS COMMITTEE AUTHORIZED TO REPLACE SIXTH
REPORT ON STUDY WITH REVISED VERSION

Hon. Salma Atallahjan: Honourable senators, I rise today to request leave of the Senate:

That the sixth interim report of the Standing Senate Committee on Human Rights entitled *Combatting Hate: Islamophobia and its impact on Muslims in Canada*, tabled with the Clerk of the Senate on November 2, 2023, be replaced with a corrected version.

The earlier version had inadvertently misattributed one quote, and the corrected version addresses that error.

We apologize to the witness for this regrettable error.

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

Hon. Senators: Agreed.

LANGUAGE SKILLS ACT

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Carignan, P.C., seconded by the Honourable Senator Housakos, for the second reading of Bill S-229, An Act to amend the Language Skills Act (Lieutenant Governor of New Brunswick).

Hon. Jane Cordy: Honourable senators, I note that this item is at Day 15; therefore, with leave of the Senate, and notwithstanding rule 4-15(3), I move the adjournment of the debate for the balance of Senator Dalphond's time.

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

Hon. Senators: Agreed.

(Debate adjourned.)

CHIGNECTO ISTHMUS DYKELAND SYSTEM BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Quinn, seconded by the Honourable Senator Verner, P.C., for the second reading of Bill S-273, An Act to declare the Chignecto Isthmus Dykeland System and related works to be for the general advantage of Canada.

Hon. Mary Coyle: Honourable senators, I rise today on the unceded, unsundered territory of the Anishinaabe Algonquin nation to speak to you about a proposed law which would impact Mi'kma'ki, the unceded lands of the Mi'kmaq people, and, in fact, all the lands and peoples across Canada and North America.

• (2100)

I rise to speak at second reading to Senator Quinn's Bill S-273, An Act to declare the Chignecto Isthmus Dykeland System and related works to be for the general advantage of Canada.

We have heard excellent speeches on this bill from two New Brunswick senators: the bill's sponsor, Senator Quinn —

[*Translation*]

—and his Acadian brother, Senator Cormier.

[*English*]

So I thought it was time for this chamber to hear from someone from the other side of the Chignecto Isthmus.

Colleagues, Nova Scotia CTV News special correspondent Steve Murphy set up the discussion of this critical topic in a unique and compelling way. He said:

National unity has been a recurring issue during Canada's 156 years as a nation. Finding ways to keep the country together, through political accommodation, has been a challenge for governments for generations.

But in 2023, Canada is facing a unity challenge of the sort we have never really seen before. While we have long heard rhetoric about Canada falling apart in the figurative sense, we are today confronted with the prospect that it might literally happen.

Storm surge and rising sea levels are threatening to swamp the isthmus of Chignecto, the tenuous . . . strip of marshy land that connects peninsular Nova Scotia to the mainland of North America.

He concludes by saying:

As the only province connected to the rest of the country by a thin slice of vulnerable land, Nova Scotia is the only province that will ever face this existential threat. That make

this a national issue. The national government is morally responsible on behalf of all taxpayers, to keep the country united figuratively and literally.

We will come back to this point about who is responsible and who pays, but before we do that, let's have a look at this "thin slice of vulnerable land."

Because of its central location, the Chignecto Isthmus has long been an important travel corridor. If any of you have travelled in a vehicle to Nova Scotia, you will have passed through the isthmus. In fact, you will have been welcomed to Nova Scotia when you get there.

Approximately 12,000 years ago, following the retreat of the glaciers that covered the Maritimes, the isthmus was one of two — at that time — land routes to the Nova Scotia peninsula. The other is now under the waters of the Atlantic Ocean.

The marshes of the isthmus have a long history of human occupancy. For at least 5,000 years prior to European contact, Mi'kmaq First Nations would gather there to meet, fish and hunt waterfowl, moose, bears and porcupines. The name "Chignecto" derives from the Mi'kmaq word *Sikniki*, which translates to "drainage place" and refers to the great marsh area.

Only 21 kilometres wide at its very narrowest, the isthmus separates two large bodies of water: Chignecto Bay, a sub-basin of the Bay of Fundy — which has, as we know, the highest tides in the world — and the Northumberland Strait, an arm of the Gulf of St. Lawrence on the Atlantic Ocean. The rivers and creeks of the isthmus provided a transportation route for the Mi'kmaq and, later, Acadians and British travelling between the Bay of Fundy and the Northumberland Strait.

At its widest, the approximately 24-kilometre area located between Tantramar, New Brunswick — Tantramar is a town formed earlier this year from the amalgamation of the town of Sackville and the village of Dorchester — and Amherst, Nova Scotia, is becoming increasingly vulnerable to the severe effects of climate change. In fact — and I didn't know this until I started my research — it has been 16 years since a UN Intergovernmental Panel on Climate Change report highlighted the increasing risk to infrastructure on the Chignecto Isthmus due to rising sea levels, mentioning it alongside the city of New Orleans.

Colleagues, we all know about the Hurricane Katrina devastation that happened to New Orleans in 2005 when the resultant storm surge caused 23 breaches in that city's drainage canal, canal levees and floodwalls.

The Chignecto Isthmus is not a highly populated area like the city of New Orleans, but, as we heard from Senator Quinn, it is a vital trade corridor, critical to Canada's economic prosperity, through which runs the CN railway line, the Trans-Canada Highway, telecommunications lines and fibre-optic lines that link to transatlantic cables. Of course, it is also a place where there is farmland, wind farms, important natural corridors for wildlife and local communities of people to consider.

Senator Cormier reminded us that this isthmus, with its:

... system of dykes and aboiteaux that has been protecting it for centuries from the high tides in the Bay of Fundy holds a special historical and cultural place in the collective psyche of the region's residents, particularly Indigenous people and Acadians.

In his testimony to the Senate Standing Committee on Transport and Communications, when the committee was studying the impacts of climate change on critical infrastructure, Rob Taylor, Deputy Minister in the Department of Transportation and Infrastructure, the Government of New Brunswick, said:

Climate change impacts — specifically storm surges and increasing sea levels — pose a risk to infrastructure within the isthmus. Potentially 38 kilometres of dikes, 19 kilometres of Trans-Canada Highway and 19 kilometres of the CN railway could be severely impacted by flooding due to a climatic event in the near future.

He then went on to cite relevant regional data on already documented rises in sea level, including a 27-centimetre rise in Saint John, New Brunswick, since 1961; a 21-centimetre rise in Yarmouth, Nova Scotia, since 1966; and a 19-centimetre rise in Halifax since 1961.

He said that "Atlantic Canada is expecting a one-metre increase in sea level by 2100, and two metres or more by 2150."

This is serious.

He concluded his testimony by saying:

We wish to acknowledge, as per previous witnesses and climate science experts, that it is not about whether the Chignecto Isthmus infrastructure will be impacted by a climatic event, but when it will happen. We need to address this risk now, especially since an engineered solution will require up to 10 years to complete.

Colleagues, where are we now, and what are the next steps with this "national unity" matter?

Nova Scotia, New Brunswick and the federal government commissioned a study which resulted in a 2022 engineering and feasibility report that focused largely on engineering solutions to protect the transportation corridor.

In a recent CBC radio noon show on the topic of the Chignecto Isthmus — where our colleague had called in — Dr. Danika van Proosdij of Saint Mary's University expressed concern that the engineering report doesn't consider sustainability, protection of the marshlands or archeological factors. She cited the example of the dike system on the border of the Netherlands and Belgium where they have realigned the infrastructure, increased the safety and security of the agricultural lands and restored large numbers of tidal wetlands with nature-based solutions — an important part of the response to building climate resiliency.

After a meeting in Mill River, P.E.I., in June of this year, the four Atlantic premiers issued the following statement:

The Chignecto Isthmus between New Brunswick and Nova Scotia is a vital corridor at risk due to rising seas levels. The Premiers reiterated that the federal government has a constitutional responsibility to maintain links between provinces and fully fund this project.

On the same weekend that the premiers were meeting in P.E.I., David Kogon, Mayor of Amherst, Nova Scotia, hosted the Atlantic Mayors Caucus. The mayors released their own statement calling for immediate action on the Chignecto Isthmus. Their statement said the group is:

. . . urging the Province of Nova Scotia, Province of New Brunswick, and the Government of Canada to immediately establish a Steering Committee to lead the work required to prepare for upgrade or replacement of the Chignecto Isthmus protective infrastructure.

• (2110)

They also stated that the isthmus steering committee must include municipal leaders from all four Atlantic provinces.

Honourable colleagues, Senator Quinn's Senate public bill — Bill S-273 — would invoke section 92(10) of the Constitution which allows the federal government to take jurisdiction of undertakings that are of the national interest.

He reminds us that this was done when the federal government paid for the new Champlain Bridge in Montreal, as well as a new international bridge to the United States in Windsor.

We know that under the severe use-it-or-lose-it pressure from federal Minister LeBlanc, Nova Scotia and New Brunswick reluctantly submitted an application to the federal Disaster Mitigation and Adaptation Fund on a cost-sharing basis — which is the part that they didn't agree to — for the Chignecto Isthmus while, at the same time, asking the Nova Scotia Court of Appeal to rule on whether Ottawa has an exclusive responsibility to maintain the dikes and other structures. Estimates of the total costs range from \$400 million to \$650 million. New Brunswick Premier Higgs sent a letter to Minister LeBlanc citing section 91(29) and section 92(10) of the Constitution — underlining the evidence that interprovincial transportation is the sole authority of the federal government.

Honourable colleagues, I am not a constitutional expert, as you can probably tell, and, while I applaud my colleague Senator Quinn's initiative with sponsoring Bill S-273, I can't honestly say whether this is the best mechanism to induce the action that is required on this matter of national importance. I do, however, most definitely agree that this provocative bill on this critical matter of the Chignecto Isthmus merits careful study in committee.

This September, after post-tropical storm Lee put the risks and storm anxiety back into the nightmares of locals, Mayor Andrew Black of border town Tantramar, New Brunswick, commented:

It seems like every big storm that comes our way, people get more and more anxious You know, is this going to be the storm that [the high tide in the Bay of Fundy will cause the dikes to fail and] cuts us off from Nova Scotia?

Mayor Black and his counterpart on the other side of the isthmus, Mayor David Kogon of Amherst, Nova Scotia, are major proponents of the flood protection project. They are focused on making sure that the project is completed as soon as possible — and not on the disagreements of who might fund it.

Honourable colleagues, getting on with action in building a climate-resilient future for the highly vulnerable Chignecto Isthmus is a matter of urgency for Mayor Kogon and Mayor Black, and for all the people of their communities and of our neighbouring provinces — of course it is.

And, colleagues, in conclusion, I will reiterate what journalist Steve Murphy reminds us of, no matter what province or territory we represent in this chamber.

Honourable colleagues, ensuring a strong, protected and sustainable Chignecto Isthmus is, in fact, essential to keeping our country Canada united — literally.

Colleagues, let's send this bill to committee and discuss how we can best keep our country together.

Wela'liog.

Hon. Brent Cotter: Honourable senators, as another member of Senator Quinn's national unity Senate, I rise to speak in support of Bill S-273, An Act to declare the Chignecto Isthmus Dykeland System and related works to be for the general advantage of Canada. I endorse Senator Coyle's remarks, and the remarks of others, on the constitutional wisdom of doing this in such a declaration, unlocking the federal government's engagement on a very important national unity project.

I would like to come at this in a slightly different way, if I may.

Colleagues, I'd like to invite you to come on a trip of the imagination with me for the next few minutes. Imagine, if you will, that it is the summer of 2043 — 20 years from now. We are watching a couple travel through New Brunswick on a Maritime vacation, and, through magic, we are able to listen in on their conversation.

They have reached the eastern end of New Brunswick. The driver says to her partner, "Well, shall we turn north and go across the Confederation Bridge to Prince Edward Island?" "No," says her partner, "we agreed that we would go straight east and take the new expensive bridge to the island of Nova Scotia." "Okay. Fair enough," says the driver.

"While I was gassing up" — sorry, it's 2043, so she says — "While I was charging up the car, the attendant was telling me that this new bridge to Prince Edward Island was built mostly

for the benefit of Nova Scotians, and was therefore named the Brian Mulroney-Allan J. MacEachen Bridge, or the Mulroney-MacEachen Bridge. The attendant was saying that locals around here call it the Eminem Bridge, and if you're a Liberal or a Conservative, your view is it tastes one half delicious, one half awful."

The driver's partner says, "You know, I was remembering about this bridge. There was a former senator, Jim Quinn, now in his dotage, who had different ideas about this area. In fact, 20 years ago, when he was a senator and raised those ideas, some thought he was in his dotage then. But it turned out, he was a visionary."

"Before Nova Scotia became effectively an island," one says to the other, "this whole area was known as the Chignecto Isthmus."

"Let me say that again: the Chignecto Isthmus. This word must be one of the hardest words to pronounce in the English language, like half of the consonants in the alphabet have been stuffed down your throat."

"Anyway," she says, "I read a few things about the Chignecto Isthmus, and what it used to be able to do to connect Nova Scotia to the rest of the country before it was overtaken by water from the Bay of Fundy and the Northumberland Strait."

Let me now take you back to the present: During the late summer, my partner Elaine and I took a short vacation to New Brunswick, which was spectacular. This is me auditioning for a post-Senate job with the New Brunswick tourism authority. More seriously, though, as we drove from Nova Scotia to New Brunswick across the Chignecto Isthmus, with water edging closer on both sides, she said, "This is a disaster waiting to happen."

I think she is right. And, as you heard from Senator Coyle and others, we are not alone.

The Chignecto Isthmus is situated slightly above sea level — a network of dikes, originally installed in the late 1600s, currently protects communities, though barely, as well as infrastructure, private lands and natural resources, from rising sea levels.

There is not so much left of that protective dike system to my eye. Indeed, it felt — to me — like the raised railway line was the largest protection in that whole stretch of land.

The Trans-Canada Highway through there is a key tourist route, as we have heard, which facilitates travel for tourists visiting Nova Scotia and Newfoundland.

Last year, Nova Scotia welcomed 1.9 million visitors; 1.2 million of those visitors arrived by that road — almost every single one of them. More significantly, and not entirely mentioned, the Izaak Walton Killam, or IWK, Health Centre, located in Halifax, provides care for Maritime youth, children and women from Nova Scotia, New Brunswick, Prince Edward Island and beyond. The IWK is the largest facility caring for children, youth and adolescents, and is the only Level 1 pediatric trauma centre east of Quebec. The IWK receives approximately

29,000 patient visits in the emergency department every year, and 5,000 babies are delivered each year in that centre, including — years ago — my daughter.

The Chignecto Isthmus has been recognized regionally, nationally and internationally as a critical wildlife corridor. It provides the only terrestrial connection between Nova Scotia and the rest of North America, as we've heard. The passage of animals and plants across this corridor is critical in terms of future environmental health and protection in that whole area. It also plays an important role in maintaining healthy wildlife populations over the long term.

• (2120)

As you have heard, it is a critical transportation route. The value of goods and merchandise transported through that corridor as well as revenues generated in corridor activity are estimated to be \$35 billion per annum. Even now, when an extreme weather event results in the closure of the Isthmus for periods of time, the losses from an economic, social and sometimes health point of view are substantial.

There are compelling arguments, as you are hearing, for the preservation of the Chignecto Isthmus in economic, social, environmental and nation-building ways, I would say. Indeed, the only argument I can think of for letting the challenges of nature take their course is that we might one day be able to remove the words "Chignecto Isthmus" from our language. However, for every other good reason, particularly in the way in which we might empower our national government to make a meaningful statement of national unity and respect for all of the regions of the country, I would be more than willing to keep on saying the word "isthmus" for the sake of the benefit of Nova Scotians and all of Canada.

I hope you will join me in that. We might have to practise pronouncing the word, but we will all be better for it. Thank you very much.

Hon. Colin Deacon: Would you accept a question?

Senator Cotter: I certainly would.

Senator C. Deacon: Thank you, Senator Cotter and Senator Coyle, for your excellent speeches.

Just for my and others' benefit in the chamber, could you just repeat when the first dikes were built in the Chignecto Isthmus so that we clearly hear that date?

Senator Cotter: The research that was provided to me was the late 1600s. I think they have slightly deteriorated since then.

(On motion of Senator MacDonald, debate adjourned.)

ARAB HERITAGE MONTH BILL

[Translation]

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Gold, P.C., seconded by the Honourable Senator Gagné, for the second reading of Bill C-232, An Act respecting Arab Heritage Month.

Hon. Leo Housakos: Honourable senators, with leave of the Senate, I would like to take the adjournment of the debate in my name.

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

Hon. Senators: Agreed.

(Debate adjourned.)

DEPARTMENT OF FOREIGN AFFAIRS, TRADE AND DEVELOPMENT ACT

DECLARATION OF PRIVATE INTEREST

Hon. Scott Tannas: Honourable senators, I, Senator Scott Tannas, note for the record that I believe I have a private interest that might be affected by Bill C-282, An Act to amend the Department of Foreign Affairs, Trade and Development Act (supply management), which is currently before the Senate.

The general nature of the interest is that I am a director and Chair of the Board of Foothills Creamery, a maker of butter and fine ice cream, a private corporation that manufactures dairy food products for sales outlets throughout Canada. This corporation is owned by the Western Investment Company of Canada, of which I am President, Chief Executive Officer and a significant shareholder.

The Hon. the Speaker: Honourable senators, Senator Tannas has made a declaration of private interest regarding Bill C-282, An Act to amend the Department of Foreign Affairs, Trade and Development Act (supply management) and in accordance with rule 15-7, the declaration shall be recorded in the *Journals of the Senate*.

LIBRARY OF PARLIAMENT

FIRST REPORT OF JOINT COMMITTEE—DEBATE ADJOURNED

The Senate proceeded to consideration of the first report of the Standing Joint Committee on the Library of Parliament, entitled *Quorum and Mandate of the Committee*, presented in the Senate on June 20, 2023.

Hon. Mohamed-Iqbal Ravalia moved the adoption of the report.

(On motion of Senator Housakos, debate adjourned.)

[English]

NATIONAL FINANCE

MOTION TO AUTHORIZE COMMITTEE TO STUDY A ROAD MAP FOR POST-PANDEMIC ECONOMIC AND SOCIAL POLICY TO ADDRESS HUMAN, SOCIAL AND FINANCIAL COSTS OF ECONOMIC MARGINALIZATION AND INEQUALITY—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Pate, seconded by the Honourable Senator Duncan:

That the Standing Senate Committee on National Finance be authorized to examine and report on a road map for post-pandemic economic and social policy to address the human, social and financial costs of economic marginalization and inequality, when and if the committee is formed;

That, given recent calls for action from Indigenous, provincial, territorial and municipal jurisdictions, the committee examine in particular potential national approaches to interjurisdictional collaboration to implement a guaranteed livable basic income; and

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

Hon. Leo Housakos: Honourable senators, I would like to ask for leave to reset this item in my name.

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

Hon. Senators: Agreed.

(Debate adjourned.)

INDIGENOUS PEOPLES

MOTION TO AUTHORIZE COMMITTEE TO STUDY THE EFFECTS
OF IDENTITY FRAUD ON FURTHER MARGINALIZING
INDIGENOUS PEOPLE—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator McCallum, seconded by the Honourable Senator Campbell:

That the Standing Senate Committee on Indigenous Peoples be authorized to examine and report on the misrepresentation of Indigenous ancestry, inadequate self-identification standards and the profound effects that such identity fraud has on further marginalizing Indigenous people, in particular Indigenous women; and

That the committee submit its final report no later than December 31, 2023.

(On motion of Senator Housakos, debate adjourned.)

FISHERIES AND OCEANS

COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT
ON STUDY OF SEAL POPULATIONS

Hon. Bev Busson, pursuant to notice of October 31, 2023, moved:

That, notwithstanding the order of the Senate adopted on Tuesday, October 4, 2022, the date for the final report of the Standing Senate Committee on Fisheries and Oceans in relation to its study on Canada's seal populations and their effect on Canada's fisheries be extended from December 31, 2023, to March 31, 2024.

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

Hon. Senators: Agreed.

(Motion agreed to.)

(At 9:30 p.m., the Senate was continued until tomorrow at 2 p.m.)

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