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Thursday, May 9, 2024

The Honourable RAYMONDE GAGNÉ,  
Speaker

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## THE SENATE

Thursday, May 9, 2024

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

Prayers.

[*Translation*]

### BUSINESS OF THE SENATE

**The Hon. the Speaker:** Honourable senators, as decided last week, there will be official photographers in the chamber today to photograph proceedings.

After more than 16 years of legal battles, it is simply disgraceful that Canada has not taken full measures to uphold the spirit and intent of Jordan's Principle to ensure that First Nations children can access the products, services and supports they need.

With the goal of continuing to raise awareness and demand urgent and ongoing action, I plan to introduce a motion, in collaboration with the First Nations Child & Family Caring Society, recognizing May 10 as Bear Witness Day. I am hopeful that it will be unanimously adopted by this chamber. Thank you, *wela'lin*.

### CANADIAN CANOE MUSEUM

[*English*]

## SENATORS' STATEMENTS

### BEAR WITNESS DAY

**Hon. Brian Francis:** Honourable senators, I rise again this year to mark Bear Witness Day. Every year on May 10, we honour the life and legacy of Jordan River Anderson from Norway House Cree Nation. Born with complex medical needs, Jordan died in 2005 at the age of 5 after spending more than two years unnecessarily in hospital while the provincial and federal governments argued over who should pay for his at-home care. These services would have been available to other children in Canada, but Jordan was denied them simply because he was a First Nations child.

Named in his memory, Jordan's Principle is a legal rule to ensure that First Nations children have equitable access to products, services and supports they need, when they need them.

Despite unanimous endorsement by the other chamber in 2007, Jordan's Principle has yet to be fully implemented in Canada. In 2016, almost a decade after the complaint was first filed, the Canadian Human Rights Tribunal found the federal government to be racially discriminating against 165,000-plus First Nations children and their families in the provision of child and family services and failing to properly implement Jordan's Principle. May 10 is a significant date because it was the deadline given to the federal government to fully implement Jordan's Principle.

Thanks to the tribunal's orders, more than 4.58 million products, services and supports have been approved for First Nations children through Jordan's Principle. However, the tribunal has also needed to issue more than 25 procedural and non-compliance orders since 2016. At the end of last year, yet another non-compliance motion was brought against Canada due to failures to determine requests — particularly urgent ones — within the tribunal-ordered timelines, significant backlogs, reimbursement delays, communication issues with requesters, concerns about accountability and quality control issues. The hearing will happen later this summer.

**Hon. Donna Dasko:** Honourable senators, the Canadian Canoe Museum is located on the traditional territory of the Williams Treaties First Nations in Peterborough, Ontario. Since 1997, it has been the home of the world's largest and most significant collection of canoes, kayaks and paddled watercraft.

In 2013, the museum was declared a cultural asset of national significance by the Senate of Canada via a motion in this chamber moved by the Honourable Linda Frum, who stated:

Honourable senators, the Canadian Canoe Museum pays homage to one of the great wonders of our country. It celebrates one of the most potent symbols of our collective national identity. . . .

Her Senate colleagues concurred, with enthusiasm.

This weekend, the museum celebrates an exciting new chapter in its history with the opening of a fabulous new museum building. The origin of the canoe and its prolific usage can be traced to First Nations, Métis and Inuit across Turtle Island who designed and built these ingenious watercraft adapted to their diverse environments. For Indigenous peoples, the canoe is a symbol of resilience, resurgence and nationhood.

The oldest type of canoe is thought to be the dugout, which is made by hollowing out a single log and generally associated with the First Nations of the Pacific Northwest. In most parts of the country, the birchbark canoe, closely associated with the Algonquin of the Eastern Woodlands, became the dominant model and the main means of transportation in the development of the fur trade. The canoe was adopted by voyageurs, explorers, traders, settlers, artists, athletes and cottagers, who embraced it in its original form.

The museum itself was founded by Kirk Wipper, who began collecting canoes in the late 1950s in eastern Ontario after being gifted a dugout canoe. He spent decades finding a place for his growing collection. Eventually, he was approached by people from nearby Peterborough, the historic site of industrial canoe manufacturing in Canada. The museum was established there, in an Outboard Marine Corporation building, in 1997.

With a collection exceeding 600 canoes and other watercraft, the old museum outgrew its premises. It had no space for exhibits, storage, education, workshops or events — and wasn't even on the water. This beautiful new museum has all that and more. It is shaped like a canoe, features two levels and uses natural and locally sourced elements. Its construction and ongoing care are informed by Indigenous involvement.

It is a big place. The five-acre site provides stunning views of Little Lake and a connection to the Trans Canada Trail, and is surrounded by public parks. The museum will be open to visitors next week, as of May 13. I encourage all my Senate colleagues and their families and friends to visit. It's not just a museum; it's a journey through our collective history, and it's just down the road in that direction. Bring your paddles. I hope to see you there.

#### VISITOR IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Rachel Ross-Hamilton, daughter of the Honourable Senator Ross.

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

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

[*Translation*]

#### THE LATE GILLES DEGRÂCE

**Hon. Rose-May Poirier:** Honourable senators, on April 29, residents of the Chaleur region mourned the passing of Gilles Degrâce, a long-time sports journalist admired by all who knew him.

Born in Beresford, in the Chaleur region of New Brunswick, Gilles Degrâce devoted more than 45 years of his life to covering sports news in his home region.

• (1410)

Mr. Degrâce covered the Jeux de l'Acadie finals some 30 times. He worked for *Acadie Nouvelle*, *Le Matin* and *L'Évangéline*.

Ever since 1998, Mr. Degrâce was the voice of the entire region, serving as the play-by-play announcer for the Acadie-Bathurst Titan's major junior hockey games on local radio. His passion for hockey and for the Titan swept listeners up from the moment he described the first blade hitting the ice. By the time the game ended, people were already looking forward to the next one.

When excitement levels reached their peak and words failed to describe the emotions that Gilles and the entire region were feeling, listeners were treated to his trademark catchphrase, "Ayoye, ayoye, ayoye!" Whenever he said that, listeners knew that something big had just happened.

[ Senator Dasko ]

The phrase has become something of a touchstone in the region. It has captured our reaction to everything from the first President's Cup victory in 1999 to the Memorial Cup in 2018.

Gilles Degrâce's coverage of the Titan was priceless, but people like him are essential to our communities in other ways. The passion they convey for local sport is really a declaration of love for their region. They cover local baseball games between neighbouring rivals and follow youth soccer teams preparing for championship games.

They enrich our local communities through sports. These are moments that unite us. Mr. Degrâce's dedication to local sport and his passion for the Titan hockey club helped bring the entire region together for over 45 years and sparked local pride.

In short, we have lost a pillar of the Acadian sports community and the Chaleur community in general. However, his voice will resonate forever in people's memories.

Honourable senators, please join me in recognizing Gilles Degrâce's tremendous career and in extending our condolences to his family and friends.

[*English*]

#### VISITOR IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Private George Roland Cooper. He is the guest of the Honourable Senator Quinn.

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

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

#### PRIVATE GEORGE ROLAND COOPER

**Hon. Jim Quinn:** Honourable senators, I rise today to pay tribute to one of Canada's remaining World War II veterans. Private George Roland Cooper was born on May 22, 1924, in Madawaska County, New Brunswick. George will tell you that may be off either way by a day because 100 years ago, his birthday may have been registered incorrectly. But at this stage of life, I don't believe George will be concerned whether it was registered a day early or a day late.

He is the oldest and only remaining family member that included three boys and three girls. George and his family had a very challenging childhood. His father died of a ruptured appendix when George was only 5 years old. This, of course, was at the beginning of the Great Depression. There was no assistance in those days to help his mother with raising the family, so she had to make the very difficult decision to bring her family to the Saint John orphanage while she sought employment with the goal of reuniting with her children. Seven years later, she was able to reunite with three of her children, but unfortunately, she contracted tuberculosis. The children had to be placed in different homes.

That early life experience gave George the resilience that has served him well to this very day. After working in various jobs in New Brunswick and in Goose Bay, Newfoundland — where he helped to build the airport — he joined the reserves in Forest Hills, New Brunswick. He joined the Carleton and York Regiment in Fredericton for basic training and subsequently joined the 1st Canadian Parachute Battalion in 1943.

When I first met George at a veterans' dinner, he told me that he had thought about becoming a sniper because he was an expert shot, but he liked the idea of not being shot at by the other snipers, so he decided to jump out of planes.

He trained in Shilo, Manitoba, and went overseas in 1944 and served there in Bulford Camp, England, with the 6th Airborne Division in the British army.

After the war, he returned to New Brunswick and again worked at various jobs, including with the United States Army, developing blueprints for the Pinetree Line radar that ran up the East Coast of Canada. His service to our country continued as he worked at the Department of Veterans Affairs hospital in Saint John, continuing at other Saint John hospitals until he retired in 1986.

George is a modern-day man, being current with today's technologies used by all of us. In fact, he honed his skills through computer courses, among other courses, at the University of New Brunswick at Saint John.

After 43 years of marriage to his first wife, Kathy, who passed away, he remarried in 1999 to his current wife, Annie. George remains very active in his community and with his grandchildren and great-grandchildren. He is often asked, "What is your secret to longevity?" He promptly responds, "I have good genes, and I wear them very well."

George is a proud and active member of the Royal Canadian Legion Branch 58, and is a regular at gatherings of veterans, family and friends' outings.

Private Cooper, it is not often that we senators have the honour of paying tribute to a Canadian World War II veteran. Today, it is indeed our privilege to do just that. Honourable senators, thank you and *meegwetch* for joining me in congratulating Private George Roland Cooper for his service to our country and as we help him celebrate his one hundredth birthday. Thank you.

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

#### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Marc Bains and Jillianne Code, co-founders of the HeartLife Foundation, accompanied by other members of the foundation. They are the guests of the Honourable Senators Martin and Osler.

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

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

#### HEARTLIFE FOUNDATION

**Hon. Yonah Martin (Deputy Leader of the Opposition):** Honourable senators, I rise today to celebrate the first HeartLife Day on the Hill during Heart Failure Awareness Week. Senator Osler and I had the honour of welcoming the HeartLife Foundation to the Senate of Canada this morning, along with many of our colleagues from the Senate and House of Commons.

The HeartLife Foundation is a national patient-driven organization and Canada's first and only national patient-led heart failure organization. They are dedicated to engaging, educating and empowering those living with heart failure, advocating for a better quality of life and necessary policy changes as well as raising awareness of this life-threatening conditioning.

We heard this morning from co-founders Marc Bains and Dr. Jillianne Code, and Dr. Seema Nagpal, Chief Science Officer of the Canadian Cardiovascular Society. Marc was 23 years old when he was diagnosed with heart failure. It was the constant "what ifs" that were always in the back of his mind leading up to the day when he received the call there was a heart for him.

Dr. Jillianne Code was 27 years old. She says:

Accepting the inevitable truth is seemingly simple. As a patient recognizing the outcome of heart failure if left untreated was as simple as it comes – I could die. What's complicated, what's hard, is living with it. Is figuring out how to live with it. Figuring out what facing your own mortality means. . . .

Does my 'heart and soul' exist independent of my physical heart?

This is a question that I grappled with when I was first diagnosed. And to be completely honest, after you have received the gift of a new life from another person, in my case more than once, this question is renewed as you wake each morning, as you breathe in every extra breath you are fortunate to be granted. My mortality greets me every morning as I say "Not today".

Together, Marc and Jillianne co-founded the HeartLife Foundation and have become leaders and advocates for so many individuals dealing with heart failure. They have created a national community so that no one feels alone, no matter where they are in Canada. They have worked tirelessly with all members of the HeartLife Foundation to fight to bring awareness to heart failure through their Heart Failure Policy Framework.

I would like to take a moment to also recognize Max Monahan-Ellison and Jennifer Milne, members of HeartLife, for their hard work and dedication.

This week is Heart Failure Awareness Week. Heart failure is now one of the fastest-growing cardiovascular conditions in the world. It is estimated that more than 100,000 Canadians will be diagnosed this year alone. This important week raises awareness for this condition and hopes to increase public knowledge and provide a better understanding about this chronic condition.

• (1420)

Honourable senators, please join me and Senator Osler in congratulating the HeartLife Foundation and HeartLife Day on the Hill. As their motto states: “It’s about life, not failure.”

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

#### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of the senior leadership team from Waterloo Region District School Board. They are the guests of the Honourable Senator Deacon (*Ontario*).

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

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

#### NATIONAL NURSING WEEK

**Hon. Joan Kingston:** Honourable senators, I rise before you today to celebrate National Nursing Week 2024.

In 1971, the International Council of Nurses designated May 12, the birthday of nursing pioneer Florence Nightingale, as International Nurses Day.

[*Translation*]

In 1985, members of the Canadian Nurses Association advocated to have the week of May 12 proclaimed as National Nurses Week annually. Soon after, the federal health minister proclaimed the second week of May as National Nurses Week. In 1993, the name was changed to National Nursing Week to emphasize the profession’s accomplishments as a discipline.

[*English*]

Of the more than 450,000 members of regulated nursing professionals in Canada of which I am proud to be one — over 300,000 are registered nurses, and nurse practitioner is one of the fastest growing professions in health care. Nurses are working everywhere in the health care system — almost 55% work in a hospital. If you should find yourself there one day at 2 a.m., I can guarantee you that the health professional who will most likely be there for you is a nurse.

I believe the greatest potential for improving health care outcomes in the future is to increase the presence of nurses and nurse practitioners working in primary care settings in the community, improving access to primary health care and the management of chronic disease. Nurses in the community understand the impacts of the social determinants of health and the importance of population health as they address the needs of individuals and families with other health professionals and community partners. They are skilled advocates and collaborators.

[ Senator Martin ]

[*Translation*]

I want to tell my fellow nurses across Canada to celebrate, be proud and stay strong. You make a difference every day.

[*English*]

Thank you, *woliwon*.

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

[*Translation*]

#### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of the son of the Honourable Senator Brazeau, this big boy, River.

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

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

[*English*]

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Cathy Marshall and Jacqueline Johnson. They are the guests of the Honourable Senator Busson.

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

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

## ROUTINE PROCEEDINGS

### STUDY ON THE FEDERAL FRAMEWORK FOR SUICIDE PREVENTION

FIFTEENTH REPORT OF SOCIAL AFFAIRS, SCIENCE AND  
TECHNOLOGY COMMITTEE—GOVERNMENT RESPONSE Tabled

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, I have the honour to table, in both official languages, the government response to the fifteenth report of the Standing Senate Committee on Social Affairs, Science and Technology, entitled *Doing What Works: Rethinking the Federal Framework for Suicide Prevention*, deposited with the Clerk of the Senate on June 8, 2023.

(Pursuant to rule 12-23(4), this response and the original report are deemed referred to the Standing Senate Committee on Social Affairs, Science and Technology.)

## PUBLIC COMPLAINTS AND REVIEW COMMISSION BILL

BILL TO AMEND—NOTICE OF MOTION TO AUTHORIZE NATIONAL SECURITY, DEFENCE AND VETERANS AFFAIRS COMMITTEE TO STUDY SUBJECT MATTER

**Hon. Marc Gold (Government Representative in the Senate):** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, in accordance with rule 10-11(1), the Standing Senate Committee on National Security, Defence and Veterans Affairs be authorized to examine the subject matter of Bill C-20, An Act establishing the Public Complaints and Review Commission and amending certain Acts and statutory instruments, introduced in the House of Commons on May 19, 2022, in advance of the said bill coming before the Senate;

That, for the purposes of this study, the committee be authorized to meet even though the Senate may then be sitting or adjourned, with the application of rules 12-18(1) and 12-18(2) being suspended in relation thereto;

That the committee submit its final report to the Senate no later than June 13, 2024; and

That the committee be authorized to deposit its report with the Clerk of the Senate if the Senate is not then sitting, provided that it then be placed on the Orders of the Day for consideration at the next sitting following the one on which the depositing is recorded in the *Journals of the Senate*.

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

The question asked of me yesterday was regarding the housing crisis across the country. I stand by my answer because it is the accurate and correct answer. Of course, the Government of Canada has a special responsibility to its veterans. In that regard, the government has taken several initiatives to both help increase the stock of housing for veterans and to improve their access to them. The fact that the government did not accept a particular report is in no way indicative that the government is shirking its responsibility to veterans, which I or the government would ever deny.

**Senator Plett:** The Ombudsman for the Department of National Defence and the Canadian Armed Forces has said that the Trudeau government raising the cost of rent for our military personnel during a housing crisis is “tone deaf.” I call it, leader, “not worth the cost.”

The rent hike was actually put in place last month on April 1. Now that the House of Commons has voted to cancel that hike, will this incompetent Trudeau government reimburse the extra rent money it has imposed upon our military and their friends and families this spring, yes or no?

• (1430)

**Senator Gold:** Thank you for your question. I am not advised of any such plans. I repeat: The government will continue to work to assist veterans in this important challenge that they face.

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## QUESTION PERIOD

### NATIONAL DEFENCE

#### MILITARY HOUSING

**Hon. Donald Neil Plett (Leader of the Opposition):** Leader, yesterday, when Senator Martin asked you about the cost of rent doubling under the NDP-Trudeau government, you said:

The government did not create the rental crisis, nor can the federal government alone fix it. Let’s be real. . . .

Less than an hour later, every single Liberal MP in the other place, including the Prime Minister, voted against a report from the National Defence Committee of the House of Commons. That report called upon your government to immediately cancel all plans to increase rent for Canadian military personnel living on bases.

So, leader, realistically, this particular rent crisis is completely and 100% within the Trudeau government’s power to fix, yet they won’t do so. Why not, leader?

## PRIVY COUNCIL OFFICE

### INDEPENDENT ADVISORY BOARD FOR SENATE APPOINTMENTS

**Hon. Denise Batters:** Senator Gold, the Independent Advisory Board for Senate Appointments, chaired by Huguette Labelle, is supposed to publish a report three months after every round of Senate appointments. She hasn’t filed a report for 15 months, but there have been 15 new senators named. These reports have also shrunk dramatically in the last several years. There used to be 10 pages of detail about the diversity of applicants; that’s now one page. It has been six years since they included a list of nominating organizations; that stopped in 2018, right after I asked the government leader about it.

We have no idea who has sponsored 74 out of 81 independent Trudeau senators appointed to this chamber and who could be lobbying those senators on legislation. This government promised a transparent appointment system, but instead we get spotty reporting, limited information and potential major conflicts of interest for Trudeau-appointed senators.

Senator Gold, you’ve really enjoyed rewriting definitions in the chamber lately. Is this how you define Trudeau transparency?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for this question, which I believe you raised quite recently. It is the responsibility of the Senate appointment process to seek and vet the applications that are received. I cannot speak for anybody else in this chamber, but at least in my experience — which goes back seven and a half years — I applied and was not sponsored. Frankly, I have not followed the process since, so I can't speak to that aspect of your question.

Looking around the chamber, the diversity of the successful applicants is so patent and obvious and welcome that I think nothing more needs to be said about the success which this process has had in changing the complexion of this chamber in all respects. The government will continue on the path of ensuring the best quality —

**Senator Batters:** Former Pierre Elliott Trudeau Foundation mentor Huguette Labelle has been the one and only chair of the Advisory Board for Senate Appointments for the past eight years. She draws up to \$650 a day for her per diem. Her reports are late and they have become less detailed and more opaque. I've frequently asked about this decline in the Trudeau government's transparency regarding Senate appointments.

Senator Gold, can you at least tell me this: How much has the Trudeau government paid Huguette Labelle over the past eight years?

**Senator Gold:** I do not know the answer to your question, nor do I know whether that information is or should be made public.

[Translation]

## FINANCE

### SIMPLIFIED TAX RETURNS

**Hon. Éric Forest:** My question is for the Leader of the Government in the Senate. The deadline for Canadians to file their income tax returns was April 30. Many Canadians don't file a tax return, so they are missing out on a number of assistance measures associated with filing a tax return. Researchers at Carleton University estimate that between 10% and 12% of Canadians do not file a tax return and that these individuals missed out on roughly \$1.7 billion in benefits in 2015. We know that this phenomenon particularly affects the most disadvantaged and marginalized members of our society.

In 2024, the CRA expanded its SimpleFile by Phone service, which allows low-income Canadians to file their returns automatically. This is a good step forward, but more needs to be done, especially to reach more marginalized groups that may face language and technological barriers or have no fixed address. Leader, can you tell us what the government intends to do to further automate tax filing and ensure that Canadians receive the assistance to which they are entitled?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for the question. It's tax time, and the CRA has implemented a new identity validation option known as

document verification service, which seeks to make it easier to register for online services, including My Account. A user can quickly validate their identity to get immediate access to their online CRA account using a piece of government-issued photo identification, such as a passport or driver's licence.

Starting in summer 2024, the CRA will also pilot SimpleFile digital and paper options in all provinces and territories. These new services will target lower-income individuals who do not file their tax returns or who have a gap in their filing history.

**Senator Forest:** One of the major issues is that it's hard to assess the government's performance in reaching the most disadvantaged members of our society because Statistics Canada and the CRA don't produce any estimates regarding the number of non-filers, similar to what is done with tax evasion. Could the government commit to periodically producing an estimate of the number of Canadians who don't file a tax return so that we can measure the efforts that are being made to reach the most disadvantaged members of our society, who, unfortunately, are not getting the benefits to which they are entitled?

**Senator Gold:** Thank you for the question. The government produces the departmental results framework indicators to provide insight into the compliance of Canadians with tax obligations. These indicators are used to determine whether non-compliance is addressed and whether Canadians have access to appropriate mechanisms for resolving disputes. According to the departmental results framework indicators for 2022-23, the number of Canadians who did not file a tax return was 7%.

[English]

## INNOVATION, SCIENCE AND ECONOMIC DEVELOPMENT

### NET ZERO ACCELERATOR INITIATIVE

**Hon. Mary Coyle:** Senator Gold, the federal Commissioner of the Environment and Sustainable Development reported that Innovation, Science and Economic Development Canada did not have a coherent and comprehensive industrial decarbonization policy involving all relevant government entities, including the Net Zero Accelerator. The commissioner and the Net-Zero Advisory Body have recommended that Canada develop a net-zero industrial policy. The U.S. has its Inflation Reduction Act and its Bipartisan Infrastructure Law. The U.K. has its Industrial Decarbonisation Strategy.

Senator Gold, will the government commit to developing and implementing a comprehensive Canadian net-zero industrial policy that includes the Net Zero Accelerator? If not, why not?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question and for underlining the important work of the federal Commissioner of the Environment and the recommendations. My understanding is that the department has partially agreed with the commissioner's recommendations. I've been informed that Innovation, Science and Economic Development Canada, ISED, recognizes the importance of and is actively pursuing a horizontal approach to achieving Canada's climate goals.



Additionally, the government announced in March 2022 the 2030 Emissions Reduction Plan, which is a horizontal government policy with sectoral paths for Canada to reach its target of 40% below 2005 levels by 2030 and net zero by 2050. As a key initiative, the Net Zero Accelerator focuses on reducing near-term emissions from large emitters and ensuring the competitiveness of Canadian industries in a net-zero economy. ISED will continue evolving its approach and investment framework.

**Senator Coyle:** Thank you. The commissioner also reported occasions when ISED Canada did not follow the Greenhouse Gas Protocol for project accounting when approving Net Zero Accelerator projects affecting the credibility of emission reductions estimates.

Senator Gold, how will the government improve its procedure so that Net Zero Accelerator applications can be approved efficiently and with credible accounting for emissions reductions?

**Senator Gold:** Thank you. It's my understanding that in this case the government has accepted and agrees with the commissioner's recommendations regarding a more effective and efficient process. I further understand that moving forward, in the spirit of this recommendation, ISED is committed to increasing consultation with large emitters, helping to gain a deeper insight into their needs and to explore better ways to encourage them to apply to the initiative. ISED will also leverage opportunities to improve the program's design and its delivery.

## IMMIGRATION, REFUGEES AND CITIZENSHIP

### INTERNATIONAL STUDENTS

**Hon. Krista Ross:** This question is for the Government Representative in the Senate.

I rise today to express my deep concern about the workforce limitations imposed on international students, reducing the number of hours that they can work each week to 24. Although this is more than the original 20 hours pre-COVID, it is an unnecessary restriction given that there have been no negative consequences of the cap being removed over the last few years. International students are here in Canada to gain a world-class education in our institutions. Why are we restricting their ability to support themselves through employment?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question. The government agrees with the importance of opening our country and our institutions to foreign students and, of course, providing them an opportunity to finance their studies while they are here.

• (1440)

However, it is also important for the government to strike the right balance. This is both for the sake of the students themselves — because research shows that there is a limit beyond which working affects one's ability to succeed scholastically — and to address the troubling situation with institutions attracting people not for education but simply as a way to circumvent our rules, which we've discussed and the government has addressed in many ways. The government has reached a fair balance and will continue to monitor how it's being implemented.

**Senator Ross:** Employment is a premium way to put down roots in a community. Furthermore, why should we restrict international students when domestic students are not restricted in this regard? Is it the place of academic institutions to determine the number of hours students can work, especially given that they may charge international students two or three times the tuition they do domestic students?

Additionally, what are employers who are grappling with labour issues — especially those in post-secondary communities like mine — supposed to do?

**Senator Gold:** Thank you for your question. You and other senators will recall that there was previously a cap of a 20-hour work week for international students, which was lifted during the pandemic to help combat those labour shortages. As we transition out of the pandemic, the government has raised it somewhat to 24 hours and — again — believes it has struck the right balance.

## INDIGENOUS SERVICES

### CHILD AND FAMILY SERVICES

**Hon. Brian Francis:** Senator Gold, last year, after more than 16 years of legal battles, the settlement totalling more than \$23 billion was reached to compensate First Nations children and parents or caregivers harmed by decades of chronic underfunding of child and family services and the narrow application of Jordan's Principle. However, there has been a standstill on the other nearly \$20 billion spread over five years to put an end to the discrimination.

Given the serious impact of the delay on First Nations children and their families, could you please outline what the federal government is doing to expedite negotiations? In addition, could you please provide a detailed breakdown of how much of the nearly \$20 billion has been spent or committed to date?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for the question. The government is and will continue to negotiate seriously and in good faith with its Indigenous partners on all issues, including this very important one that you outline.

I certainly am not in a position to provide information about how the negotiations are progressing, nor any of the financial details that may be on the table in discussion. For the moment, that is a matter for the negotiators.

I will certainly raise your legitimate concerns about the needs, sums and — most importantly — people who will benefit with the minister at the earliest opportunity.

**Senator Francis:** My understanding is that April 1 marked the second fiscal year in the rollout of the nearly \$20 billion committed over five years. Answers are needed long before the deadline is reached.

Could you also inquire into whether the Prime Minister intends to make a public apology in the House of Commons to all First Nations children, families and communities harmed by Canada as requested by the Assembly of First Nations and others?

**Senator Gold:** I will certainly make those inquiries.

[Translation]

## PRIVY COUNCIL OFFICE

### FEDERAL PUBLIC SERVICE

**Hon. Claude Carignan:** Government leader, or Government Representative in the Senate, 110,000 new public service jobs have been created since your government took office. I tried to calculate the payroll that this number might represent, but there isn't enough room on my calculator for all the zeros. The equation gives me a cost of 1.4 to the power of 10. On top of this additional payroll, we're paying \$21 billion in consulting fees.

Leader, have your government and your Prime Minister lost all control?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for the question. The answer is no, and I could easily sit back down and leave it at that. However, you often accuse me of not answering questions, so I will try to flesh out my answer.

It's not a question of losing control, but rather of ensuring that our public service serves Canadians, after years of budget cuts in the past. Added to this are the challenges posed by the pandemic. The government certainly hasn't control. On the contrary, the government is acting responsibly for the well-being of Canadians.

**Senator Carignan:** If I may, I have some advice for the government. Ms. Freeland said she wanted to reduce the size of the public service by 5,000 employees over the next four years.

May I suggest that, to make this undertaking as efficient as possible, the first person to go should be the Prime Minister?

**Senator Gold:** While this government is open to suggestions, amendments and recommendations from this noble chamber, I will decline to convey your suggestion to the minister you named.

[ Senator Gold ]

[English]

## GLOBAL AFFAIRS

### FOREIGN INTERFERENCE

**Hon. Leo Housakos:** Senator Gold, two days ago, I asked you about the foreign interference inquiry and Justice Hogue's written report to Parliament, in which she writes that Justin Trudeau testified to her that he didn't endorse Han Dong as a candidate for the Liberal Party of Canada because he knew there would be electoral consequences — that is to say, he didn't want to lose the riding.

Senator Gold, in your response to my question, you said, "That is not an accurate characterization of what happened. I admire your ability to read minds and impute intentions. . . ."

Senator Gold, it's not a characterization. It's in a parliamentary report. The Prime Minister said it under oath. I'm not imputing anything. It was Justice Hogue, whom your government hand-picked to oversee this inquiry, who reported this in writing to Parliament.

I won't read your mind. Are you saying that Justice Hogue's report isn't credible, or are you saying that Prime Minister Trudeau lied to her when he said that?

**Hon. Marc Gold (Government Representative in the Senate):** I'm actually saying neither of those things, senator. Thank you for your question.

**Senator Housakos:** Senator Gold, I love that non-answer.

It's either one or the other. Either you question the integrity of the report from your public commissioner — a judge who has reported to Parliament — or whether the Prime Minister is lying. It's one or the other. I choose to believe the Prime Minister was truthful under oath. So my next question is this: Do you believe that standard for the Prime Minister in regard to our democracy is acceptable?

**Senator Gold:** I stand by my first answer. It is neither one nor the other. The government has every confidence in the integrity of Justice Hogue, an eminent jurist whose interim report is already proving helpful and illuminating and whose final report we all await.

## PUBLIC SAFETY

### CANADA BORDER SERVICES AGENCY

**Hon. Tony Loffreda:** Senator Gold, new customs rules for Canadian small businesses and e-commerce entrepreneurs will come into effect on May 13, and many are worried that these rules could have a negative impact on their growth and ability to reach new customers. Can you share with us the government's rationale behind these new measures? Would the government consider a phased-in approach to implementing these new rules at the border — and perhaps even initially implementing them on a voluntary basis?

As reported in iPolitics, as of next week, the Assessment and Revenue Management System, or CARM, of the Canada Border Services Agency, or CBSA, will require all new commercial importers to be registered on a new platform, put down a deposit or financial bond to cover duties and taxes owing and meet other onerous requirements.

**Hon. Marc Gold (Government Representative in the Senate):** Thank you. Colleagues, for the benefit of those who may not have followed this as closely as some, my understanding is that the CBSA Assessment and Revenue Management System, or CARM, will provide a number of benefits. It will eliminate cumbersome, time-consuming, paper-based processes, provide better tools that will allow Canada Border Services Agency, or CBSA, to focus its compliance and enforcement efforts on potential bad actors, improve functionality for importers through the ability to enrol in commercial programs, submit accounting documents and receive notifications through their CARM Client Portal accounts.

• (1450)

I've been informed that in response to uncertainty in the labour environment, the CBSA has rescheduled the launch of CARM to trade chain partners, or TCPs, to October 2024. The CBSA has developed and communicated transition measures to ensure continued border fluidity and timely submission of accounting and payment of duties after the implementation of CARM.

**Senator Loffreda:** Thank you for that answer. To ensure the viability, growth and competitiveness of the sector, the small business community needs a more efficient, simpler and easier way to navigate the customs regime.

Is the government currently engaged with stakeholders to find ways of improving Canada's customs regime and show the world that we are open for business? Small to medium-sized enterprises, or SMEs, make up 98% of Canada's economy and employ 7.8 million people.

**Senator Gold:** I've been informed that CBSA held approximately 100 consultations and technical working group sessions, over 160 direct engagement events and has completed multiple cycles of testing, including over 10 months of simulation with direct participation by CBSA employees and industry. Industry, on its part, has worked to be ready with approximately 71,500 importers now registered in CARM. Those importers represent over 92% of the volume of goods imported.

## GLOBAL AFFAIRS

### ISLAMIC REVOLUTIONARY GUARD CORPS

**Hon. Ratna Omidvar:** Senator Gold, the Islamic Revolutionary Guard Corps, or IRGC, is brutal. I think we all know that. It has committed human rights abuses on its own people and perpetuated crimes around the world.

Last night in the House of Commons, the House of Commons unanimously passed a motion, including government ministers, to list the IRGC as a terrorist entity. The chamber did the same

last June. These motions are, of course, not binding on the government, but they are a clear expression of our combined parliamentary political will.

When will the government do what is necessary and list the IRGC in its entirety as a terrorist entity?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for the question. This is a question that has preoccupied a great many senators over a great period of time. I will not repeat all the points that I've made on several occasions except to underline that the government — and I have always said this on behalf of the government — is looking seriously at an appropriate way to address this issue. There is no doubt of the complicity in the IRGC and the regime which it serves in the abuses to which you refer, and more could be said at length about that.

The other place voted unanimously to adopt the motion, as you correctly pointed out. Although this motion is not binding on the government, the Prime Minister said that the government is looking for ways to responsibly list the IRGC as a terrorist organization. I fully expect that announcements will be made in due course.

**Senator Omidvar:** Thank you, Senator Gold. There are lots of people who look forward to these announcements, in particular, members of the Iranian Justice Collective and The Association of Families of Flight PS752 Victims. They were in Ottawa this week, and I met with them. They expressed their concern that Iranian Canadians are being harassed in Canada by affiliates of the Islamic regime.

My question is this: When is the government going to take this seriously?

**Senator Gold:** I also met with the representatives and I shared both my experience and my knowledge of Iran and its activities, which goes back decades in another life, and the experience of my friends in Montreal in the Iranian community — some Muslim, some Baha'i, some Jewish. I don't have a date for you, but the government voted in the motion and that sends a strong signal that we should expect a change in position.

## VETERANS AFFAIRS

### PROCESSING OF DISABILITY BENEFITS APPLICATIONS

**Hon. Yonah Martin (Deputy Leader of the Opposition):** My question for the Government Leader in the Senate is a follow-up to the question Senator Patterson and I have both asked recently about the Trudeau government's lack of attention to issues impacting our veterans. The Royal Canadian Legion recently noted:

The backlog in disability claims continues, yet there is nothing in the budget to identify whether all temporary staff will be kept on permanently to help finally eliminate this pressing problem.

Leader, what is your response to the legion, and why did the Trudeau government say next to nothing about this ongoing problem in last month's budget?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question. The government has done an enormous amount to assist veterans and continues to do so. I'm not going to look backwards and contrast what this government is actually doing on the defence area generally or in veterans particularly because that's not the point. The point is that veterans deserve the support of its government. This government is doing what it can and will continue to do so to support veterans in all respects. Veterans deserve that from their government and should expect to receive it.

**Senator Martin:** Additionally, last November, the union that represents Veterans Affairs Canada employees said the Trudeau government's announcement of temporary funding to deal with the persistent backlog was a Band-Aid solution. They also said, "... in two years' time, we're probably looking at this same situation again."

Leader, what is your response to the union? Are they right or wrong?

**Senator Gold:** Since the government introduced funding to address the question of backlogs, it's my understanding that the backlogs have been reduced to well over 50%. That's an important step, but it's not the complete step. The government knows more work needs to be done and will continue to do so.

## CANADIAN HERITAGE

### CANADIAN BROADCASTING CORPORATION

**Hon. Donald Neil Plett (Leader of the Opposition):** Leader, I want to return to your answer yesterday to Senator Housakos about the CBC. You said the CBC had fallen on hard times. Organizations that fall on hard times should not squander taxpayers' dollars. I found out in February that the CBC wasted almost \$400,000 when it sued the Conservative Party during the 2019 election campaign.

I have a few questions here, leader. How do you justify wasting taxpayers' dollars to sue a political party? As far as I know, no one was ever fired or held accountable for making the decision to do so. Why not? Was there any political involvement from the Trudeau government? If so, who was involved?

**Hon. Marc Gold (Government Representative in the Senate):** I'm not familiar with the details of the litigation that was taken, so I really have no comment on that.

With regard to the way in which you and your colleagues continue to frame the issue of the CBC, it is worth noting that despite your allegations that it is failing or it has failed, all broadcasters are going through tough times. The decision to continue to support a public broadcaster is a decision that governments in Canada have taken for generations. This government continues to believe in the importance of a public broadcaster.

[ Senator Martin ]

Colleagues, despite your rhetoric, a recent poll showed that less than a quarter of Canadians believe that the CBC is no longer needed. Even amongst Conservative —

**Senator Plett:** Let me tell you, Senator Gold, first of all, they lost the lawsuit they spent \$400,000 on.

The answer to a different written question of mine about the CBC was tabled in the Senate earlier this year. It shows that between 2019 and 2023, the CBC paid out over \$75 million in short-term incentives, otherwise known as bonuses. If the CBC has fallen on hard times, how do you explain \$75 million worth of bonuses?

**Senator Gold:** The whole issue of the performance compensation was raised recently in the House. Even the *National Post* — hardly an example of woke left-wing journalism — acknowledged that, in fact, CBC President Tait was correct when she reminded senators, who should have known better, that these were not bonuses but were part of the employment contracts that were outside of her control.

• (1500)

## ANSWERS TO ORDER PAPER QUESTIONS TABLED

### JUSTICE AND ATTORNEY GENERAL—PRE-TRIAL HEARING OF VICE-ADMIRAL MARK NORMAN

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 72, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the pre-trial hearing of Vice-Admiral Mark Norman — Department of Justice Canada.

### JUSTICE AND ATTORNEY GENERAL— PUBLIC PROSECUTION SERVICE—PRE-TRIAL HEARING OF VICE-ADMIRAL MARK NORMAN

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 72, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the pre-trial hearing of Vice-Admiral Mark Norman — Public Prosecution Service of Canada.

### FOREIGN AFFAIRS—GLOBAL AFFAIRS

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 189, dated January 31, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Global Affairs Canada.

## FOREIGN AFFAIRS—TAIWAN

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 221, dated March 22, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Taiwan — Global Affairs Canada.

## PRIVY COUNCIL OFFICE—TAIWAN

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 221, dated March 22, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Taiwan — Privy Council Office.

## FOREIGN AFFAIRS—HUMAN RIGHTS

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 227, dated March 30, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding human rights.

## CANADIAN HERITAGE—NATIONAL GALLERY

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 293, dated February 6, 2024, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the National Gallery of Canada.

## CANADIAN HERITAGE—CANADA'S MUSEUMS OF SCIENCE AND INNOVATION—INGENIUM

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 296, dated February 6, 2024, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Ingenium – Canada's Museums of Science and Innovation.

## CANADIAN HERITAGE—CANADIAN MUSEUM OF NATURE

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 300, dated February 6, 2024, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the Canadian Museum of Nature.

## DELAYED ANSWERS TO ORAL QUESTIONS

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, I have the honour to table the answers to the following oral questions:

Response to the oral question asked in the Senate on March 2, 2022, by the Honourable Senator Boisvenu, concerning the public inquiry into the Portapique shooting.

Response to the oral question asked in the Senate on May 17, 2022, by the Honourable Senator Cormier, concerning the Advisory Committee on Vice-Regal Appointments.

Response to the oral question asked in the Senate on May 10, 2023, by the Honourable Senator Deacon (*Ontario*), concerning palliative care.

Response to the oral question asked in the Senate on June 20, 2023, by the Honourable Senator Patterson (*Nunavut*), concerning air service in the North.

## PUBLIC SAFETY

## PUBLIC INQUIRY INTO PORTAPIQUE SHOOTING

(*Response to question raised by the Honourable Pierre-Hugues Boisvenu on March 2, 2022*)

The Governments of Canada and Nova Scotia established the Joint Public Inquiry into the Nova Scotia April 2020 Tragedy in October 2020. The Honourable J. Michael MacDonald, Ms. Leanne J. Fitch and Dr. Kim Stanton were jointly selected to undertake this work.

The Inquiry was directed to inquire into causes, context and circumstances giving rise to the tragedy; police responses; and, steps taken to inform, support and engage victims, families and affected citizens.

It was also directed to examine, in relation to the tragedy, issues including: contributing and contextual factors (e.g., gender-based and intimate partner violence); access to firearms; police interactions and actions; communications with the public during and after the event; communications between and within law enforcement agencies; police policies, procedures and training (e.g., gender-based and intimate partner violence, active shooter incidents, disposal of police vehicles and equipment, response to reports of possession of prohibited firearms); and, information and support provided to the families of victims, affected citizens, police personnel and the community.

The Inquiry was also directed to use a trauma-informed approach, guided by restorative principles, and was authorized to engage victims and their families.

On March 30, 2023, the Commission delivered its final report to the Governors in Council of Nova Scotia and of Canada.

## CANADIAN HERITAGE

### ADVISORY COMMITTEE ON VICE-REGAL APPOINTMENTS

*(Response to question raised by the Honourable René Cormier on May 17, 2022)*

Vice-Regal appointments are made upon the recommendation of the Prime Minister who has clearly indicated that he recognizes the importance of appointing a Lieutenant-Governor in New Brunswick who is proficient in both official languages, given the province's status as officially bilingual. This requirement will be reflected in future appointment process.

## HEALTH

### PALLIATIVE CARE

*(Response to question raised by the Honourable Marty Deacon on May 10, 2023)*

#### Health Canada

The Government has now met the legislated requirement to table a report to Parliament by December 4, 2023 on the state of palliative care in Canada. The Framework on Palliative Care in Canada – Five Years Later: A Report on the State of Palliative Care in Canada was tabled in Parliament on December 4th and posted to the departmental website on December 14, 2023. While there is more work to do, the Report notes that since 2018, more Canadians are engaging in advance care planning and receiving palliative care at home. There are more hospice beds and health care providers trained in palliative care, and more resources available to support caregivers.

The Canadian Institute for Health Information (CIHI) Report cited in the question was developed, in part, to inform the report to Parliament on palliative care. In 2018, CIHI released a foundational report called Access to Palliative Care in Canada. This document served as a baseline source of data upon which the Framework on Palliative Care in Canada was developed. Health Canada worked closely with CIHI to help ensure that their five-year follow up report was released on April 27, 2023 to support the legislated requirement for the report to Parliament.

## TRANSPORT

### AIR SERVICE IN THE NORTH

*(Response to question raised by the Honourable Dennis Glen Patterson on June 20, 2023)*

#### Transport Canada

In 2019, the Government of Canada approved the merger of First Air and Canadian North, subject to terms and conditions. The air transportation landscape has changed dramatically due to COVID-19. This impacted Canadian North's ability to comply with the conditions while also providing service to northern communities. During the pandemic, Canadian North was exempted from scheduling obligations and received \$138 million in federal funding.

Canadian North provides an important service to the North. The new terms and conditions were put in place to ensure northern communities have access to air services they need, while also ensuring Canadian North remains a viable service provider.

- 1) The Competition Bureau was consulted. Their advice falls under Cabinet Confidences and cannot be revealed. The Competition Bureau's advice/recommendations helped inform the decision to amend the merger conditions.
- 2) Transport Canada has procured an auditing firm to report on a quarterly basis and assess whether Canadian North is complying with the new terms and conditions. Canadian North will be required to provide data around pricing and profits. The reports produced by the Independent Monitor and the information found therein, as well as any information provided by Canadian North, are confidential and cannot be released.

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## 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: Motion No. 170, followed by all remaining items in the order that they appear on the Order Paper.

**BUDGET IMPLEMENTATION BILL, 2024, NO. 1**

## CERTAIN COMMITTEES AUTHORIZED TO STUDY SUBJECT MATTER

**Hon. Marc Gold (Government Representative in the Senate)**, pursuant to notice of May 8, 2024, moved:

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

1. in accordance with rule 10-11(1), the Standing Senate Committee on National Finance be authorized to examine the subject matter of all of Bill C-69, An Act to implement certain provisions of the budget tabled in Parliament on April 16, 2024, introduced in the House of Commons on May 2, 2024, in advance of the said bill coming before the Senate;
2. in addition, the following committees be separately authorized to examine the subject matter of the following elements contained in Bill C-69:
  - (a) the Standing Senate Committee on Banking, Commerce and the Economy: those elements contained in Divisions 11, 13, 16, 17, 18, 19, 20, 33, 41 and 42 of Part 4, and in Subdivision A of Division 34 of Part 4;
  - (b) the Standing Senate Committee on Energy, the Environment and Natural Resources: those elements contained in Division 28 of Part 4;
  - (c) the Standing Senate Committee on Foreign Affairs and International Trade: those elements contained in Divisions 6, 7, 8 and 9 of Part 4;
  - (d) the Standing Senate Committee on Indigenous Peoples: those elements contained in Divisions 25 and 26 of Part 4;
  - (e) the Standing Senate Committee on Legal and Constitutional Affairs: those elements contained in Divisions 29, 30, 35, 36, 43 and 44 of Part 4, and in Subdivisions B and C of Division 34 of Part 4;
  - (f) the Standing Senate Committee on National Security, Defence and Veterans Affairs: those elements contained in Division 39 of Part 4;
  - (g) the Standing Senate Committee on Official Languages: those elements contained in Division 24 of Part 4;
  - (h) the Standing Senate Committee on Social Affairs, Science and Technology: those elements contained in Divisions 3, 4, 5, 14, 21, 22, 23, 31, 32 and 38 of Part 4; and
  - (i) the Standing Senate Committee on Transport and Communications: those elements contained in Divisions 27 and 37 of Part 4;
3. each of the committees listed in point 2 that are authorized to examine the subject matter of particular elements of Bill C-69:
  - (a) submit its final report to the Senate no later than June 10, 2024; and
  - (b) be authorized to deposit its report with the Clerk of the Senate if the Senate is not then sitting;
4. as the reports from the various committees authorized to examine the subject matter of particular elements of Bill C-69 are tabled in the Senate, they be placed on the Orders of the Day for consideration at the next sitting, provided that if a report is deposited with the Clerk, it be placed on the Orders of the Day for consideration at the next sitting following the one on which the depositing is recorded in the *Journals of the Senate*;
5. the aforementioned committees be authorized to meet for the purposes of their studies of the subject matter of all or particular elements of Bill C-69, even though the Senate may then be sitting or adjourned, with the application of rules 12-18(1) and 12-18(2) being suspended in relation thereto; and
6. the Standing Senate Committee on National Finance be authorized to take any reports tabled under point 3 into consideration during its study of the subject matter of all of Bill C-69, submit its final report to the Senate no later than June 17, 2024, and be authorized to deposit its report with the Clerk if the Senate is not then sitting.

**Hon. Scott Tannas:** I have a question for the government leader.

**The Hon. the Speaker pro tempore:** Do we have leave for Senator Tannas to ask a question?

**Hon. Senators:** Agreed.

**Senator Tannas:** Senator Gold, it has been the practice here, and there has been a discussion about pre-studies of, particularly, budget implementation bills, or BIAs. They don't come to us in the time we would like. One of the things you have talked about and other proponents of pre-studies have talked about is that sometimes when we do a pre-study, it also signals to the House of Commons a problem that we may have with the bill.

You know that our group and others have problems with everything but the kitchen sink being put in budget bills that have nothing to do with budgets. Would you agree that a pre-study in this particular case could be helpful for us looking and signalling to the House of Commons anything that we see in the pre-study that we may find problematic as being resident in the budget bill?

**Senator Gold:** Thank you for your question. The important thing for the Senate is to have the time and to take the time to properly study measures that come before us. No more or less important, but certainly as important as any other matter — of course — is the budget bill.

This budget bill is a large one, as have been previous budget bills. That is why we'll be sending the motion that is before you not only to the Finance Committee — as is our tradition — but to many other committees. The committees to which it is being sent were reviewed by all groups. Helpful suggestions were given to us and incorporated in the motion — as you know — from the opposition, from your group and others.

I have every confidence in the Senate committees that will be examining it, and I would not presume what response they will have or whatever messages those committees may seek to communicate, much less how the government will receive them.

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

**Some Hon. Senators:** Agreed.

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

(Motion agreed to, on division.)

[*Translation*]

## HAIDA NATION RECOGNITION BILL

### SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Greenwood, seconded by the Honourable Senator Busson, for the third reading of Bill S-16, An Act respecting the recognition of the Haida Nation and the Council of the Haida Nation.

**Hon. Marc Gold (Government Representative in the Senate):** Honourable senators, I'd like to speak briefly — though not as briefly as George Baker — at third reading of Bill S-16, the Haida Nation Recognition Act. This legislation is an important step forward in the ongoing process of recognizing and realizing Haida rights.

[*English*]

In accordance with a tripartite agreement reached last year between the Haida Nation and the governments of British Columbia and Canada, Bill S-16 would recognize that the Haida Nation holds inherent self-governance rights, that it is governed by the Council of the Haida Nation, and that it is a legal entity with all related privileges and liabilities.

Haida representatives travelled all the way from Haida Gwaii to be here in the gallery in February when this bill was introduced. Afterward, in the Senate foyer, they joined the federal and provincial ministers, as well as their member of Parliament, at a press conference underlining the bill's importance to them.

[ Senator Gold ]

The tripartite agreement requires both provincial and federal ratifying legislation. The British Columbia bill was adopted almost exactly a year ago, in May 2023. So, the Haida have been waiting since then for a federal bill to pass.

In fact, they've been waiting much longer. At committee in April, the President of the Council of the Haida Nation said there's a written record of Haida leaders telling federal officials in 1913 that they had:

. . . never ceded, surrendered, signed a treaty or been defeated in war, and that all the Haida Gwaii is Haida territory. . . .

As Senator Martin noted at committee, “. . . you've waited a long time.”

[*Translation*]

This is absolutely true, and the Haida will have to wait even longer after the Senate passes this bill, because it will still have to be studied and passed in the other place.

All the more reason to complete third reading in the Senate as soon as possible.

[*English*]

Clearly, the Haida Nation is watching us. In recent days, their President wrote this in an email received by all senators:

We understand that the conclusion of the Senate process is close, and we look forward to Bill S-16 moving to the House of Commons for final approvals. Haawa (thank you) for your ongoing commitment to moving our work forward together in a respectful and timely manner. This has been a long time in coming for both the Haida Nation and for Canada.

• (1510)

Colleagues, I think that's their polite way of reminding us that the Indigenous Peoples Committee finished clause-by-clause consideration almost a full month ago, and they would like us to get on with it.

We've certainly had a lot on our plate in this chamber recently, but I hope that we can meet the Haida Nation's expectation and pass this bill very soon.

I extend my thanks to Senator Greenwood for being an able and dedicated sponsor, and to all the committee members for their work as well.

At committee, the Haida president explained that the term for reconciliation in the Haida language literally means, “people working together to make things right.” In that spirit, I invite all honourable senators to join me in supporting Bill S-16.

Thank you,

*Háw'aa.*

(On motion of Senator Martin, debate adjourned.)



## ADJOURNMENT

## MOTION ADOPTED

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)**, pursuant to notice of May 8, 2024, moved:

That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, May 21, 2024, at 2 p.m.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

## BUSINESS OF THE SENATE

**Hon. Raymonde Saint-Germain:** Honourable senators, I ask for leave of the Senate that order no. 24 under the rubric Senate Public Bills – Second Reading and orders No. 1 and No. 5 under the rubric Commons Public Bills – Second Reading, under Other Business, be brought forward and called now.

**The Hon. the Speaker pro tempore:** Honourable senators, do we have leave?

**Hon. Senators:** Agreed.

## NATIONAL FRAMEWORK ON ADVERTISING FOR SPORTS BETTING BILL

## SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Deacon (*Ontario*), seconded by the Honourable Senator Busson, for the second reading of Bill S-269, An Act respecting a national framework on advertising for sports betting.

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

**Hon. Senators:** Agreed.

(Motion agreed to and bill read second time.)

## REFERRED TO COMMITTEE

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

(On motion of Senator Deacon (*Ontario*), bill referred to the Standing Senate Committee on Transport and Communications.)

## ARAB HERITAGE MONTH BILL

## SECOND READING

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.

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

**Hon. Senators:** Agreed.

(Motion agreed to and bill read second time.)

## REFERRED TO COMMITTEE

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

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

## FINANCIAL PROTECTION FOR FRESH FRUIT AND VEGETABLE FARMERS BILL

## BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator MacDonald, seconded by the Honourable Senator Boisvenu, for the second reading of Bill C-280, An Act to amend the Bankruptcy and Insolvency Act and the Companies' Creditors Arrangement Act (deemed trust — perishable fruits and vegetables).

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

**Hon. Senators:** Agreed.

(Motion agreed to and bill read second time.)

## REFERRED TO COMMITTEE

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

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

[Translation]

### CRIMINAL RECORDS ACT

BILL TO AMEND—SIXTEENTH REPORT OF LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE ADOPTED

Leave having been given to proceed to Other Business, Senate Public Bills, Reports of Committees, Order No. 1:

On the Order:

Resuming debate on the motion of the Honourable Senator Cotter, seconded by the Honourable Senator Ravalia, for the adoption of the sixteenth report of the Standing Senate Committee on Legal and Constitutional Affairs (*Bill S-212, An Act to amend the Criminal Records Act, to make consequential amendments to other Acts and to repeal a regulation, with amendments*), presented in the Senate on September 26, 2023.

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

**Some Hon. Senators:** Agreed.

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

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

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

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

[English]

### BUSINESS OF THE SENATE

**Hon. Raymonde Saint-Germain:** Honourable senators, I ask for leave of the Senate that orders No. 19 and No. 29 under the rubric Senate Public Bills – Second Reading and orders No. 2, 4 and No. 9 under rubric Commons Public Bills – Second Reading, under Other Business, be brought forward and called now.

**The Hon. the Speaker pro tempore:** Honourable senators, is leave granted?

**Hon. Senators:** Agreed.

• (1520)

### INTERNATIONAL TAX JUSTICE AND COOPERATION DAY BILL

SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Dalphond, seconded by the Honourable Senator Bernard, for the second reading of Bill S-264, An Act to establish International Tax Justice and Cooperation Day.

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

**Some Hon. Senators:** Agreed.

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

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

REFERRED TO COMMITTEE

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

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

### UKRAINIAN HERITAGE MONTH BILL

SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Kutcher, seconded by the Honourable Senator Boehm, for the second reading of Bill S-276, An Act respecting Ukrainian Heritage Month.

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

**Hon. Senators:** Agreed.

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

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

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

**COPYRIGHT ACT**

## SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Deacon (*Nova Scotia*), seconded by the Honourable Senator Tannas, for the second reading of Bill C-244, An Act to amend the Copyright Act (diagnosis, maintenance and repair).

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

**Hon. Senators:** Agreed.

(Motion agreed to and bill read second time.)

## REFERRED TO COMMITTEE

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

(On motion of Senator Downe, for Senator Deacon (*Nova Scotia*), bill referred to the Standing Senate Committee on Banking, Commerce and the Economy.)

**HEALTH OF ANIMALS ACT**

## SECOND READING

**Hon. Donald Neil Plett (Leader of the Opposition)** moved second reading of Bill C-275, An Act to amend the Health of Animals Act (biosecurity on farms).

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

**Hon. Senators:** Question.

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

**Hon. Senators:** Agreed.

(Motion agreed to and bill read second time.)

## REFERRED TO COMMITTEE

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

(On motion of Senator Plett, bill referred to the Standing Senate Committee on Agriculture and Forestry.)

**COPYRIGHT ACT**

## BILL TO AMEND—SECOND READING

**Hon. Leo Housakos (Acting Deputy Leader of the Opposition)** moved second reading of Bill C-294, An Act to amend the Copyright Act (interoperability).

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

**Hon. Senators:** Question.

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

**Hon. Senators:** Agreed.

(Motion agreed to and bill read second time.)

## REFERRED TO COMMITTEE

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

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

**JURY DUTY APPRECIATION WEEK BILL**

## THIRD READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Moncion, seconded by the Honourable Senator Sorensen, for the third reading of Bill S-252, An Act respecting Jury Duty Appreciation Week.

**Hon. Judith G. Seidman:** Honourable senators, I rise today to speak at third reading of Bill S-252, An Act respecting Jury Duty Appreciation Week.

Now that our former colleague Senator Boisvenu has retired, I have taken on responsibilities as the critic of this bill. Senator Moncion's bill would designate the second week of May as jury duty appreciation week — it's this week, in fact.

Colleagues, I will be frank: When I was preparing to scrutinize this bill at our Social Affairs, Science and Technology Committee meetings, I was skeptical. There is an abundance of Senate public bills in our chamber at the moment. We spend a great deal of time and resources studying them. With so many appreciation days and weeks on the calendar already, it is not easy to persuade me that it is critical to introduce another.

It was with this orientation that I attended our first meeting on this bill in February, when we heard from Senator Moncion. However, colleagues, her testimony changed my mind. Senator Moncion was honest, forthright and vulnerable in sharing her experiences of being a juror, and the impacts that the experience has had in an ongoing way on her life.

I had some questions about her bill; perhaps you do too. Senator Moncion very aptly addressed my concerns. I will share her answers with you now. However, I recommend that you go on to SenVu and watch her appearance at our committee, if you haven't already. It is an hour of testimony that is truly worthy of your attention.

Senator Omidvar posed two questions that I shared: Why did Senator Moncion propose an appreciation week rather than a day? Why did she choose the second week of May?

Senator Moncion explained that a week provides more time for awareness campaigns to reach the public to foster understanding of what jury duty entails. The second week of May was chosen to align with the week that is already recognized in some jurisdictions — though not all — in the United States.

Senator Moncion also noted that the courts try to wrap up trials during the month of May, and, therefore, she argued May could be a valuable time to bring awareness and recognition to the challenges that jurors face.

Senator Cordy then asked about what an appreciation week might mean to Canadians who have served on a jury and to Canadians who have not served on a jury.

Senator Moncion spoke about the alienation that can come from being a juror. She reminded us that, until recently, jurors were not able to speak to a psychologist or psychotherapist about their experiences. She hopes that an appreciation week will bring former jurors together. She said:

... being on a jury and hearing the story from others brings a connection between us. We find that we're not the only ones who feel like this ...

For Canadians who have not been on a jury, the week would serve an educational purpose. Most Canadians do not know what being on a jury involves. Furthermore, many employers don't know what jury duty entails.

Senator Moncion pointed out that there are costs associated with being a juror that many do not anticipate. An appreciation week would provide an opportunity to share information about these aspects, but also on mental health, access to justice and our judicial system.

• (1530)

I asked Senator Moncion whether jury duty appreciation week might deter people from becoming jurors. Senator Moncion explained that while there are good things about being a juror,

such as becoming familiar with the judicial system, there are also consequences. She cautioned that there are good reasons for people to not become jurors, such as pre-existing mental health challenges and financial constraints. More awareness would equip Canadians so that they would better understand what is being asked of them when they are summoned to jury duty.

I also asked Senator Moncion about compensation for jurors, which varies widely across Canada. This bill does not specifically mention compensation, but lack of adequate compensation does influence who is able to become a juror. An increased awareness of this challenge could lead the provinces and territories to adjust their compensation schemes so that serving on a jury is accessible to all Canadians.

All of my colleagues on the committee asked thoughtful and important questions of Senator Moncion and of all our witnesses.

We heard from seven other witnesses during our study of Bill S-252: Tina Daenzer, who was the head juror during the Paul Bernardo case in 1995 and is the Chief Financial Officer and Chief Operating Officer of the Canadian Juries Commission; Mark Farrant, who served as a juror on a graphic first-degree murder trial in 2014 and later founded the Canadian Juries Commission; Dan Cozine, a high school principal who served on a murder and attempted murder trial in 2016; Patrick Fleming, a municipal employee who spent 10 months as a juror on a high-profile murder trial in 2014; the Honourable Patrick J. LeSage, former chief justice of the Ontario Superior Court of Justice, who presided over the Paul Bernardo case in 1995 and arranged for counselling to be provided to the jurors; Dr. Patrick Baillie, a psychologist who has worked with former jurors; and Jolene Hansell from the Criminal Lawyers' Association. I thank all the witnesses for their valuable testimony.

Ms. Hansell reminded our committee that Black people, Indigenous people and people of colour are overrepresented in the criminal justice system, but are under-represented as jurors in cases with these defendants.

Dr. Baillie reiterated the challenge of low pay for jurors, and explained that this makes it hard to have diverse juries. He explained:

... unionized employees often have it written into their contract that they'll continue to receive their salary while they're away from work, sometimes for a fixed period of time. So we end up with juries that are often made up of pensioners or union members and therefore not necessarily representative of the community. ...

He told us that he had recently spoken to a former premier and a former justice minister about compensation for jurors. Both reportedly said, "I thought that had been taken care of." He argued that jury duty appreciation week will remind provincial governments and citizens across the country of the duty they have.

Colleagues, none of the witnesses who appeared at our committee argued against Bill S-252, nor did the committee receive any correspondence critical of the bill. We, therefore, passed the bill unamended.

I will leave you with the words of Mr. Cozine, the high school principal and former juror from Saskatchewan. He told us the following:

I walked into a jury box having no idea what I was in for. I learned so much about the justice system and the professionals in the courts, from police, lawyers, doctors, coroners and even the judge. It was such a valuable learning experience. The public has a very negative point of view when it comes to being on a jury. This is a week that can potentially change that. This week can highlight that while it can be a difficult task to undertake, it can be a rewarding one — one of service to country and the justice system and of learning. This week can also educate employers that do not, or in some cases cannot, work with employees to help with pay, benefits and time off to act as a juror and potentially time off post-trial to recover. The act we are discussing here today will be of great benefit to the justice system, as it will allow for more information to be shared about juries, their function and their importance.

Colleagues, the testimony I heard at the Standing Senate Committee on Social Affairs, Science and Technology persuaded me that this bill should pass. I hope that you, too, have been persuaded of this bill's importance, and that it will be approved by our chamber soon so that it can proceed to consideration in the other place.

Thank you.

(On motion of Senator Martin, debate adjourned.)

#### NATIONAL STRATEGY RESPECTING ENVIRONMENTAL RACISM AND ENVIRONMENTAL JUSTICE BILL

SEVENTH REPORT OF ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES COMMITTEE—  
DEBATE ADJOURNED

**Hon. Mary Jane McCallum** moved third reading of Bill C-226, An Act respecting the development of a national strategy to assess, prevent and address environmental racism and to advance environmental justice.

She said: Honourable senators, I rise to begin third reading debate on Bill C-226, An Act respecting the development of a national strategy to assess, prevent and address environmental racism and to advance environmental justice.

I thank former MP Lenore Zann, who first introduced an earlier version of this legislation — the former Bill C-230 — on February 26, 2020. I also thank MP Elizabeth May, the bill's sponsor in the other place, for her years of working with grassroots and advocates to lay the groundwork required to introduce this bill. I thank the witnesses who appeared before the committee, as well as the many groups who submitted briefs to the committee. Finally, I thank the senators on the Standing Senate Committee on Energy, the Environment and Natural

Resources for their engagement, open-mindedness, deliberative discussions and collegiality as we worked our way through this bill.

Colleagues, Bill C-226 intentionally does not include definitions of “environmental racism” or “environmental justice,” and this speech will speak to the reasons behind that decision. Bill C-226 is also intentionally not prescriptive in how to undertake the development and execution of the national strategy, as it must be developed in concert with affected individuals and communities. It is critical for people to speak on their own behalf about their first-hand experiences with environmental racism, and to be allowed to participate directly in environmental and policy-making decisions. As such, it must be their experiences that will inform the framework as they educate and create awareness of how environmental racism developed — and continues to develop — in their territories.

We heard in committee that some people did not know what environmental racism is. This was a very telling statement about the degree of education and awareness that is required to make Canadians better understand this class of racism. With this bill, the affected individuals and communities can share their solutions to inform a strategy that will better equip them in their fight against the racism that has affected them directly. Most simply want basic necessities and the things we all take for granted on a daily basis: access to clean and safe water, the right to health, environmental protections, community development and mitigation of destroyed environments.

Honourable senators, after excellent witness testimony, the committee agreed unanimously that there were to be no amendments to this bill. I would like to note that there was discussion of possibly including reference to the United Nations Declaration on the Rights of Indigenous Peoples, or UNDRIP, in the preamble; however, it must be noted that the bill before us will not only benefit First Nations and Inuit communities who experience this type of racism. Rather, this bill will also help improve the lives of countless African-Canadian/Black, Asian and other racialized communities, as well as women, the 2SLGBTQIA community, the disability community and others who face marginalization and discrimination across Canada.

• (1540)

However, under clause 3, subsection (2), entitled “Consultation,” it states that in developing this strategy, the minister must ensure that it is consistent with the Government of Canada's framework for the recognition and implementation of the rights of Indigenous peoples.

Colleagues, I reference Elizabeth May in her witness testimony when she stated that she first became aware of the issues of environmental racism in dealing with Canada's largest toxic waste site — the Sydney Tar Ponds — located in what was the only Black community on Cape Breton Island and in what had been Indigenous fishing grounds in the Muggah Creek estuary. That community work for environmental justice was documented in a 1999 film entitled *Toxic Partners* by Cape Breton filmmaker Neal Livingston.

Also, member of Parliament May quoted Dr. Ingrid Waldron — who holds the HOPE Chair in Peace and Health in the Global Peace and Social Justice Program in the Faculty of Humanities at McMaster University — and other Canadian academics extensively who documented the disproportionate proximity and greater exposure of Indigenous, Black and other racialized communities to polluting industries and other environmentally hazardous activities in Canada.

Dr. Waldron, in her presentation at committee, stated:

Since the fall of 2012, I have been examining the ecological, health, political and social impacts of environmental racism through a community-based collaborative approach that has included research; publications, including a book and journal publications; water testing projects; community engagement; community consultations; community advocacy; multimedia, including a Netflix documentary and media interviews; mapping using GIS analysis; education through workshops, symposiums and other events; and legislation.

She goes on to say:

The strength of Bill C-226 is that it uses an environmental justice lens that not only focuses on industry, waste, contaminants and pollutants, but also on the historical, socio-political and economic context within which environmental racism manifests in these communities across Canada. It also clearly identifies the steps that are needed to achieve environmental justice, including research, consultations with impacted communities, the involvement of impacted communities in policy-making and compensation for impacted communities. After 12 years of fighting for environmental justice for these communities, it is rewarding to see Bill C-226 waiting to be voted on at third reading in the Senate. I urge you to pass this bill. Its time has come. . . .

Chief Chris Plain from the Aamjiwnaang First Nation shared with the committee his history of environmental degradation that has developed in his community. He stated:

Aamjiwnaang . . . situated in the epicentre of what is referred to as Canada's Chemical Valley, so named because the area contains 40% of Canada's chemical industry. . . .

Over the past 100 years, lands and waters in Aamjiwnaang have been impoverished by over-exploitation. All facets of Aamjiwnaang's environment are polluted, including air, land and water. . . .

Aamjiwnaang is surrounded on three sides by over 60 industrial refineries — the closest of which are literally across the street from, most importantly, community meetings, such as the band office, our church, our cemetery, our resource centre and many residences. These facilities represent 40% of Canada's chemical refineries. It has been this way for many generations. While settler communities

have been relocated at no cost to them, we remain here on our land. To us, it's been an experience of profound environmental racism.

Chief Plain also told the committee:

. . . we need to mend the treaty relationship between Aamjiwnaang and the Crown, where Aamjiwnaang has an equal voice in decision making affecting our lands and waters, and decisions that directly affect our members. We need a seat at the table, and our concerns must inform the path forward. We want to be part of the solution. We want to feel confident that the air we are breathing isn't slowly killing us. We want to live with peace of mind that our children will not get sick and die before us.

We hope that your work on environmental racism marks the beginning of a new honourable relationship where Aamjiwnaang can see measurable results from a government committed to doing better. . . .

Honourable senators, these are very powerful words. Another committee witness, Rueben George from the Tsleil-Waututh Nation, or TWN, stated the following in his briefing note to the Energy Committee:

In a 10 km stretch of Eastern Burrard Inlet, the core territory of the TWN, there is an aggregation of six industrial-scale above-ground oil storage facilities and their associated pipeline infrastructure, as well as marine and rail shipping activities. The Parkland oil refinery, which produces fuel for the Lower Mainland, is located directly across the water from the TWN community. A flaming tower burns waste gas here, 24 hours a day, 365 days a year. Westridge Marine Terminal, the terminus of the Trans Mountain Pipeline is also located just across the inlet and is slated to have daily transiting of tankers carrying diluted bitumen starting within the next month. These sites have histories of spills and environmental incidents. These facilities are not situated in the wealthier neighbourhoods of West Vancouver or Kitsilano, they are situated adjacent to our reserve.

Mr. George continues:

The Federal Government has committed to reconciliation with First Nations, but TWN has observed federal agencies continue to make decisions, develop legislation, policy and programs that have disproportionate negative implications for Indigenous peoples. The Trans Mountain Pipeline Expansion Project . . . is an example of this. TWN demonstrated to the government of Canada and to the Canadian Energy Regulator . . . National Energy Board . . . that the Project would unjustifiably infringe Tsleil-Waututh's Aboriginal title, rights, and interests with our Indigenous law-based Assessment of the Project. Disregarding the findings of the Assessment, Canada approved the Project, prioritizing tenuous economic benefits over impacts to TWN rights and interests . . . Tsleil-Waututh . . . provided extensive data, evidence, and dialogue to Canada — including the likely extinction of the Southern Resident Killer Whales from marine shipping impacts.

Colleagues, a further witness before the Energy Committee on Bill C-226, Mr. Les Dysart, spoke in his briefing note about the extensive damage done by Manitoba Hydro to his community of South Indian Lake. This included permanent flooding of 837 square kilometres, which raised the level of Southern Indian Lake by an average of 3 metres, which is almost 10 feet. Mr. Dysart also wrote about:

Disastrous flushes of water down the Lower Churchill at high water times (these sudden inundations of up to 50 percent more water than the highest flows recorded in the 15 years prior to Diversion—often during spring ice break-up—scour the riverbed, batter shorelines, flood cabins, inundate riparian habitat, and temporarily raise levels of lakes on the river system by as much as 5.8 m (19 feet)) . . .

• (1550)

Mr. Dysart wrote about the wide-ranging and harrowing impacts that environmental racism from hydro activity had on his community. These included effects on fish and wildlife, including the near extinction of a distinct and culturally vital species of sturgeon; a rise in fish mercury to levels not fit for human consumption; and the decimation of the most productive inland northern fishery — Southern Indian Lake was home to the third-largest lake whitefish fishery in North America. In the decade prior to the diversion, the annual catch averaged about 400,000 kilograms. In the past decade, it was less than a tenth of that.

The effects also include the killing of beaver and muskrat by flooding and unpredictable fluctuations; the disappearance of hundreds of islands due to flooding and erosion on Southern Indian Lake; an increase in wood debris from collapsing shorelines getting caught in nets and creating half-submerged deadhead hazards for boaters; and the forced relocation of the community of South Indian Lake and the imposed burning of the old village. When they were removed from their old village, they were only allowed to take a suitcase. Finally, it caused the inundation of hundreds of documented, culturally significant sites — including graves — on Southern Indian Lake.

In his briefing note, Mr. Dysart writes:

We never wanted Churchill River Diversion. It should not exist. The water should still be free to flow as it is meant to flow. The fish should still be free to spawn where they are meant to spawn. Our beloved homelands should not be sacrificed. But we are not demanding that Churchill River Diversion be dismantled; only that damages be addressed and that we have a meaningful say in how the Diversion is operated.

Honourable senators, another witness before the Senate Energy Committee, Sarah Wiebe from the University of Victoria, recommended the enacting of Bill C-226; creating

an office of environmental justice that adheres to our collaborative, multi-jurisdictional governance model; and adopting an intersectional planetary health lens to guide future environmental justice regulatory developments and administrative programming.

In a briefing note she presented to the committee, Dr. Wiebe wrote, “Environmental and human health are inseparable, but they are often treated in silos. . . .”

She continued, writing:

An intersectional planetary health lens acknowledges the need to be accountable to human and more-than-human beings. Following Dr. Waldron, a multi-pronged strategy must unapologetically centre race and “how it intersects with class, gender, and other social identities to shape the experiences of communities disproportionately impacted by a web of inequalities and environmentally hazardous industries; environmental policy that acknowledges and addresses structural and environmental determinants of health and culturally relevant participatory democracy approaches; partnerships between white led environmental justice organizations and Indigenous and Black communities; and alliances and solidarities between Indigenous and Black communities.” This lens is central to the flourishing of entire ecologies – waterways, plants, animals and atmospheres – alongside human health.

Colleagues, these environmental warriors do not give up. There has been, and continues to be, a mobilization of communities, allies and activists as they fight against the companies, laws, policies and other forces that threaten to fragment, displace, assimilate or drive impacted communities and peoples toward cultural and community disintegration. It is time we join them and support their work toward justice.

Looking through the lens of environmental injustice over the six years I have been on the Energy Committee, I have heard and seen first-hand some of the Canadian experiences and subsequent claims for justice — claims that identified how their lives and communities were negatively impacted by this specific type of racism. These claims went beyond environmental inequity or the siting of toxic sites in marginalized communities. These claims were embedded in broader struggles that included institutional racism and oppression, cultural and spiritual genocide, land dispossession, protection from contamination, equal participation, self-determination, ethical and sustainable land use, a healthy community and work environment, food insecurity, upholding of treaties, human rights and civil rights breaches, interjurisdictional gaps and unsustainable practices of resource extraction. The list goes on. That’s why it’s very difficult to define of “environmental racism” — it is so broad.

In their article entitled *Indigenous Struggles, Environmental Justice, and Community Capabilities*, authors David Schlosberg and David Carruthers quote Bunyan Bryant, who offers a definition that incorporates numerous conceptions of justice and illustrates the potential of environmental justice to revitalize and reconstruct functioning communities.

In Bryant's formulation, environmental justice:

refers to those cultural norms and values, rules, regulations, behaviors, policies, and decisions to support sustainable communities, where people can interact with confidence that their environment is safe, nurturing, and productive. Environmental justice is served when people can realize their highest potential, without experiencing the "isms." Environmental justice is supported by decent paying and safe jobs; quality schools and recreation; decent housing and adequate health care; democratic decision-making and personal empowerment; and communities free of violence, drugs, and poverty. These are communities where both cultural and biological diversity are respected and highly revered and where distributed justice prevails.

Bryant offers a broad, integrated notion of environmental justice that goes beyond mere distributional equity. The different affected groups across Canada experience environmental racism in different ways; hence, their respective definitions will be reflected in the insight and information that will be forthcoming.

Honourable senators, 17 principles of environmental justice were adopted by the self-termed People of Color at their leadership summit held from October 24 to 27, 1991 — that is how long people have been fighting — in Washington, D.C. In the same article mentioned above, authors Schlosberg and Carruthers quote Dr. Dorceta Taylor, a professor of environmental justice at Yale. Dr. Taylor had examined these 17 principles of environmental justice and identified 25 different issues for consideration. Included in those were protection from contamination and polluting industries; environmental policy based on mutual respect; and demands for equal participation, self-determination, ethical and sustainable land use. Note that equity was only one among many concerns in these attempts to operationalize environmental justice.

• (1600)

Colleagues, in the recently released 2024 reports of the Commissioner of the Environment and Sustainable Development's Report 1 entitled *Contaminated Sites in the North* that was released last week states:

Contaminated sites represent significant environmental and human health risks and cost Canadians billions of dollars. . . . Although work was undertaken to remediate contaminated sites, the total financial liability for federal contaminated sites is now over \$10 billion.

. . . [T]he [Federal Contaminated Sites Action Plan] did not appropriately support custodians by including climate change and reconciliation with Indigenous peoples in remediation efforts, which are key priorities related to the management of contaminated sites.

The report further states, "There were more than 24,000 contaminated sites across Canada, . . ."

[ Senator McCallum ]

The lack of reporting and meaningful information on contaminated sites, including large abandoned mines, means that the Government of Canada, decision makers, and Canadians do not have a clear picture of the environmental and financial effects of these contaminated sites.

Colleagues, there are many ways that environmental racism manifests itself in very specific sites. The article entitled *Environmental Racism and First Nations: A Call for Socially Just Public Policy Development* by Christina Dhillon and Michael Young states:

While the US environmental justice movement has developed at an exponential rate, Canadian efforts have been far less effective, resulting in uneven attention to and action regarding environmental justice . . . Canadian legislation that deals directly with the inequalities created by environmental injustice is for the most part non-existent. . . . current public policy regarding environmental justice for First Nations people is needed to ensure equal rights to a safe environment for all Canadians, regardless of race and/or economic status. Failure to commit to such change is tantamount to endorsing the continuance of racist practices, a far cry from the goal of a just society.

Honourable senators, members of the Energy Committee heard first-hand from witnesses their own realities of how environmental racism, because of capital colonialism, has severely disrupted their communities, families, governance, lives, health, self-determination, culture and so on. That is why social justice for First Nations involves relationship-based respect; upholding First Nations knowledge systems and world views, identity and culture; and understanding what colonization did to our people.

In Taiaiake Alfred's book entitled *It's All About the Land*, he states:

Removing us from our land has been the project from the beginning. . . . where the Native opposes the development of the land for exploitative purposes: that Native is defined out of existence or pushed out of existence. For us to defer to this notion of Aboriginal and try to structure ourselves and conceptualize our processes and goals accordingly is the end game of colonization.

Colleagues, it is time to confront the environmental racism that systematically constructs inequities by conferring advantages upon one group at the expense of others. Power and privilege are distributed unevenly, enabling industry and governments to allow private control of extractive systems where, in the quest for profit and land, certain groups are exposed to known disproportionate risks and effects with no protective or preventive action taken.

Today, as extractive industries such as oil, mining, hydro, gas and lumber continue to cause widespread destruction of land, air and water through unsustainable practices of resource extraction, First Nations communities are needing to work harder to protect and mitigate damage to the land that had been theirs for centuries. As one witness said, as fast as they are mitigating the effect of oil on their waters and food supply, the resource companies are damaging other sites already.



It is a sustained action of not only taking, but taking without giving back. It is taking as if there are no limits to what can be withdrawn, no limits to what Brown and Black bodies can take, no limits to what a functioning society can take, no limits to what Mother Earth can take. These unsustainable practices serve to deplete our clean waters, negatively impacting our non-human relatives, destroy our life-giving forests and cause instability of the climate itself. The impact of this reality on human health cannot be overstated. Here we look at premature morbidity and mortality, sexual violence and the perpetration of the painful history that brought us to this juncture today.

Honourable senators, we must acknowledge that this type of racism has long been enabled due to a persistent valuing of economy over health and life. In the article entitled “The Environment as Freedom: A Decolonial Reimaging”, author Malini Ranganathan quotes Myron Ebell of the Competitive Enterprise Institute at a gathering of climate change deniers in London in early 2017 as saying, “The environmental movement is, in my view, the greatest threat to freedom and prosperity in the modern world.”

The author continues:

Donald Trump, who had earlier recruited Ebell to head his Environmental Protection Agency transition team, echoed this view by declaring in his May 2017 commencement speech: “I’ve loosened up the strangling environmental chains wrapped around our country and our economy.” According to this narrative . . . protecting the environment is freedom-robbing. Only by unshackling ourselves from the concerns of the environment can we “free” ourselves and our society.

Placing the societal dynamic that enables this reality into perspective, the noted critic of fascism, Theodor Adorno, lamented in mid-20th century Europe that:

People have so manipulated the concept of freedom that it finally boils down to the right of the stronger and richer to take from the weaker and poorer whatever they still have.

Honourable senators, the appetite for change, a change that would be brought about through this bill, is being called for — not just within this chamber and its committee. Rather, the groundswell of support externally must also be respected. The David Suzuki Foundation currently has an active petition calling on the Senate to pass Bill C-226. This petition has been signed by over 10,000 individuals who are advocating for the improvements that they know this bill will create in the lives of countless Canadians.

• (1610)

In a brief submitted to the Energy Committee by the Canadian Association of Physicians for the Environment, or CAPE, CAPE board member Dr. Ojistoh Horn articulates that:

Environmental racism is supported by upstream systemic factors — societal values and beliefs conforming to a capitalist economy, that humans do not have a right to a

healthy environment in practice, legislation that does not fairly protect BIPOC and Indigenous communities, institutions whose siloed and competing mandates do not protect these communities and are not uniformly held accountable to the laws already in place, and programs that have been designed without input from all stakeholders.

Further, in their briefing note, CAPE also notes that:

In Akwesasne on the ON, QC and US borders the people of the . . . (Mohawk) First Nation, are subjected to toxic exposures including polychlorinated biphenyls (PCBs) — which have been found to be related to thyroid dysfunction, reproductive health harms, cancers, autoimmune diseases, mental health disorders, and more. The exposures are not fixed, but change over time, as PCBs degenerate and lose chlorine, making them lighter and then volatile.

In Northern BC, fracking operations are connected to childhood leukemia, cardiovascular diseases, neurological effects and respiratory illnesses. . . . Fracking also contributes significantly to methane emissions, a potent greenhouse gas, undermining efforts to address climate change.

CAPE also notes that the exposure of the Athabasca Chipewyan First Nation to mine-waste contaminated oil sludge tailings ponds in Alberta and the Imperial Oil’s Kearl Mine toxic tailings ponds leak into the Peace-Athabasca river system has significantly impacted the communities’ ability to practise inherent and treaty rights, while also leading to physical and mental health issues arising therein.

The Native Women’s Association of Canada, NWAC, in their briefing note to the Energy Committee on Bill C-226, state that:

Environmental racism is not new. In Canada, Indigenous communities have fought against colonial law and policies to protect the air, land, water, species, and cultural connections to the land. Environmental racism is a form of systemic racism, which is the result of institutional policies and practices. Systemic racism is embedded in the laws, policies and institutions that govern our lives — and has been since European settlers first colonized these lands.

NWAC goes on to state that:

Indigenous Women experience gender-specific harms associated with systemic environmental racism. Changes in domestic and familial roles, perceptions of gender and identity, child-rearing and parenting norms, spiritual life, work and social activities impede their right to practice and revitalize their cultural traditions. Disproportionate numbers of Indigenous Women experience violence, abuse, loss of culture, traditions and language, unemployment, poverty, lower levels of educational attainment, and reduced access to resources.

Colleagues, in a briefing note sent to the Energy Committee, Women's Healthy Environments Network, or WHEN, wrote:

The notion of environmental racism in Bill C-226 comes from the fact that environmentally hazardous sites (including landfills and polluting industries) are established in areas inhabited by members of an Indigenous, racialized or other marginalized community. Environmental justice expert Robert Doyle Bullard summarizes environmental racism as:

The disproportionate location and greater exposure of Indigenous and racialized communities to contamination and pollution from polluting industries and other environmentally hazardous activities;

The lack of political power these communities have for resisting the placement of industrial polluters in their communities;

The implementation of policies that sanction the harmful and, in many cases, life-threatening presence of poisons in these communities;

The disproportionate negative impacts of environmental policies that result in differential rates of cleanup of environmental contaminants in these communities; and

The history of excluding Indigenous and racialized communities from mainstream environmental groups, decision-making boards, commissions and regulatory bodies.

In closing, honourable senators, I want to share some final thoughts. We are here, with the bill before us, to determine our future as a nation. Our first obligation, then, is to understand and acknowledge the true story of environmental racism in this country.

The history of environmental racism is a little-known dimension of Canadian history. It is not taught in our schools. It is not commemorated anywhere in our country or the nation's capital. The long history of environmental racism has not been made a part of our national memory. It has been ignored or, worse, dismissed.

What is known to most Canadians is the present legacy: that Indigenous peoples and marginalized peoples in Canada do not have the same standard of life that is enjoyed by mainstream Canada. Canadians easily fall into the trap of blaming people who have been marginalized for the conditions in which they live and for failing to address their problems adequately.

That blaming leads inevitably to disrespect. That disrespect, however, also flows from the many generations of public policy founded on the view that people of colour were somehow inferior. This long-overdue conversation on environmental racism would inquire why, in a land of bounty, we have Third World poverty. It is because, "there is no real poverty in this country; there is simply excessive greed."

So gently I offer my hand and ask,  
Let me find my talk  
So I can teach you about me.

That was a quote from Rita Joe, in 1988.

So, I'm appealing to you to listen and to read more about environmental racism. I want to thank you for listening and taking the time to be here. *Kinanâskomitin*. Thank you.

[*Translation*]

**Hon. Julie Miville-Dechêne:** Colleagues, I will be as brief as I can.

I rise to support Bill C-226 at third reading. This bill, which seeks to assess and prevent environmental racism, was sponsored in this chamber by Senator McCallum.

This bill has the potential to change things, provided there is enough goodwill. It will all depend on the decision makers in charge, since Bill C-226 is not prescriptive.

Proposed subsection 3(2) states the following: "In developing the strategy, the Minister must consult or cooperate with any interested persons, bodies, organizations or communities . . . ." This kind of wording gives the powers that be a great deal of freedom to decide what type of consultation they will carry out. This is what Madeleine Redfern, an inspiring Inuit jurist and technology expert, explained to us in committee. In her testimony, she said, and I quote:

For it to be meaningful, consultation must mean you are listening, learning and what you are proposing is being adopted as a result of that engagement. Too often, in my experience, a consultation is just an information session. "Thank you. We are here. We have listened to you but we are still going to do what we are going to do." It is rote. It is a tick-box exercise.

• (1620)

For example, in proposed paragraph 3(3)(b) of the bill, the measures to be taken to assess and prevent environmental racism are suggestions, not obligations. Examples include compensation for individuals and communities and the involvement of community groups in environmental policy-making.

So why is a bill designed to develop a strategy generating so much hope and virtually unanimous support among the Indigenous groups and experts we have heard from? It's because, for the first time, the hitherto little-known concept of environmental racism is being identified by name in legislation. The term is not defined in the bill — presumably out of caution, since it may evolve — but we are finally putting a name to what many Indigenous people and other racialized minorities have instinctively known about for decades. Naming something is the first step in raising broader awareness.

I have always been aware of the presence of factories, polluting refineries and waste dumps in poorer neighbourhoods, far from the more opulent homes. Yes, I heard some talk in Quebec a long time ago about fish being contaminated with mercury, which was preventing Indigenous people from fishing and putting food on their tables, but truth be told, I was not very well informed of the scope of the problem. It was only recently that I realized that residents of Sarnia, Ontario were not the only victims of what is known as Canada's "Chemical Valley." The

Aamjiwnaang First Nation, located in that same area, was literally sacrificed to the petrochemical sector starting as early as the 1940s. Twenty-five hundred human beings were affected, including 900 children. These families, which were already vulnerable and marginalized, were kept in the dark for decades about accidents, spills, leaks and fires happening around the plants. Indigenous people were getting sick, but the evidence was considered anecdotal until the community itself mobilized. Studies found that this toxic industrial pollution was affecting the rate of miscarriages, childhood asthma and cancer.

Chief Chris Plain explained in committee that his people could no longer hunt or fish because of the accumulation of chemicals in the animals and fish. He said that pollution was causing the air to smell like rotten eggs and inducing dizziness and nausea. Indigenous Chief Chris Plain defines environmental racism as follows, and I quote:

. . . the deliberate or intentional siting of hazardous waste sites, landfills, incinerators and polluting industries in communities inhabited by minorities and/or the poor.

In Quebec, a much more recent case made headlines, and some people interpret it as a form of environmental racism because it is taking federal and provincial authorities so long to intervene. A recycling centre in Kanasatake Mohawk territory north of Montreal does not have a water recovery and treatment system that meets the applicable standards, despite multiple warnings. Thousands of litres of contaminated water have been flowing into Lake of Two Mountains illegally since 2016. The Mohawk community is also afraid of the illegal site's owners, Robert and Gary Gabriel, who obtained a permit to operate a construction materials sorting facility despite their criminal past.

Those are just two examples.

At second reading, Senator Wanda Thomas Bernard talked about the open-pit dump that deprived the Africville neighbourhood in Halifax, Nova Scotia, of clean drinking water.

As stated in the preamble, this bill will affect not only Indigenous communities, but also racialized and other marginalized and disadvantaged communities. The scope of this strategy may therefore be quite broad. For example, does the absence of vegetation and trees in densely populated underprivileged neighbourhoods constitute environmental racism?

André-Anne Parent, a professor at the Université de Montréal's School of Social Work, has calculated that green space covers less than 4% of the Montréal-Nord neighbourhood, compared with more than 11% of the city as a whole. Almost half of Montréal-Nord's residents belong to a visible minority, and one in five has a low income. Heat islands, a lack of trees and a shortage of gardens all affect physical and mental health, according to Professor Parent.

Inuit jurist Madeleine Redfern and others would have liked to see a few amendments to strengthen the bill. She said that the scope of Bill C-226 is limited, but that it's a basis on which to begin documenting the extent of the problem, particularly by identifying all Canadian sites where environmental racism exists

and the other laws that need to be amended to prevent it. At this point, however, the consensus we heard is to pass this legislation as is, in order to move forward.

Again, I quote Ms. Redfern:

Anyone who says that environmental racism doesn't exist clearly lives in a bubble — one that is very privileged, very urban, probably very White, middle-class and upper-middle-class. I'm going to call it out. If you're coming from there, you're not talking to anyone who is either living in rural, remote, northern or Indigenous parts of Canada or from a minority group.

In closing, I hope that the criticism will be followed by collaboration to eliminate and prevent environmental racism.

Thank you.

(On motion of Senator Plett, debate adjourned.)

[*English*]

## BUSINESS OF THE SENATE

**Hon. Andrew Cardozo:** Honourable senators, I would like to make a clarification to a response I gave yesterday. It will take me a minute or two.

**The Hon. the Speaker:** Is leave granted?

**Hon. Senators:** Agreed.

**Senator Cardozo:** Thank you, colleagues.

Following the speech I gave yesterday on Bill S-202, I was asked a question by Senator Housakos. I would like to clarify and provide a more fulsome answer in terms of how the parliamentary visual artist laureate is selected. The simplest way to do so is to read the relevant portion of the bill:

The Speaker of the Senate and the Speaker of the House of Commons, acting together, shall select the Parliamentary Visual Artist Laureate from a list of three names reflective of Canada's diversity and submitted in confidence by a committee chaired by the Parliamentary Librarian and also composed of the Director of the National Gallery of Canada, the Commissioner of Official Languages for Canada, the Chairperson of the Canada Council for the Arts and the President of the Royal Canadian Academy of Arts, or their designates.

It would be up to them whether they pick from among people they know or open it up to all Canadians. Regardless, that is the proposed new subclause of the bill that I wanted to read into the record.

Thank you.

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

SECOND READING—DEBATE CONTINUED

On the Order:

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

**Hon. Leo Housakos (Acting Deputy Leader of the Opposition):** Honourable senators, I would like to take the adjournment of the debate in the name of Senator Martin.

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

**Hon. Senators:** Agreed.

(Debate adjourned.)

• (1630)

**CONSTITUTION ACT, 1867**

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

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

**Hon. Leo Housakos (Acting Deputy Leader of the Opposition):** I'd like to reset and take the adjournment in my name, with leave.

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

**Hon. Senators:** Agreed.

(Debate adjourned.)

**CRIMINAL CODE  
INDIAN ACT**

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Tannas, seconded by the Honourable Senator Verner, P.C., for the second reading of Bill S-268, An Act to amend the Criminal Code and the Indian Act.

**Hon. Marty Klyne:** Honourable senators, this item stands adjourned in the name of the Honourable Senator Martin, and after my intervention today, I ask for leave that it remain adjourned in her name.

**The Hon. the Speaker:** Is leave granted?

**Hon. Senators:** Agreed.

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

**Senator Klyne:** Honourable senators, I rise to enter into second reading debate on Bill S-268, a Senate public bill initiated by Senator Tannas. In the immortal words of former Senator Baker, I will be brief.

Bill S-268 proposes to amend the Criminal Code and the Indian Act to enact for First Nations governing bodies the option of exercising jurisdiction over gaming.

Currently, running a gaming scheme is a Criminal Code offence in Canada unless permitted by a province under section 207 of the code. Bill S-268, as I understand it, would essentially give First Nations the same statutory power to authorize and regulate this otherwise criminal activity, just as it is done by the provinces.

First, thank you to Senator Tannas for introducing this bill. Thank you also to Senator Prosper for his remarks of April 11. I wholeheartedly agree with our colleagues about the importance of own-source revenue for Indigenous nations, advancing economic reconciliation. We also saw this spirit with the Prosperity Action Group, led by Senator Harder in 2021, aiming for inclusive and sustainable prosperity across our great federation.

As well, we have seen uplifting efforts from many senators to celebrate Indigenous businesses and entrepreneurs in our speech series on that very subject. I am truly grateful for those efforts and continue to invite speeches celebrating Indigenous business successes in your respective regions.

On Bill S-268, which focuses on the promised protection and implementation of treaty promises, I note that Senator Tannas has the support of Chief Roy Whitney of the Tsuut'ina Nation and Chief Bobby Cameron of the Federation of Sovereign Indigenous Nations, or FSIN, representing 74 First Nations in Saskatchewan. Senator Tannas also indicated that he has received the support of the gaming subcommittee of the Assembly of First Nations.

A tip of the hat to that advance consultation. To me, this consideration strongly favours advancing Bill S-268 for committee study, which I support.

Colleagues, I approach my review of Bill S-268 coming from Saskatchewan — Treaty 4 territory and homeland of the Métis Nation — and as a treaty status member of a Treaty 4 band in Saskatchewan. I also approach this bill through my lens as the former president and chief executive officer of the Saskatchewan Gaming Corporation, a Crown corporation operating Casinos Regina & Moose Jaw in Saskatchewan.

Today, I want to make three points on this bill about, first, practicalities in gaming that should be considered as regards the provinces, competition and responsible gaming. Second, the success of revenue sharing among First Nations in Saskatchewan under their existing Gaming Framework Agreement. Third, the timing of a potential transition to Bill S-268's model.

First, let's talk about some practicalities that I would like to see examined at committee and perhaps addressed through amendments or observations, as may be appropriate. To me, Bill S-268 needs to speak to ensuring there is a business case with each casino proposal demonstrating that the project is viable. It's important to evaluate demand for the proposed number of slot machines and table games, not to mention, for instance, the video lottery terminals, or VLTs, owned by the provinces and operated via licences granted to pubs in rural and urban areas.

My concern here is to address the risk of cannibalization in a saturated marketplace, and to avoid the risk of a race to the bottom in terms of safeguards around responsible gaming and jeopardizing prescribed profit-sharing aimed at addressing the economic and social issues of Indigenous non-governmental organizations and community organizations.

Though I don't have a specific proposal in terms of the bill, a metric of viability for a new casino should be support among local jurisdictions at the municipal, rural and provincial levels. There should also be consideration regarding displacing any existing authorized gaming establishments, including sunk costs and loss of jobs created by any new establishment. In other words, we wouldn't want to see stranded or devalued assets or jobs lost without a clear path to replacement jobs in terms of a just transition.

Based on my experience in Saskatchewan gaming, a free-for-all competition could present some social risks and disrupt current revenue-sharing arrangements. I'm not saying this is necessarily a roadblock, but it is a question that needs to be addressed with close and careful examination.

As Senator Cotter noted, the preamble of this bill describes the regulation of gaming as an inherent right. I'm not disputing that, although I note that the Supreme Court found in 1996 that the regulation of gaming was not a section 35 constitutional right.

Perhaps this is a point where a Senate committee can provide some clarity and analysis. In any case, we are talking about non-traditional contexts where technology, like online

single-event sports betting in Canada, is a game changer. We're also talking about an exercise of jurisdiction that would lift an otherwise criminal prohibition, indicating there are some universal social risks or concerns to address in the field of gaming. After all, with inherent jurisdiction to apply increasingly through the United Nations Declaration on the Rights of Indigenous Peoples, or UNDRIP, Action Plan, criminal laws will continue from time to time to apply generally.

We can envision universal risks, for example, such that criminal laws will continue to apply in analogous areas like firearms sales, controlled drugs and substances or sensitive materials like explosives, where safeguards prevail. Certainly, we all know or should know that gambling addictions can have devastating social and health consequences.

On the other hand, responsible gaming is a legitimate entertainment and an important source of revenue for Indigenous peoples. I'm proud to have played a leadership role in the gaming sector, with a focus on responsible gaming. To avoid market cannibalization and a race to the bottom, I tend to think negotiation of gaming machines and table game ownership should involve dialogue between Indigenous people, the Responsible Gambling Council and entities conducting responsible gaming research and advisory services, including gaming operators' responsible gaming programs in terms of how this may responsibly proceed.

The same goes for licensing VLTs independently operated under the regulation of provincial governments. I have an open mind about what this might look like legally in terms of an end goal.

At any rate, I agree that First Nations should have a much greater legal say in the organization of gaming than is the case today. That said, we need to avoid upsetting this delicate and currently stable industry in Saskatchewan, for instance.

As food for thought — as a best practice — I think there should be a gaming framework agreement for each new casino, one that involves a level of consultation with the respective province, local community and municipality, including in terms of the size of a proposed operation — regarding the number of tables and slots — with consideration also to the number of VLTs that are currently operating in the same marketplace or catchment area.

As a gaming framework agreement, it should give financial consideration and commitment to making the investments to develop the casino and establish its own financial structure. It should also have a fund for infrastructure maintenance and expansion, as well as its own tourism and marketing program, a responsible gaming and addictions rehab program, and economic development, charity and social trusts for the community, including programs aimed at addressing Indigenous social and economic issues.

• (1640)

Again, I have an open mind as to what this might look like in terms of legalities and best practices. However, I would expect a Senate committee to include, in its study, a deep dive on best

practices and the risk assessment, and have meaningful consultations with Indigenous elders, women and relevant chief and councils, or tribal councils, in advance of third reading.

Turning to my second point, I will say a few words about the current situation in Saskatchewan. Currently, not every First Nation is directly involved in running a gaming operation, and certainly not every First Nation would be a viable economic candidate in terms of remote locations and so forth. However, through the Gaming Framework Agreement, all First Nations as well as Métis organizations in our province benefit from current operations through profit-sharing, and also employment opportunities and wealth creation through procurement set-aside programs and Indigenous hiring preferences aimed at achieving a workforce representing a minimum of 50% Indigenous employees working in the casino.

In Saskatchewan, the First Nations casino net profit is redistributed: 50% to the First Nations Trust, which is distributed to the 74 First Nations in the province; 25% to community development corporations, which reinvest the money into local community initiatives; and 25% to the provincial general revenue fund.

The Saskatchewan Indian Gaming Authority, or SIGA, is the operator of seven First Nations-owned casinos across the province. In 2023, SIGA achieved record-breaking revenues of \$292.6 million, resulting in a net income of \$126 million — nearly double the previous year. Much of this success has been due to the introduction of single-event sports betting in Canada. For comparison, SaskGaming — operating casinos in Regina and Moose Jaw — had \$116.3 million in revenue in the 2022-23 fiscal year, including \$42.6 million in net income. SIGA has national certification through its responsible gambling check program. In addition, SIGA contributes \$2.5 million annually to the provincial First Nations Addictions and Rehabilitation Foundation.

All this to say that there's a lot of money to be made, and there's a stable and successful regulator, and a new negotiated revenue-sharing model in place, all spelled out in a bilateral Gaming Framework Agreement.

I would like one of our Senate committees to take a close look at how these dynamics may be affected by Bill S-268 — positive or otherwise — and whether any amendments or observations would be appropriate through this lens. Everyone involved and affected — both prospective winners and losers — should be heard. For example, how might competition affect the revenue going to First Nations who might not have a suitable location or desire to participate directly, not to mention maintaining the current agreements made with the Métis to participate in the profit-sharing?

Finally, as food for thought, I would note that Bill S-268 currently proposes an immediate coming into force at Royal Assent. I raise for consideration whether some additional time might be advisable to plan for a transition and to include provinces and municipalities in those discussions.

With all this in mind, I support Bill S-268 at second reading, and would expect to see these questions addressed at committee while embracing the spirit underlying this bill and its potential for creating jobs and wealth, leading ultimately to self-determination and independence for Indigenous nations.

Thank you. *Hiy kitatamihin.*

(Debate adjourned.)

[*Translation*]

## INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

### TWELFTH REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the twelfth report of the Standing Committee on Internal Economy, Budgets and Administration, entitled *Amendments to the Senate Administrative Rules*, presented in the Senate on May 2, 2024.

**Hon. Lucie Moncion** moved the adoption of the report.

Honourable senators, this week the Senate welcomed Shaila Anwar in her new role as Clerk of the Senate. In May 2002, the Standing Senate Committee on Rules, Procedures and the Rights of Parliament decided that when a new Clerk entered into office, we should use it as an opportunity to reintroduce a governance structure that makes the Clerk of the Senate the head of the Senate Administration.

The committee's twelfth report recommends that the Senate amend the *Senate Administrative Rules* to reflect this new structure. The changes are generally minor. They would essentially restore to the Clerk of the Senate functions that had been transferred in recent years to the Executive Committee. Although these changes are minor, it's important that we adopt them so we can transition to this new governance model. Thank you for your attention.

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

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

**Hon. Senators:** Agreed.

(Motion agreed to and report adopted.)

[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 (Acting Deputy Leader of the Opposition):** Honourable senators, I would like to take the adjournment in the name of Senator Martin.

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

**Hon. Senators:** Agreed.

(Debate adjourned.)

## THE SENATE

MOTION TO URGE GOVERNMENT TO RECOGNIZE THE ERASURE OF AFGHAN WOMEN AND GIRLS FROM PUBLIC LIFE AS GENDER APARTHEID—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Ataullahjan, seconded by the Honourable Senator Marshall:

That the Senate call on the Government of Canada to recognize the erasure of Afghan women and girls from public life as gender apartheid.

**Hon. Ratna Omidvar:** Honourable senators, as I stand today to address you on this motion, it occurs to me how incredibly fortunate we are in this chamber. In this one session, we have addressed issues ranging from environmental racism to the complexity of being a juror to regulating casinos. I will add to

that richness, I hope, by transporting you to a different place and a different reality — namely, to Afghanistan — as I rise to speak on Motion No. 139 that the Senate call on the Government of Canada to recognize the erasure of Afghan women and girls from public life as gender apartheid. I want to thank Senator Ataullahjan for bringing this urgent motion forward.

• (1650)

It is hard to imagine how a woman or young girl lives her daily life in Afghanistan. Let me try to paint you a picture. She is not allowed to go outside her home without a male member of her family. She is not allowed to go to a park or a gym. She is not allowed to go to school beyond Grade 6, giving Afghanistan the dubious distinction of being the only country in the world to deny education to women and girls. Education — the door to empowerment, self-reliance, agency and economic independence — has been slammed shut for her.

She is not allowed to go to a beauty salon because these have been banned. She is not allowed to work as a judge, a parliamentarian, a researcher, a teacher or even in community service. She is not allowed to listen to music, and — of course — dancing is prohibited. There is no recourse to her if she is threatened by violence.

But nothing gets the Taliban more riled up than what a woman wears. Now, she must wear a head-to-toe burka, which has small slits that you can barely see through — I have tried one on — and I understand that even the colours of these burkas are determined by the Taliban. If these decrees are flaunted, punishment is meted out to the male member of the family, thus creating a toxic environment in the home.

To add to all this misery, famine is raging in Afghanistan, and it is the women and girls who are left vulnerable as impoverished Afghans resort to drastic measures for survival. A report by the United Nations Development Programme, or UNDP, highlights instances where individuals are forced to sell their homes and assets, turn their children into labourers and sell their daughters for survival.

What future is there for this country when half its population is put into a metaphorical and literal prison?

You have to ask yourself, “Why?” The answer is actually quite simple: “Because she is a woman.”

Therefore, Senator Ataullahjan is right in calling it what it is — gender apartheid — and asks Canada to recognize it as such. I like the choice of words that the motion uses — “erasure” — and I hope the picture I have painted for you today in words enables you to understand that it results in the erasure of women from public life and public space.

“Apartheid” is a loaded word. It takes us back to a dark and distressing era of segregation, where fundamental human rights were denied based on race and where there were different laws for different people based on race.

Sadly, it has been revived in Afghanistan in a vicious manner, and it puts gender in its crosshairs. Race also plays a role because there is a significant Hazara minority that lives in Afghanistan, so Hazara women are in double jeopardy: first as Hazaras and then as women.

Colleagues, this is not mere discrimination; it is active persecution. When laws, decrees and policies exclude girls and women from public spaces, it is institutionalized, systemic oppression and domination of one gender over another, and there are only two words for it: gender apartheid.

Many female leaders in Afghanistan — judges, parliamentarians, lawyers, journalists, women in hockey and sports, orchestra players — have left. This includes leaders like Nargis Nehan, Homaira Ayubi, Nilofar Moradi and Zefnoon Safi, who were parliamentarians, lawyers, judges and journalists. They are now living in Canada. Listening to them is actually far more interesting than listening to me.

An excellent documentary entitled *An Unfinished Journey* captures their voice. Even as they struggle in a strange society and face the challenges of integration and suffer a loss of face — because it's hopeless for them to try to find work commensurate with their experience — even as they struggle to learn English, they are united in giving voice to the persecuted sisters they left back in Afghanistan. I want to give enormous credit to our colleague Senator Marilou McPhedran for her tireless efforts in supporting the creation of Canada's Feminist Forum for Afghanistan, where Canadian and Afghan women are coalescing to fight against these monsters in Afghanistan.

Canada cannot and must not engage with the Taliban, but at the same time, we cannot abandon the women of Afghanistan.

There are actions we can take. For one, we can provide support to Canada's Feminist Forum for Afghanistan, which is hosting an event here on the Hill on May 21. I encourage you all to attend because — as I said — listening to them is far more interesting than listening to me. We can support them as they build their capacity, as they reach out to their sisters in Afghanistan and as they become their voice, not just in Canada but across the world.

Second, Canada can take a leading role on the global stage with these women at its side, in amending, inserting and so codifying the terminology of gender apartheid into a UN crimes against humanity treaty. In March, many of us in this chamber attended the UN Status of Women conference, where multiple sessions focusing on the situation of Afghan women were held. There was standing room only. Senator Petten and I had to use our elbows to try to find a spot to listen to Afghan journalists and lawyers. It was clear to me that this global campaign to insert gender apartheid into the crimes against humanity treaty has legs and is picking up speed.

It is not an abstract idea. What difference does it make if there is a multilateral treaty saying this or that? But this has teeth. According to the Atlantic Council, the codification of gender apartheid offers new avenues to bring both state and individual

perpetrators to justice. Countries that are signatories of the treaty would be obliged to criminalize gender apartheid and implement measures to prevent and punish crimes against humanity within their domestic legal frameworks. This could potentially pave the way for prosecution based on the principle of universal jurisdiction, which asserts that certain egregious crimes can be tried in any court, regardless of the nationality of the perpetrator, victims or the location of the acts.

The inclusion of the crime of gender apartheid in the crimes against humanity treaty would additionally reinforce the obligations of states and international organizations to prevent and punish gender apartheid, even if they are not direct parties to the treaty. This — it is hoped — will galvanize diplomatic, legal and social movements of resistance in Afghanistan, as well as in other crisis situations, both presently and in the future.

This motion, when approved, will be the beginning of a concerted multilateral action. International pressure and diplomatic efforts are crucial to influence policy change in Afghanistan. At some point, colleagues, even the Taliban will need to engage. Any economic support or aid must be contingent upon tangible improvements in gender equality, ensuring that progress is not just rhetoric, but a reality experienced by every Afghan woman.

Where does this start? I submit to you, colleagues, that it starts here. Each one of us here has a mother. Many of us have sisters and daughters. Each one of us should therefore be appalled and outraged by the behaviour of this rogue government. Each one of us should therefore support Senator Ataullahjan's motion before us. Each one of us should want to do this very quickly because each and every day is a dark day for women and girls in Afghanistan. Thank you.

**The Hon. the Speaker:** I believe there are two people who wish to ask questions. Would you accept a question?

• (1700)

**Hon. Frances Lankin:** Senator Omidvar, I appreciate your speech so much, as well as the work that Senator Ataullahjan has done in bringing this forward. I appreciate that you mentioned Senator McPhedran — not just with respect to the establishment of the forum, but also to add our thanks to her for the brave action she took with the network of women to get women out in the dying hours of the Kabul airport before it closed.

I want to ask you about the steps that will be taken once this is approved and accepted here in Canada with respect to the international lobby to insert this into UN documents and definitions with real teeth, as you said. What will be the next steps? What is the timeline that people are working towards? Is there an upcoming decision point at the UN? If you don't have that information now, is that something you can circulate to us? Also, what efforts can we make as individual senators and through our own networks to support bringing this about?



Thank you again, Senator Ataullahjan. It is very important work that you are leading here, with strong voices like Senator Omidvar supporting you.

**Senator Omidvar:** Thank you very much, Senator Lankin, for your question. I too wish to underline the contributions of Senator McPhedran, which she has made, as we know, at some significant cost to herself.

The timeline of the campaign is moving towards the next summit in March 2025. All member states have to sign on to the crimes against humanity treaty. We all know there are some states that are members of the UN that will provide a great deal of resistance. I understand there is a pathway to circumvent that; I don't have the details. An important benchmark will be the March summit at the UN.

**Hon. Andrew Cardozo:** Would the Honourable Senator Omidvar take a question?

**Senator Omidvar:** Yes.

**Senator Cardozo:** Thank you. As perhaps one of the few senators who has been to Afghanistan — as a child on a summer holiday, if you can imagine that. It was in 1969, and I have only the most wonderful memories of a beautiful, peaceful country. I want to congratulate you on your speech, and convey special compliments to Senator Ataullahjan for leading this motion.

Do you have hope that before the United Nations could make this happen, our speaking out might have any kind of effect on the Government of Afghanistan? Does it help if we make whatever efforts we can to send these messages?

**Senator Omidvar:** I actually don't have an answer to that question. I don't know how the Taliban hears or doesn't hear things. I don't know if they have a foreign minister. I know they have a minister for vice, which you can understand given their context. I don't really know. They have isolated themselves to an extent. On the other hand, they are in contact with regional governments. I understand Qatar has a role to play, as do other countries in the Middle East. If we speak out and speak to these other jurisdictions, the message may be received.

(On motion of Senator Downe, for Senator Patterson, debate adjourned.)

[*Translation*]

## AGRICULTURE AND FORESTRY

### COMMITTEE AUTHORIZED TO STUDY GROWING ISSUE OF WILDFIRES

On the Order:

Resuming debate on the motion of the Honourable Senator Black, seconded by the Honourable Senator Aucoin:

That the Standing Senate Committee on Agriculture and Forestry be authorized to examine and report on the growing issue of wildfires in Canada and the consequential effects

that wildfires have on forestry and agriculture industries, as well as rural and Indigenous communities, throughout the country;

That in particular, the committee should examine:

- (a) the current status of wildfires in Canada;
- (b) the impact of wildfires on forestry, agriculture, water systems, air quality, food security, and biosecurity;
- (c) the possible federal measures that are in place, or should be in place, to adequately monitor and organize a response to wildfires;
- (d) the potential areas of improvement of these federal measures for addressing wildfires; and
- (e) international best practices as they relate to responding to wildfires;

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

That the committee be permitted, notwithstanding usual practices, to deposit reports on this study with the Clerk of the Senate if the Senate is not then sitting, and that the reports be deemed to have been tabled in the Senate.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

[*English*]

## BUSINESS AND ECONOMIC CONTRIBUTIONS MADE BY INDIGENOUS BUSINESSES TO CANADA'S ECONOMY

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Klyne, calling the attention of the Senate to the ongoing business and economic contributions made by Indigenous businesses to Canada's economy.

**Hon. Brian Francis:** Honourable senators, I rise today to address Senator Klyne's important inquiry into the invaluable contributions of Indigenous businesses to Canada's economy.

Within this chamber, we have explored the economic successes and challenges faced by Indigenous people and communities across Turtle Island. I would like to use this opportunity to shine

a spotlight on a few Mi'kmaq entrepreneurs and businesses who are making important contributions across Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq, which includes present-day Nova Scotia, Prince Edward Island, New Brunswick, Newfoundland and Labrador and the Gaspé region in Quebec.

In order to understand where the Mi'kmaq are today, we need to look at where we have come from.

For thousands of years, the Mi'kmaq thrived along the eastern coast of Turtle Island, cultivating a profound connection to the land and all of our relations. In particular, the bounty of the waters has been central to our way of life.

Through customs and traditions passed down through generations, we have managed these resources sustainably since time immemorial. However, after centuries of colonization, dispossession and marginalization, our ability to control our traditional territories and resources has been eroded. Despite these challenges, the Mi'kmaq have continued to assert our sovereignty, including in the fisheries which are central to the economic development and prosperity of our communities.

As explained in the recent report of the Standing Senate Committee on Fisheries and Oceans titled *Peace on the Water*, in Canada there are distinct categories of fisheries. There are privilege-based fisheries, which are utilized for both commercial and recreational purposes; and rights-based fisheries, which are based on Aboriginal and treaty rights.

The right to fish for food, social and ceremonial purposes and the right to fish in pursuit of a moderate livelihood are examples of rights-based fisheries. I want to focus now on the rights-based fisheries.

In 1999, in what is now known as the *Marshall* decision, the Supreme Court of Canada reversed the conviction of Donald Marshall Jr. for catching and intending to sell eels when the season was closed and recognized and affirmed that the Mi'kmaq, along with the Wolastoqiyik and Peskotomuhkati, have a right to hunt, fish and gather to earn a moderate livelihood arising from the Peace and Friendship Treaties of 1760-61 signed by our ancestors with the Crown.

Almost 25 years later, Canada remains resistant to this ruling and has not moved forward with the full implementation of the Mi'kmaq, Wolastoqiyik and Peskotomuhkati rights-based fisheries. Instead, consecutive federal governments have made the exercise of these rights contingent on their ability to buy back commercial licences to provide access. As a result, First Nations who attempt to exercise rights protected under section 35 of the Constitution Act risk seizures, arrest and charges at the hands of federal fisheries officers.

The criminalization of our subsistence activities has not only contributed to poverty in our communities but also fuelled the intimidation, harassment and even violence that our members face on and off the water. Nevertheless, the Mi'kmaq continue to assert our right to fish on our traditional territories, but also call on Canada to honour the promises made in the treaties.

I hope that within my lifetime Canada will move forward with the full implementation of the rights-based fisheries and empower the Mi'kmaq to achieve greater self-determination and improve our socio-economic outcomes.

In contrast to the situation of the rights-based fisheries, the Mi'kmaq, like other people in Canada, also participate in the privilege-based commercial fisheries and have made significant strides in recent years.

• (1710)

A notable example is Clearwater Seafoods, which was acquired in 2021 by a partnership between Premium Brands and the Mi'kmaq Coalition, which is comprised of the Membertou, Miawpukek, Sipekne'katik, We'koqma'q, Potlotek, Pictou Landing and Paqtnkek communities.

A lesser-known but impactful example from New Brunswick is McGraw Seafoods, which was purchased in 2008 by Elsipogtog First Nation and provides employment for the community members and revenue to support a variety of programs and initiatives that benefit the First Nation. McGraw Seafoods directly employs 200 people in positions held primarily by Acadians from around Tracadie-Sheila. The company also employs 150 Indigenous fishermen who sell products directly to the plant. In 2022, I visited the multi-species processing plant with Chief Arren Sock and enjoyed some of the delicious snow crab harvested from the Gulf of St. Lawrence and processed on-site.

Clearwater Seafoods and McGraw Seafood show what is possible for Indigenous communities with access to capital and other tools that enable them to fully participate in the economy and build opportunities for current and future generations, as well as contribute to the prosperity of all in Canada.

As a proud Epekwitkewaq Mi'kmaw, I next want to draw your attention to Abegweit and Lennox Island First Nations. After years of advocacy led by Epekwitkewaq Mi'kmaq, in the recent budget, the federal government announced funding for the creation and operation of the Pituamkek National Park Reserve. Located along the northwestern shores of Prince Edward Island, this island chain is home to one of the most ecologically significant coastal dune ecosystems in the country. Pituamkek is also home to multiple archaeological sites considered sacred to the Mi'kmaq, which will now be protected and preserved for generations to come.

As Canada's eleventh national park reserve, once Pituamkek opens to the public, it will have a significant impact not only for the Mi'kmaq but to Prince Edward Island and all of Canada, including by playing an important role in environmental stewardship and economic development. I look forward to when Pituamkek officially opens to the public and will encourage everyone to come visit.

To meet growing demand for authentic cultural experiences, Lennox Island First Nation already operates a cultural centre, which provides visitors with an opportunity to immerse themselves in the history and traditions of the Mi'kmaq. This includes listening to stories, creating their own decorative

birchbark circle or weaving together their own moosehide drum. If you find yourself on the island, I invite you to make the drive to the nearby Lennox Island Mi'kmaq Culture Centre.

In Abegweit First Nation, the recently opened Abegweit Connects building is providing a wealth of development opportunities in the tourism sector and beyond. The 7,000-square-foot two-story building supports community events and was the catalyst in the creation of Abegweit Hospitality, an events and hospitality company which now employs five community members who assist with venue rentals and hosting a range of meetings, events and tourism experiences. In addition, various commercial leases support revenue generation and bring new business to the area, including the Indigenous Tourism Association of PEI.

Abegweit Connects is also home to Abegweit Development Inc. This corporation is a new venture, recently established to spearhead economic development opportunities within the private sector. It aims to improve the socio-economic outcomes of the community through greater financial autonomy and independence, and exists separately from band leadership to ensure continuity of economic investments across administrations.

Another business that is contributing to local economic development on the island is the Indigenous PEI Store, which opened its physical storefront in Charlottetown in July 2023, and is accompanied by an online store where Mi'kmaq artists from Epekwitk can display and sell their work. Featured in the storefront is Mi'kmaq artist Melissa Peter-Paul, who made the medallion that I am proudly wearing today. She is known for her quillwork pieces, which are created by inserting porcupine quills, either dyed or kept natural, into birchbark. Now considered a rare form of art, Melissa and a few others use quillwork to showcase and preserve a long-standing cultural tradition. Artisans like Melissa play an important role in revitalizing and preserving our culture and traditions, and in strengthening individual, family and community well-being.

However, we must empower Indigenous entrepreneurs to start and grow thriving and sustainable businesses by, for example, increasing their access to capital, financial services and supports. Indigenous women entrepreneurs face additional challenges due to their gender roles within family and community, including cumbersome eligibility requirements for financing. As a result, targeted support is required to close the gap between Indigenous men and women entrepreneurs.

In closing, colleagues, the Mi'kmaq continue to enrich the economy of Mi'kma'ki in many ways. In fact, according to the Atlantic Policy Congress's study undertaken by the Atlantic Economic Council from 2023, entitled *The Significant Economic Contributions of Atlantic Indigenous Businesses and Communities*, Epekwitk Indigenous communities and businesses contributed \$60 million in GDP to Atlantic Canada's total GDP of \$3.6 billion. The council is currently working on the release of its final report, where more data on the economic contributions of Indigenous peoples in Atlantic Canada will be released. I look forward to sharing that information when it becomes available.

Honourable colleagues, let us recognize, celebrate and support the invaluable economic contributions made by Indigenous businesses and communities in Mi'kma'ki and beyond. In the spirit of reconciliation, let's work together to amplify their voices, uplift their initiatives and cultivate partnerships built on mutual respect, equity and prosperity. *Wela'lin*. Thank you.

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

(On motion of Senator Clement, debate adjourned.)

## AGRICULTURE AND FORESTRY

### COMMITTEE AUTHORIZED TO STUDY ROLE OF AGRICULTURE AND AGRI-FOOD SECTOR IN FOOD SECURITY

**Hon. Robert Black**, pursuant to notice of April 16, 2024, moved:

That the Standing Senate Committee on Agriculture and Forestry be authorized to examine and report on the role of the agriculture and agri-food sector in food security in Canada;

That in particular, the committee examine:

- (a) the current status of food security in relation to the Food Policy for Canada created by Agriculture and Agri-Food Canada;
- (b) how the agriculture and agri-food sector could improve food security, in particular in Indigenous and Black communities, and in other rural and urban communities facing challenges with access to food;
- (c) the factors that influence food security including agricultural production systems, climate change, corporate concentration in the agri-food sector, among other factors related to agriculture;
- (d) the federal measures that are currently in place to address food security issues, especially related to farmers, local food production and food sovereignty; and
- (e) the potential areas of improvement of these federal measures to enhance food security;

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

That the committee be permitted, notwithstanding usual practices, to deposit reports on this study with the Clerk of the Senate if the Senate is not then sitting, and that the reports be deemed to have been tabled in the Senate.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

[*Translation*]

#### NATIONAL FINANCE

COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT ON STUDY OF THE PRACTICE OF INCLUDING NON-FINANCIAL MATTERS IN BUDGET IMPLEMENTATION

**Hon. Claude Carignan,** pursuant to notice of April 16, 2024, moved:

That, notwithstanding the order of the Senate adopted on Tuesday, February 6, 2024, the date for the final report of the Standing Senate Committee on National Finance in relation to its study on the practice of including non-financial matters in bills implementing provisions of budgets and economic statements be extended from April 30, 2024, to December 31, 2024.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

[*English*]

#### SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

COMMITTEE AUTHORIZED TO DEPOSIT REPORT ON STUDY OF ISSUES RELATING TO SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY GENERALLY WITH CLERK DURING ADJOURNMENT OF THE SENATE

**Hon. Ratna Omidvar,** pursuant to notice of April 30, 2024, moved:

That the Standing Senate Committee on Social Affairs, Science and Technology be permitted, notwithstanding usual practices, to deposit with the Clerk of the Senate, no later than June 30, 2024, an interim report on issues related to social affairs, science and technology generally, if the Senate is not then sitting, and that the report be deemed to have been tabled in the Senate.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

(*At 5:19 p.m., the Senate was continued until Tuesday, May 21, 2024, at 2 p.m.*)

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