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Thursday, October 31, 2024

The Honourable RAYMONDE GAGNÉ,
Speaker

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THE SENATE

Thursday, October 31, 2024

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

Prayers.

SENATORS' STATEMENTS

THE LATE ROBERT SOPUCK

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

Honourable senators, today I want to honour a dear friend and former Conservative caucus colleague Robert Sopuck, who passed away last Wednesday.

Robert was a dedicated member of Parliament who served with distinction through the Forty-first and Forty-second Parliaments, representing the riding of Dauphin—Swan River—Neepawa. Bob was a tremendous asset to the Conservative team: He was the Chair of the Manitoba Regional Caucus, Chair of the Canada-Ukraine Parliamentary Friendship Group and he also served on the Standing Committee on Environment and Sustainable Development and the Standing Committee on Fisheries and Oceans.

In 2012, M.P. Sopuck founded and chaired the Conservative Hunting and Angling Caucus, which is a platform for members of Parliament to address the concerns of farmers, anglers and trappers, allowing their voices be heard at the federal level and ensuring environmental conservation and respect for traditional practices.

In 2015, Bob was appointed as the opposition critic for wildlife conservation and Parks Canada and Deputy Shadow Minister for Environment and Climate Change. His expertise as a biologist and his passion as an avid outdoorsman was invaluable in shaping legislation that balanced environmental benefits with the needs of rural communities. His contributions were recognized internationally when he was named the International Legislator of the Year by Safari Club International in 2017.

His leadership in opposing Bill C-246, the modernizing animal protections act, which threatened traditional animal-use practices, was a testament to his dedication to preserving Canada's cultural and economic values. Although his parliamentary achievements are monumental, Robert's professional background was equally impressive. With degrees from the University of Manitoba and Cornell University, he held crucial roles in fisheries management, sustainable development, environmental programs and agricultural and rural policy development.

Having said all this, what I appreciated most about Robert Sopuck was his sincerity and passion for the great outdoors. I encourage everyone to take the time in the weeks ahead to read some of his columns in the *Winnipeg Free Press* or his book *A Life Outdoors: Essays on Hunting, Gathering and Country Living in the 21st Century*.

Colleagues, I don't have enough time to list all of Bob's awards, experiences and expertise, but I want to salute "the right-wing environmentalist." This nickname always made him smile proudly for the indelible impact he made in his community, his province and his country.

Robert Sopuck will be remembered as a respectable advocate, a knowledgeable leader and an impactful outdoorsman policy-maker. Our thoughts and prayers go out to his wife, Caroline, his two children, his three grandchildren and all who had the privilege of knowing Bob.

Thank you.

Hon. Senators: Hear, hear.

[Translation]

IMMIGRATION LEVELS

Hon. Amina Gerba: Colleagues, the federal government recently announced that it will drastically reduce the number of permanent immigrants by 100,000 in 2025. By 2027, we will be down to 365,000 from 500,000 in 2024. This has raised serious concerns within our country's entrepreneurial ecosystem.

The Canadian Federation of Independent Business, the CFIB, which represents more than 97,000 small businesses in Canada, has expressed concern about the decision, noting that small and medium-sized businesses depend on high immigration to address the labour shortage.

As François Vincent, CFIB vice-president for Quebec, recently explained:

No small business goes through the process of getting a temporary foreign worker just for fun. They do it because the market cannot meet their needs.

I can also attest to this, having experienced it in my former life as an entrepreneur. I brought in French workers, including one who stayed in Canada and followed me all the way to the Senate.

The thing is, small and medium-sized enterprises, SMEs, are the backbone of our economy. The majority of Canadian businesses are SMEs, and they make a significant contribution to the economy. In 2021, there were about 1.2 million SMEs in Canada, or 99.8% of all private sector employers.

Immigration thresholds must not be reduced without assessing the real impact on our businesses and communities and ensuring better cooperation between different levels of government.

Economic immigration programs must be strengthened, and we must explore solutions so that Canadian SMEs can continue to thrive while maintaining our commitment to sustainable immigration and proper integration into our society.

Thank you for your attention.

• (1410)

[*English*]

**THE VERY REVEREND THE LATE HONOURABLE
LOIS M. WILSON, C.C., O.C., O.ONT.**

Hon. Nancy J. Hartling: Honourable senators, during Women's History Month, I am privileged to pay tribute to the Very Reverend the Honourable Dr. Lois M. Wilson. She served as a role model to many, especially as a fierce advocate for the most vulnerable and as a living example of putting her faith into action through her many accomplishments.

At her funeral service, her granddaughter Nora described her grandmother as the following:

... a person who did not bake cookies or knit sweaters for us, but instead she expressed her love by challenging us to wrestle with the big questions of faith, justice and our role in the world around us. She continually asked our opinions because she believed what we had to say was important.

Three themes that wove through her grandmother's life were water, work and family.

Every summer, her family went canoeing in Birch Beach. This summer on July 28, Lois, her daughter Jean and their family went canoeing. Her daughter said, "Mom was paddling and singing right until the end." Canoeing was one of her favourite pastimes. In her eighties, she organized wilderness trips for older women. Friendships were very important to her.

Her community building started early in her career in Thunder Bay with her husband, Roy. She saw a need for connection and dialogue and spearheaded the Thunder Bay Town Talk, bringing together every person and institution in her community to ask two simple questions: What's going on in my community, and what can I do about it? Listening and engaging were important to her.

Lois broke the glass ceiling in her career in many arenas, including becoming the first female moderator of the United Church — which happens to be my church — in 1979. In 1991, she served as the first Canadian president of the World Council of Churches. In 1990 to 2000, she was the chancellor of Lakehead University. She authored 10 books on topics such as ethics, religion and feminism. In 1998, she was appointed to the Senate where, after some negotiations with the Prime Minister's Office, she sat as a fiercely independent senator until her retirement in 2002.

In this place, she focused on four pillars: The first was international and domestic human rights, working alongside other colleagues to establish the Standing Senate Committee on Human Rights. Second, she worked toward reconciliation with

Indigenous peoples, which she understood to be the single greatest human rights issue facing Canada. She was a long-standing member of the Standing Senate Committee on Indigenous Peoples. Third, she built bridges between civil society, community organizations and government with the goal of establishing constructive partnerships to address policy issues. She became one of Canada's leading voices on guaranteed livable income, becoming a strong advocate within the United Church. Fourth, she advocated for a greater role for women at all levels of society, including the Canadian initiative on women, peace and security.

Until her death at 97, she was the Distinguished Minister in Residence at Emmanuel College in Toronto. Her humility and belief in community building always propelled her forward. Her desire to bring people together is best expressed in her own words. She said:

It is obvious that I didn't do anything on my own. It was always with other people. And you won't get anywhere if you're on your own . . . we need to remember that . . .

Her granddaughter Nora said that in one of her last emails that her grandma sent to her from the hospital, she wrote:

I am on the final stretch. I have run the good race and kept the faith. Now it's over to your generation.

My sincere condolences to her family, her children Ruth, Jean, Neil and Bruce, and their families, as well as to her community of faith and all those who knew and loved her.

Thank you. *Meegwetch.*

Hon. Senators: Hear, hear.

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Kisha Supernant, Director of the Institute of Prairie and Indigenous Archaeology, Professor in the Department of Anthropology at the University of Alberta and recipient of the King Charles III Coronation Medal. She is the guest of the Honourable Senator LaBoucane-Benson.

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

Hon. Senators: Hear, hear!

THE FARMERETTES

Hon. Robert Black: Honourable senators, I rise today to draw attention to an important yet often overlooked part of Canadian history: the Farmerettes. In a time of great need, these young women from Ontario stepped up to help keep our country going during the two world wars by working on farms. And today, I am pleased to inform you that on October 28, Canada Post unveiled a special stamp honouring the Farmerettes and their contribution during the two world wars.

As we know, war brings immense challenges. During the First World War and the Second World War, the absence of the men who had gone to fight created a serious labour shortage on Canadian farms. The demand for food, however, only increased, as it was not just those living in Canada but also our troops and allies who needed to be fed. To fill the gap, women of all ages, including girls as young as 16, were called to the fields.

The Farmerette program began during the First World War, and during the Second World War, it was revived through the Ontario Farm Service Force. These women worked long hours in the fields, planting, harvesting and performing a wide range of farm tasks essential to sustaining Canada's food supply. They lived in camps and worked for 25 cents an hour. While their days were filled with hard work, they also formed lasting friendships and enjoyed the camaraderie of being part of such an important effort.

The Farmerettes embodied resilience, commitment and the ability to rise to the occasion. They demonstrated that women could take on the toughest challenges and make significant contributions to both agriculture and the war effort. Their work was vital not only in keeping Canadian farms running but also in showing the world that women had a rightful place in industries traditionally dominated by men.

Today, women play an increasingly critical role in agriculture, with nearly 30% of farm operators in Canada being women. The legacy of the Farmerettes lives on in the vibrant role that women continue to play in farming and agricultural innovation.

This stamp will serve as a lasting tribute to their remarkable contribution to our nation's history. On behalf of this august chamber, I would like to thank Bonnie Sitter who has worked tirelessly over many years to have the Farmerettes acknowledged with a special stamp in Canada. Congratulations, Bonnie. Your day has come.

Honourable senators, as we prepare to see these stamps circulate, let us remember and honour the hard work and determination of the Farmerettes — women who ensured that Canada continued to thrive during some of the most challenging times in our history.

Thank you. *Meegwetch.*

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of representatives from Elizabeth Fry Societies across Canada. They are the guests of the Honourable Senators Coyle and Pate.

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

Hon. Senators: Hear, hear!

[Senator Black]

WOMEN'S HISTORY MONTH

Hon. Paulette Senior: Honourable senators, today I mark Women's History Month, which concludes on this final day of October.

I express my appreciation to the Algonquin Anishinaabeg peoples, who have lived on and cared for this unceded, unsundered territory for millennia such that I could have the opportunity to speak today.

It is important that we reflect on the history of achievements, milestones and progress of women in Canada. At the same time, it is imperative to recognize that these important milestones have often excluded Indigenous, Black and racialized women, who have been historically left out of that progress.

We know that not every human has always been considered a person by law, but did you know it's been less than 100 years since women were included in the legal definition of "persons" in Canada? In 1927, the Supreme Court of Canada was asked if women were included in that definition. The answer was "no." It took until October 18, 1929, for the Judicial Committee of the Privy Council of Great Britain in London to amend legislation such that women could legally be considered "persons." This was an important moment in history for gender equality, but like many advancements toward gender justice, it failed to include all women. Marginalized women, including Indigenous women and women of Asian heritage, remained among those excluded from the legal definition of "personhood" established in 1929.

We must not forget that progress toward gender equality and justice has historically not been equal and that women, girls and gender-diverse people are far too often still excluded from important milestones. Even today, advancing gender equality in Canada isn't just about closing gaps between men and women. People experience different barriers depending on many elements of their identities, including their sexuality, race, gender identity, ability and age. Pursuing true equality means recognizing and meeting all people's diverse needs. We need to always be thinking of intersectionality and always applying that critical gender-based analysis with the initiatives that we take on, and we need to apply that lens consistently.

What can we do about it? Being an intersectional feminist ally means using our voice and privilege to advocate for inclusion and diversity, as well as supporting women and girls who face barriers and discrimination that we may not be facing ourselves.

• (1420)

We should be proud of the progress that has been made, without a doubt. At the same time, we need to ensure that women's history in Canada is inclusive, just and leaves no one behind. Thank you. *Meegwetch.*

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 Justice Peter O’Flaherty and his son Jack O’Flaherty. They are the guests of the Honourable Senator Petten.

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

Hon. Senators: Hear, hear!

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Michael Anderson, IRS Path Forward adviser, Research and Information Services at Manitoba Keewatinowi Okimakanak. He is the guest of the Honourable Senator McCallum.

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

Hon. Senators: Hear, hear!

ROUTINE PROCEEDINGS

NATIONAL STRATEGY FOR EYE CARE BILL

TWENTY-EIGHTH REPORT OF SOCIAL AFFAIRS, SCIENCE
AND TECHNOLOGY COMMITTEE PRESENTED

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

Thursday, October 31, 2024

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

TWENTY-EIGHTH REPORT

Your committee, to which was referred Bill C-284, An Act to establish a national strategy for eye care, has, in obedience to the order of reference of Wednesday, May 29, 2024, examined the said bill and now reports the same without amendment but with certain observations, which are appended to this report.

Respectfully submitted,

RATNA OMIDVAR

Chair

(For text of observations, see today’s Journals of the Senate, p. 3227.)

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

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

INDIGENOUS PEOPLES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY HOW
THE INDIAN RESIDENTIAL SCHOOL SYSTEM CONSTITUTES A
CRIME AGAINST HUMANITY AND A GENOCIDE

Hon. Mary Jane McCallum: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Indigenous Peoples be authorized to examine and report on how the Indian Residential School system constitutes a crime against humanity and a genocide, pursuant to the *Crimes Against Humanity and War Crimes Act*, S.C. 2000, c. 24, and Articles 6 and 7 of the *Rome Statute of the International Criminal Court* and in accordance with Article II of the *United Nations Convention on the Prevention and Punishment of the Crime of Genocide*; and

That the committee submit its final report to the Senate no later than June 26, 2025.

QUESTION PERIOD

JUSTICE

CONTROLLED DRUGS AND SUBSTANCES ACT

Hon. Donald Neil Plett (Leader of the Opposition): Leader, your NDP-Liberal government gave its blessing for a centre located next to a school for young children in Montreal to become a so-called safe consumption site for hard drugs. According to Montreal’s police service, crime in the neighbourhood around that site has increased by 800% since it opened in April. As well, 9-1-1 calls for assaults and fighting within 100 metres of this site have increased by a whopping 1,800%, leader.

A group of residents told *La Presse* on Wednesday, “Concentrating crime near a primary school is not only incomprehensible, but unacceptable.”

Leader, what is your response — not to me, leader, but to the families who live nearby? Do you agree with them?

Senator Housakos: The moms and dads and kids.

Hon. Marc Gold (Government Representative in the Senate): It is very concerning to hear what you have reported. Again, this government’s position and the position of other

provincial governments vis-à-vis the benefits of these sites are not really the subject of your question, and I won't comment further.

I'll certainly look into this matter and raise this with the minister because I'm not aware of the details or the specifics of the neighbourhood or the school to which you refer.

Senator Plett: Leader, these families in Montreal are not talking points or slogans, as you like to say we always refer to. They are concerned about small children witnessing violence, drug overdoses and indecent acts. They want the crime and chaos next to their primary school to stop. Your government, leader, has the power under the Controlled Drugs and Substances Act to do this. Will you do so?

Senator Gold: Senator Plett, I said nothing, nor did I imply anything about your question being a talking point. I simply said that it is concerning — the issues that you raised. I'm not aware of the details, and I'll raise them with the relevant minister at the first opportunity.

INNOVATION, SCIENCE AND ECONOMIC DEVELOPMENT

SUSTAINABLE DEVELOPMENT TECHNOLOGY CANADA

Hon. Leo Housakos: Senator Gold, after nine years of scandal and corruption from the NDP-Liberal government, here we are at a complete standstill in Parliament, making it impossible for anyone to address issues like the doubling of housing costs, Liberal food inflation and the increased crime and chaos on our streets, all because your government's priority right now is covering up the latest scandal involving Liberal insiders.

Liberal appointees, colleagues, have inappropriately, if not illegally, pocketed \$400 million in taxpayer money through the green slush fund, and now the NDP-Liberal government is refusing to turn over relevant documents so Parliament can get to the bottom of this. Meanwhile, Canadians are lining up at food banks in record numbers. They can't afford to heat their homes, and too many can't afford a home. While Liberals in Parliament are sitting on their butts, this Prime Minister is trying to cover up his.

Senator Gold, it's enough. Why won't your government have the decency to turn over the documents and call an election?

Hon. Marc Gold (Government Representative in the Senate): The dysfunction in the other place is exclusively a function of one party's insistence on doubling down on an inappropriate disclosure of documents in an inappropriate way.

All of the other issues that you raised, managing to shoehorn them all into one question, are simply an example of how it is impossible to properly address some of these issues in a proper way. The government has made it clear what its position is with regard to the documents and how it should appropriately be before a committee, and the rest of it is just politics on your part.

[Senator Gold]

• (1430)

Senator Housakos: Senator Gold, it isn't the Conservatives saying, "Give it up." Your own NDP-Liberal-elected Speaker in the House of Commons has ordered your government to turn the documents over. But, I suggest, what are you going to do, sue him again? You continue to refuse to abide by the rules of Parliament and turn over the documents. And you have no respect for the people who have sent those parliamentarians to power.

So can Justin Trudeau do the right thing — turn over the documents, call an election so we can get to the bottom of this?

Senator Gold: Again, Senator Housakos, you are — and I'm going to be charitable here — selectively quoting the facts from the Speaker's ruling, and you are certainly misrepresenting the respect this government has for the proper process.

[Translation]

CANADIAN HERITAGE

SUPPORT FOR THE ARTS AND CULTURE

Hon. Tony Loffreda: My question is for the Government Representative in the Senate.

Senator Gold, last week, the Chamber of Commerce of Metropolitan Montreal published the results of a new study on Montreal as a cultural metropolis and the need to protect and develop its cultural assets.

This study sets out 22 recommendations for ensuring the vitality and sustainability of our cultural sector.

Does the federal government support the creation of such a platform, and would it be willing to actively participate to guarantee strategic support for our cultural sector?

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

As a Montrealer and a Quebecer, I fully understand, as does the government, the importance of our cultural industries and our cultural life, not just for the well-being of our citizens and visitors, but also as a key part of our identity, including our way of attracting tourists and visitors, as our former colleague, Senator Bovey, so often mentioned here in the Senate.

Thank you for the suggestion. I will be sure to pass it on to the minister right away. The Government of Canada will continue to support every aspect of the cultural sector.

Senator Loffreda: Our cultural industries generate significant economic spinoffs, accounting for \$11 billion or 2.4% of Quebec's GDP.

Since this sector is so important to our economy and to our national identity, does the government plan to take further action to strengthen Quebec's cultural ecosystem, in partnership with other levels of government and local stakeholders?

Senator Gold: Thank you for your question.

I can't speculate on possible future funding, but the government already offers several programs to support the growth of the cultural sector. One example is the Canada Cultural Spaces Fund, or CCSF, which supports the improvement of physical conditions for arts, heritage culture and creative innovation.

[English]

PUBLIC SAFETY

CORRECTIONAL SERVICE OF CANADA

Hon. Kim Pate: Senator Gold, reports to the Senate Human Rights Committee, the Correctional Investigator and the minister's own advisory panel all have documented that despite Bill C-83 and the introduction of structured intervention units, or SIUs, segregation continues in federal penitentiaries, both within SIUs and under many other names. Of the oversight mechanisms for SIUs promised by the government, the mandate of the ministerial advisory panel recently ended, no external mental health advocates were ever hired, and we were advised most recently that contracts were not renewed for any independent external decision makers who did not rubber-stamp Correctional Service Canada's decisions.

Before this chamber, Minister LeBlanc agreed to meet with the Human Rights Committee to discuss concerns. He then later refused to honour this commitment. How does the government plan to remedy the continued lack of effective oversight and accountability of the Correctional Service Canada?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question and your continued advocacy. Although the government has not renewed the SIU Implementation Advisory Panel, it does thank them for their work and their reports on providing needed guidance on best practices in working with offenders.

My understanding is that oversight of SIUs will continue as the government works to appoint members of the independent external decision makers to the SIUs. This is in conjunction with oversight of all federal offenders by the Office of the Correctional Investigator, or OCI.

I have been informed further that the OCI, Correctional Service Canada and Public Safety Canada are regularly engaged in analyzing SIU implementation and reviewing stakeholder findings and recommendations to find strategic enhancements that will lead to improved compliance with the letter and the spirit of the law. As a result of these efforts and the procedural safeguards introduced alongside the creation of SIUs, this tool, I understand, is being used more sparingly than the previous practice of administrative segregation.

Senator Pate: Thank you for that response, senator. Unfortunately, the OCI just released its report. It produces quite a different and damning condemnation of correctional oversight and accountability.

When Bill C-83 came into force in November 2019, it included a requirement for a comprehensive review of the legislation by Parliament at the start of the legislation's fifth year in force. We are now well overdue. When will the government be taking steps to meet this statutory obligation and which parliamentary body —

Senator Gold: Thank you for your question. Regrettably, I don't have a specific timeline for you, senator, but I will bring it to the minister's attention.

[Translation]

IMMIGRATION, REFUGEES AND CITIZENSHIP

IMMIGRATION LEVELS

Hon. Jean-Guy Dagenais: Senator Gold, last week, the Prime Minister finally bowed to pressure and announced a major reduction in temporary and permanent immigration targets.

As is often the case, what we have here is an ill-considered political decision with no plan to back it up.

Because of this decision, a steel door company in Sherbrooke will lose 50 welders who are temporary workers. It will have to move production to the United States. Worse still, it's not the only company in this situation.

Can you explain to us why your Prime Minister can't come up with a vision for immigration that protects the economic well-being of our SMEs?

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

As I've often stated on this subject, the government had to make tough decisions to strike a balance between our needs, both economic and otherwise, and our capacity to provide social services, education and so on. If we want to welcome these people, we have to be able to integrate them properly.

The Government of Quebec just announced major immigration cuts for its own reasons. That is an indication of the challenge all governments are facing. The government will keep working to achieve that balance in order to protect all of our social and economic needs.

Senator Dagenais: Leader, instead of restricting essential workers, can you explain why your government is incapable of making a serious effort to turn away people who should not be entering the country as soon as they arrive? This would save us over \$425 million in hotel bills and living expenses.

Seriously, is it too late for this Prime Minister to come up with an effective control plan?

Senator Gold: Thank you for the question.

Canada is a society based on the rule of law. Our laws, including the constitutional Charter, and our international obligations prevent us from simply denying, for political reasons, the rights and interests of people seeking asylum in Canada.

[English]

CANADIAN HERITAGE

CBC/RADIO-CANADA

Hon. Marty Klyne: Senator Gold, the Minister of Canadian Heritage's upcoming plan to modernize the CBC's mandate will be crucial for sustaining objective, credible journalism in Canada.

Senator Housakos: Hard to believe it.

Senator Klyne: No, not to be believed. And certainly it is crucial that it reflects programming recognizing Canada's diversity, which is very important.

CBC President and Chief Executive Officer Catherine Tait, soon to be replaced by Marie-Philippe Bouchard, recently commented on the increasing "defund" movement, especially concerning CBC television. I am wondering about changes the government is considering to ensure CBC's resilience and relevance amid these shifting public and political pressures. How does the government plan to address the concerns of both the supporters who see the CBC as a vital cultural institution and the critics who argue it could be replaced by private media offerings in this new mandate?

• (1440)

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

I think it's important to note, colleagues, that despite what some may say elsewhere and here in this chamber, three quarters of Canadians, in fact, want the CBC, but they want the CBC to be different. CBC/Radio-Canada has shaped our culture and has played an important role in our democracy.

I have been informed that the government will be announcing the review of the CBC mandate soon, which will include important steps that will help modernize CBC/Radio-Canada. It is the government's view that it is crucial that Canadians from coast to coast to coast can rely on a trustworthy source of information and entertainment that belongs here in Canada, that's responsible to Canadians and that serves Canadians.

Senator Klyne: I'm pleased to hear that there will be a review and a plan coming up for the CBC.

My question is this: With Conservative leader Pierre Poilievre pledging to defund the CBC and sell its headquarters, how does the government plan to prevent the potential dismantling of this valued and acclaimed Canadian institution that, in my view,

plays a big role in the sustainability of Canada's multiculturalism and, importantly, to allow it to continue to broadcast to remote municipalities in Northern Canada that other broadcasters —

The Hon. the Speaker: Senator Gold.

Senator Gold: Thank you for your question and for underlining the important role that the CBC plays outside of metropolitan centres such as Ottawa, Montreal and the like.

I hesitate to comment beyond that, except to say that it seems clear that the Conservative Party of Canada thinks it would be better off if it did not have a made-in-Canada public broadcaster that is responsible to Canadians.

HEALTH

CANNABIS EDIBLES

Hon. Judith G. Seidman: Leader, on Tuesday, the RCMP announced six arrests on Vancouver Island related to the production, storage and distribution of unregulated cannabis. Federal investigators seized 120,000 cannabis edibles. I encourage everyone to look at the pictures released by the RCMP. The packaging of these counterfeit, cannabis-laced products is astonishingly similar to the well-known treats Canadians will be handing out to young children tonight as they trick or treat on Halloween. The RCMP urged the public to practise extreme caution with these highly contaminated products.

Leader, what is being done by the government to better protect children with respect to edibles?

Hon. Marc Gold (Government Representative in the Senate): The cannabis legislation in the past made it clear that the marketing and many decisions that bear upon the health aspects of this are within provincial jurisdiction. As colleagues know, provinces vary quite considerably.

I'm very glad these items were seized, because the production of illegal cannabis products — whether they are edibles that are attractive to children or other products that are not subject to quality control in the Canadian system — is a danger to the health, welfare and safety of Canadians and needs to be dealt with by all levels of government, including the police.

I'm glad that at least some efforts were successful in removing these from the market.

Senator Seidman: As you know, leader, our province of Quebec prohibits edibles in the shape of candies, chocolates or desserts. Does your government have any plans to restrict the appearance and content of edibles across Canada?

Senator Gold: Generally, the government works with its provincial counterparts in matters of health because there is a division of constitutional jurisdiction in these areas. This government respects the autonomy and sovereignty of the provinces to regulate their aspects of this important issue, and it will continue dialogue with the provinces to that effect.

WOMEN AND GENDER EQUALITY

GENDER-BASED ANALYSIS PLUS

Hon. Denise Batters: Senator Gold, this Trudeau government keeps breaking its promises. They promised to produce Gender-based Analysis Plus on all government bills, but when I, as the critic, asked for the GBA Plus for Bill C-26 — the Trudeau government's cybersecurity bill — they told me it didn't exist and that they would do one after the bill passed the House of Commons and the Senate. Then, lo and behold, the government hastily tabled a GBA Plus summary two hours before the ministers testified at committee on Bill C-26. This summary was mostly irrelevant to the bill, with only two lines about the potential impacts on women.

If there is a GBA Plus summary, there must be a full GBA Plus document somewhere. Will you commit to getting it to me immediately, or will this be just one more example of this fake feminist government's failure to deliver for women?

Hon. Marc Gold (Government Representative in the Senate): I will certainly raise this with the minister.

Senator Batters, this government has done more to advance the interests of women and children and young girls, both domestically and in foreign policy, than any government in the history of Canada. You can label it as you wish, but the facts speak for themselves.

Senator Batters: They sure do.

Senator Gold, this week you attended the Senate National Security Committee meeting on Bill C-26 so that you — the Trudeau government's Senate leader — could ask government ministers questions about the bill, but you couldn't even be bothered to give a second-reading speech on that bill so that senators could get answers from you on behalf of the government you're supposed to represent.

Why does this Trudeau government insist on treating its so-called independent Senate like a rubber stamp?

Senator Gold: As The Beach Boys once sang, "Wouldn't it be nice . . ." If I could treat the Senate as a rubber stamp it would make my life — and my colleagues' lives — much easier.

I know that you have the dubious privilege or obligation, if you choose, to listen to me for 30 minutes every day that we sit. This is a chamber full of talented people, including the sponsor of this bill. I don't need to speak on every bill at every stage.

FINANCE

CANADA CHILD BENEFIT

Hon. Percy E. Downe: Senator Gold, you seem to be getting a lot of doom-and-gloom questions, so let me try something completely different. I want to talk about the Canada Child Benefit.

A few years ago, I asked about the impact in Prince Edward Island. I filed an Access to Information and Privacy, or ATIP, request, and I found out that over \$100 million was coming into Prince Edward Island tax free, helping families increase the benefits for their children.

Like in many provinces, in the case of most divorced parents the mothers are raising the children. The Canada Child Benefit has had a tremendous positive impact. Could you tell us what's happening with that program, and does the government hope to enhance it in the next year or so?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question, and thank you for acknowledging the work that this government is doing to help the citizens of your province, as it is for the citizens of all provinces.

I don't have specific information about the expansion or details about that, and I'm not going to list all of the measures that the government has introduced recently to help Canadians and their families — such as affordable child care and dental care — but I read in the paper today that a million Canadians have already benefited in the first six months. The list is rather long.

This government believes in investing in its citizens and in its families. It believes in making these investments for our well-being now and for the future, and it will continue to do so within the context of a responsible fiscal framework.

Senator Downe: Thank you, Senator Gold.

There is no doubt the Canada Child Benefit, in my opinion, is the best social program in a generation.

Given that the information is available by electoral district, would it be possible for your office to send the information out to every senator about the tremendous benefit this program is providing in their area and in their province?

Senator Gold: Thank you for that suggestion. I will certainly raise it internally and perhaps explore ways in which that might be done in the most efficient way.

I have a great team. We're pretty small, but thank you for that suggestion and for your support.

[Translation]

INNOVATION, SCIENCE AND ECONOMIC DEVELOPMENT

BLACK ENTREPRENEURSHIP PROGRAM

Hon. Amina Gerba: Senator Gold, the Black Entrepreneurship Program, or BEP, which was implemented by the government in 2020, has supported 5,000 businesses, which in turn have created thousands of jobs and generated \$220 million in revenue. However, the program is scheduled to end in May 2025, and this is causing concern in Black communities across the country. Does the government intend to renew this important program?

• (1450)

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question, senator, and for highlighting the very important work of this program.

While I can't speculate on possible future funding — I'm sure you understand that that's not possible — I can assure everyone here that the Government of Canada will continue to support Black Canadian business owners and entrepreneurs so they can grow their businesses and succeed now and in the future.

Senator Gerba: Senator Gold, the situation for Black entrepreneurs is uniquely different, so they require long-term support. Is the government planning on making the BEP permanent?

Senator Gold: Thank you for the follow-up question. Again, I can't speculate on future funding, but I'm happy to discuss this with the minister.

AGRICULTURE AND AGRI-FOOD

FOOD SECURITY

Hon. Claude Carignan: Leader, today is October 31, but food banks are already adding people's names to the waiting lists for Christmas hampers.

Leader, on September 26, you said:

Too many still live with food insecurity. The government is proud of the efforts it has taken, along with the provinces and territories and the private sector.

Leader, in light of Food Banks Canada's recent report, your words don't ring true. Food banks across Canada receive over two million visits. That is 6% higher than last year and 90% higher than in 2019.

Leader, will you acknowledge that your government's approach to helping the least fortunate is a dismal failure?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. What I acknowledge, and what the government acknowledges, is that Canadian families are facing very serious problems because of rising food costs. Despite this government's success with policies to reduce inflation and keep the economy healthy under the circumstances, the cost of living remains high, and this is tough for Canadians. I certainly acknowledge that. However, to suggest that, despite everything the government has done to help Canadians, it is responsible for this serious and distressing situation? No. With all due respect, I cannot accept the premise of your question.

Senator Carignan: Food banks are being used by 680,000 children, including the young girls you were so concerned about earlier. Worse yet, 30% of food banks are running out of food. I will say it again: 30% of food banks are running out of food. Would you agree that your "sunny ways" policy has done nothing to put food on the table?

Senator Gold: Colleague, it's all too easy to criticize a real, serious problem in Canada and to find a way, as you and your colleagues regularly do, to always blame the federal government without offering any real, pragmatic, serious solutions.

[English]

HEALTH

MEDICAL ASSISTANCE IN DYING

Hon. Donald Neil Plett (Leader of the Opposition): Leader, the *National Post* recently ran an interview with a woman living in Nova Scotia who has breast cancer and a history of autoimmune disorders.

She was just about to have a mastectomy and was giving her health history to an unfamiliar doctor when she was asked if she knew about medical assistance in dying. Fifteen months later, a different doctor asked her the same question just before rolling her into surgery for her second mastectomy — just before rolling her in.

Leader, I want to be clear, this woman does not say she was offered assisted suicide; however, she thinks it was completely inappropriate to raise it. I would agree.

Senator Gold, does the government you represent agree with this woman?

Hon. Marc Gold (Government Representative in the Senate): The legislation we passed and, indeed, amended in the Senate that was brought forward by the government has put into place serious safeguards to ensure that Canadians who may be seeking access to medical assistance in dying are nonetheless protected in the fullest way possible.

The responsibility of the federal government to put in place the legal framework is something we all participated in, and I think we did the best job we could. It is also the responsibility of the provinces, with exclusive jurisdiction over health care, to oversee and manage; they have responsibility for how their doctors, nurses and health care professionals implement the health care policies proper to their province. Again, in that regard, I think the question should properly be directed to those who are responsible for those medical professionals who were involved in this.

Senator Plett: Pass the buck, pass the buck, pass the buck. That's your slogan. My answer to this lady clearly will be: No, you do not agree with her. That's what I will let her know.

She said:

There are people who have . . . conditions like mine who don't have a big, happy loving family, or financial or emotional support, and if those words are said to them when they're lonely and alone If my life were like that, I may not have had the strength or courage to either pretend that that question didn't exist or just say, 'No, I don't want to talk about it. . . .

Senator Gold: Senator Plett, I don't know the circumstances under which the question was asked or not. As I said, no one should be encouraged against their will to seek that alternative, which is a choice of last resort for those who do avail themselves of it.

In that regard, my answer simply is that the medical professionals need to show sensitivity and care for those under their care.

ANSWERS TO ORDER PAPER QUESTION TABLED

EMPLOYMENT, WORKFORCE DEVELOPMENT AND OFFICIAL LANGUAGES—*DRIVING CHANGE: TECHNOLOGY AND THE FUTURE OF THE AUTOMATED VEHICLE*

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 218, dated March 22, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the 2018 report entitled *Driving Change: Technology and the Future of the Automated Vehicle* from the Standing Senate Committee on Transport and Communications — Employment and Social Development Canada.

HOUSING, INFRASTRUCTURE AND COMMUNITIES—*DRIVING CHANGE: TECHNOLOGY AND THE FUTURE OF THE AUTOMATED VEHICLE*

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INNOVATION, SCIENCE AND INDUSTRY—*DRIVING CHANGE: TECHNOLOGY AND THE FUTURE OF THE AUTOMATED VEHICLE*

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PUBLIC SAFETY, DEMOCRATIC INSTITUTIONS AND INTERGOVERNMENTAL AFFAIRS—*DRIVING CHANGE: TECHNOLOGY AND THE FUTURE OF THE AUTOMATED VEHICLE*

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TRANSPORT—*DRIVING CHANGE: TECHNOLOGY AND THE FUTURE OF THE AUTOMATED VEHICLE*

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 218, dated March 22, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the 2018 report entitled *Driving Change: Technology and the Future of the Automated Vehicle* from the Standing Senate Committee on Transport and Communications — Transport Canada.

ORDERS OF THE DAY

PUBLIC COMPLAINTS AND REVIEW COMMISSION BILL

BILL TO AMEND—THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Omidvar, seconded by the Honourable Senator Clement, for the third reading of Bill C-20, An Act establishing the Public Complaints and Review Commission and amending certain Acts and statutory instruments.

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, I rise today at third reading to speak on Bill C-20, An Act establishing the Public Complaints and Review Commission and amending certain Acts and statutory instruments.

Before I start, I would like to acknowledge the sponsor of the bill, Senator Omidvar. Senator Omidvar, our very able deputy leader stepped in for me doing a tribute to you, so I wasn't able to do that. I want to pay tribute to you now for the work you have done. I believe this is your last sitting day, and so I wish you well. When I see people like you or Senator Cordy, who has announced she is leaving us, it starts getting a little close, because I'm coming awfully close. I'm right behind you.

• (1500)

Colleagues, Bill C-20 proposes to create a new independent body to address public complaints against the Royal Canadian Mounted Police, or RCMP, and the Canada Border Services Agency, or CBSA. This new body, also referred to as "the Commission," will replace the former one, which only handled complaints against the RCMP.

Currently, there is no independent body to handle public complaints about CBSA officers' behaviour or conduct. Complaints are directed to the CBSA itself, which is responsible for examining them internally.

This process obviously raises concerns regarding an apparent conflict of interest, as CBSA officers investigate their colleagues. This approach can erode public trust in our federal law enforcement agencies. I support this important measure because it is undeniable that the CBSA, which plays a critical role in protecting our borders, must be accountable to an independent body when its officers engage in misconduct or fail to uphold Canada's ethical standards.

There are complex situations where asylum seekers and refugees come to Canada to escape war or oppression, hoping to provide a better life for their families. These situations often involve significant human suffering, and it is essential that Canada, a remarkable country that upholds safety, equality under the law and freedom of expression, lives up to its democratic principles.

The initial contact with immigrants should be conducted with respect and dignity, making it essential that border service officers be subject to transparent and independent investigations when they fail to demonstrate respect or professionalism.

Honourable senators, I want to highlight that Bill C-20 stems from a promise made by Justin Trudeau and his Liberal Party in 2015.

The other day we rightly heard from Senator McCallum that her bill had taken 15 months and still wasn't across the finish line.

This is a promise made by Justin Trudeau nine years ago. For nine years, the Liberals have dragged their feet on advancing this legislation, despite the opposition always voting in favour of

previous versions. Much as Senator Gold and company would like to blame the Conservatives for holding this up, I'm sure we always voted in favour of previous versions.

Bill C-20 was introduced on May 19, 2022, over two years ago, and there was a seven-month delay between the end of committee study and the report stage. It is indeed disappointing to see the Liberal government act so slowly despite their 2015 promise.

I would like to share with you what Kate Webster, Vice-President of the Canadian Association of Refugee Lawyers, stated on this matter before the Standing Senate Committee on National Security, Defence and Veterans Affairs:

By international standards, Canada is behind. We have an enormous law enforcement body that has no oversight. We are out of step with our international partners or competitors — however you want to define them. . . .

It is a shame that we have not managed to act on that recommendation before.

What is also disappointing is that Liberal inaction has allowed unacceptable situations to persist since 2015. A 2019 Auditor General's report entitled *Respect in the Workplace* highlighted serious issues of harassment, discrimination and violence within the CBSA and Correctional Service Canada workplaces. Interviewed employees shared grave concerns about the agency's organizational culture and their fear of retaliation from management if they filed complaints. I would like to cite a passage from the press release issued by the Auditor General's Office on this matter:

The audit found shortcomings in the way the organizations managed complaints, including inconsistencies in the handling of files and instances where employees were not told of informal recourses that might bring a faster resolution and restore working relationships more quickly.

The audit also found that in about a third of cases, CBSA and CSC dismissed complaints of workplace violence without an initial assessment of the complaint. When the Labour Program was called upon to review these complaints, it directed the organizations to go back and investigate them. With respect to harassment or discrimination grievance, the organizations provided a decision without analyzing the grievance in 10 to 25% of cases. Such decisions are unlikely to help foster employees' trust in the process.

These incidents within the CBSA have not appeared to decrease over the past five years, if we are to believe the Senate testimony of Mr. Weber, National President of the Customs and Immigration Union, who said:

. . . the agency is well known among its employees for letting gross abuse by management run unchecked, and it is difficult for CBSA employees to see complaints about managers go addressed through existing channels. In fact, CBSA managers often promote the very atmosphere that allows bad behaviour to flourish. Thanks to the ArriveCAN debacle, the lack of accountability within the agency's

management is now infamous, and it is clear that CBSA's reporting and internal investigative structure badly needs to be overhauled.

It is concerning and unacceptable that employees who suffer from violence, harassment and discrimination within our federal agencies should have serious fears of retaliation when they want to file a complaint. This discourages victims from speaking up and further entrenches the toxic atmosphere within the CBSA. The Trudeau government was very well aware of these incidents and did nothing to expedite the adoption of this bill.

It is the responsibility of the Minister of Public Safety to act quickly when it comes to ensuring the safety and protecting the integrity of the agencies under his responsibility.

These are not the only incidents that have impacted the CBSA in recent years. The agency has been flagged several times by the Office of the Privacy Commissioner of Canada for failing to comply with the Privacy Act. For example, in 2019, the commissioner released an investigation report following a significant number of complaints received against CBSA on digital device examinations at the border. The report focused on six complaints and concluded as follows:

More generally, our review has identified failings in the CBSA's practices, pointing to chronic issues, which in turn directly affects the CBSA's accountability to the public – both in the exercise of the powers conferred upon it, and also in terms of meeting the requirements of the Act.

To this end, it is our conclusion that the Policy on its own has not proven an effective means of ensuring that examinations and searches of digital devices respect individuals' privacy rights. There are insufficient training and accountability mechanisms in place to ensure that CBSA officers are meeting the necessary requirements established by the Policy.

We therefore consider all six of the complaints to be well-founded.

• (1510)

In recent years, the media has reported several concerning incidents within the CBSA. Among the reported incidents, one officer allegedly stole thousands of dollars and luxury items from a CBSA safe. Another officer inappropriately accessed the CBSA's computer system to delete indicators in an individual's file. More troubling still, some officers had proven ties to drug traffickers and members of the Hells Angels. In parallel, cases of sexual harassment have also been documented, including the sexual assault of a colleague off duty, humiliating behaviours like spraying insecticide on a colleague and sending sexually explicit messages.

In a 2020 article, Radio-Canada reported on a CBSA officer who forced individuals to perform inappropriate actions on his genitals during an intervention.

Misconduct investigations within the CBSA are increasing. In 2014, the CBSA reported 146 misconduct investigations, 106 of which were founded. In 2023, this number had risen to 477, with 341 founded cases.

Canada remains the only Five Eyes country without an independent review body to handle complaints against its border services agency. This is not my claim; it was stated by Mary-Liz Power, former spokesperson for federal public safety minister Bill Blair in 2020. This statement is particularly curious, coming from those responsible for correcting the situation. If this gap was acknowledged by the minister's office, one may wonder why the government did not act faster to resolve it.

The government leader here will say there was a pandemic and a subsequent federal election. However, why did the government wait seven months to proceed to the report stage in the House of Commons?

Just for instance and a comparison, Bill C-21 on firearms, a highly controversial bill far from reaching consensus across the country, was introduced on May 30, 2022 — 11 days after Bill C-20 — and it was passed on December 15, 2023, a year and a half later. How does the government justify prolonged delays on Bill C-20 while it moves quickly on partisan and controversial bills? Meanwhile, incidents have occurred over recent years, and the Trudeau government has no excuse for this delay.

Honourable senators, I would now like to address my significant concerns about how Bill C-20 has been drafted. In her speech at third reading, the bill's sponsor herself admitted that this bill is far from perfect. Bill C-20 does not introduce substantial changes to the existing process for handling complaints and investigations.

This approach closely mirrors that of the current independent commission handling RCMP complaints. To file a complaint, complainants have two options: They can submit their complaint directly to the RCMP or the CBSA, or they can refer it to the commission, which has the authority to investigate under clause 50 of the bill.

However, I want to clarify an essential point in the bill's proposed process: The commission's role is primarily to investigate complaints already addressed by the RCMP and CBSA. The bill also imposes obligations on the RCMP and CBSA to respond to the commission's interim reports on complaints within six months. Concerning reports on specific activities, the RCMP and CBSA will have 60 days to provide observations before the commission publishes a report summary. Finally, the bill requires the RCMP and CBSA to submit an annual report to the Minister of Public Safety on the implementation of the commission's recommendations.

Moreover, the bill grants the new commission additional powers, including the ability to recommend disciplinary processes and measures to the RCMP and CBSA heads, as well as to conduct joint investigations, reviews or hearings with authorities from other jurisdictions.

This leads me to a significant issue raised by the National Police Federation regarding the bill. The federation believes that the complaints process is not yet fully transparent and independent, as many complaints filed with the commission are redirected to the RCMP, which is responsible for its investigations. As I explained earlier, the fact that officers investigate officers can be perceived by the public as a threat to the impartiality of the process, even if, in reality, officers act with honesty and professionalism. Perception often overshadows objective reality.

The union also highlights the resources that the RCMP must mobilize to process these complaints, resources that could otherwise be used to fight crime or ensure public safety. I would like to cite a passage from what Brian Sauv , the President of the RCMP union, said on this matter:

Estimating an average of 1,500 files per year that require a 40-hour investigation each, we're talking about approximately 60,000 work hours taken from communities in which our members could be engaging in core policing duties. That equates to about 30 full-time RCMP officers. . . .

This brings me to another point that I believe deserves particular attention. The National Police Federation raised the issue of the additional workload that the new commission will face in handling both RCMP and CBSA complaints simultaneously, along with the increase in delays if adequate resources are not provided.

Again, these concerns were expressed by Mark Weber, the National President of the Customs and Immigration Union, who stated in a House of Commons committee:

In fact, under this new legislation, it's likely that investigations could take years to be completed, which is fair neither for the complainant nor for the party under investigation.

This observation is also highlighted by the Canadian Bar Association, which notes in its submission, "It seems inevitable that as the Commission's workload increases, delays will grow."

These concerns must be taken seriously, colleagues, as they could lead to the failure of this new commission. We can observe the lack of resources within other federal entities, such as the Office of the Information Commissioner. I would like to share what Commissioner Caroline Maynard said regarding her office's Main Estimates before the Senate Committee on National Finance on September 17:

Unfortunately, that progress and my office's ability to fulfill my independent legislative mandate is now at risk. This is because the additional financial resources that I received this fiscal year to cover negotiated collective agreement increases are not sufficient, resulting in a structural deficit. . . .

For a small organization like mine, this is a significant strain. Every employee plays a vital role, and losing even a few could deeply impact our ability to fulfill our mandate.

Ultimately, this budget shortfall will spell longer delays for those seeking information from federal government institutions.

Colleagues, Harriet Solloway, the Public Sector Integrity Commissioner of Canada, also expressed concerns about the lack of resources for her agency, and I would like to share what she said on the same day:

There is a mounting backlog of files that cannot be addressed with current resources. As of August 31, 2024, 140 files are pending admissibility analysis, and another 47 investigations have yet to be completed. Without an injection of resources, there is a risk that investigations will not be completed in a timely manner. The risk includes the erosion of the availability and quality of documentary evidence and witness accounts. If we cannot effectively investigate and expose wrongdoing, that will diminish accountability and eliminate a vital component of checks and balances that enhance confidence in public institutions. In addition, the inability to investigate complaints of reprisal in a timely manner would leave public servants vulnerable and exposed to hostile workplaces and possibly impact their employment.

She continued:

The impact of this financial crisis cannot be overstated. Without additional funding, there is a significant risk of breaching the obligations established under the very act that governs our work.

• (1520)

Colleagues, the problem with this bill is that the government has no clear idea of how many complaints will be addressed to this new commission. In her testimony on Bill C-20, President Lahaie of the current Civilian Review and Complaints Commission for the RCMP stated the following:

One of the things we don't know with this bill before you is how many complaints we'll get about the CBSA. That's an unknown. They already have an internal process, but when there's an outside agency looking into these complaints, it gives the general public more confidence. When you open the doors — because they're already open — you change.

At the end of its study, the National Security, Defence and Veterans Affairs Committee unanimously recognized that the issue of resources was crucial. I would like to read an observation included in the report on Bill C-20:

Regarding concerns raised by witnesses about resources, your committee is of the view that the Government of Canada should provide the proposed Commission with the personnel and financial resources that it requires to accomplish its mandate effectively.

Honourable senators, as the Canadian Bar Association mentioned, the increase in workload will lead to increased delays in processing complaints. Pending complaints can have repercussions on the careers of the affected officers. Officers under investigation risk having their career progression

suspended. This situation can also heavily impact their morale and well-being, leaving them in a prolonged state of uncertainty. One potential solution would be to impose fixed deadlines for processing complaints. The Customs and Immigration Union highlighted in its submission the importance of setting clear timelines at each stage of the process. However, the study of the bill in the House and the Senate did not provide a clear answer on this matter.

I will not revisit the various issues of the bill, but I would like to focus on two amendments made in the House of Commons that, in my view, will exacerbate the issues I described earlier. Bloc Québécois MP Kristina Michaud moved an amendment that was passed with the support of the Liberals and the NDP, allowing a third party to file a complaint. This amendment permits advocacy groups or non-profit organizations to file complaints on behalf of an individual, even without that person's consent, which was not allowed prior to this amendment, where a third party could file a complaint only with prior authorization. This change could lead to a significant volume of claims and clog up the process. RCMP Assistant Commissioner Alfredo Bangloy made the following statement during the House committee debate on this amendment:

. . . a YouTube video and a complaint of actions on YouTube, where they're not directly involved or implicated or have no connection to that incident, potentially could create an increase in complaints in which the individuals themselves who are impacted aren't complaining but other people are. It could lead to a rise in overall complaints and resources to be drawn to investigate and deal with those.

This concern was also echoed by the RCMP union at the Senate committee. Here is what Mr. Sauvé from the RCMP said on this matter:

The current amendments to subclause 33(1) and clause 35 allow "third parties" to file complaints and receive assistance. However, the term "third party" is not clearly defined. It is unclear who qualifies as a "third party," the circumstances under which they can receive assistance or what it means to be "directly concerned" with a complaint. This ambiguity could lead to resource misuse, with the commission receiving frivolous complaints, worsening its already-strained resources.

Under clause 38 of the bill, the commission has the right to refuse a complaint from a third party if it is not directly concerned with the complaint. This is not sufficient, and this amendment creates a loophole in the bill. First, the commission will need to mobilize resources to open all complaints that are transmitted to it. If an advocacy group decides to file 1,000 complaints that are deemed frivolous or vexatious, the commission will have to undertake the laborious task of opening and reviewing each of them. Second, because there is no definition of a "third party," this broadens the bill's scope considerably.

Finally, as Mr. Sauvé mentioned, we do not know exactly what it means to be ". . . not directly concerned with the subject of the complaint." Therefore, the bill leaves an ambiguity that could lead to a large volume of complaints and increased processing delays, as well as strain the commission's resources. As if that were not enough, an amendment by NDP MP Peter Julian extended the time limit for filing a complaint from one to two years, now allowing an individual or third party to file a complaint up to two years after an incident.

This amendment could increase the workload for the RCMP or the Canada Border Services Agency, or CBSA, officers, who would have to investigate incidents from up to two years ago. Currently, it is possible to file a complaint after one year with the RCMP or the CBSA. They have the discretionary power to review these complaints on a case-by-case basis, considering the nature of the complaint and the ability to investigate. This amendment received strong disapproval from the RCMP and CBSA unions in committee.

Here is what Mr. Weber said on this matter:

We also have pressing concerns around time limits, notably when it comes to the initial time frame for filing a complaint. Under the latest version of the bill, complaints could be made up to two years after an incident allegedly occurred. Given that CBSA officers often interact with hundreds of travellers a day — and that these interactions can be extremely brief — exceedingly long delays would put officers subject to a complaint at a tremendous disadvantage, as recalling a seconds-long interaction that occurred months ago is often near impossible.

Here's what Mr. Sauvé added on the matter:

Given the commission's current resource challenges, this extension could delay investigations and make it harder to gather accurate information due to memory degradation. The current process already allows for extensions in exceptional cases.

Colleagues, these amendments could negatively impact this bill, which already raises concerns about the commission's ability to carry out its new mandate effectively.

I will conclude my speech by sharing my fundamental thoughts on the matter before us today. It would be dishonest to assert that law enforcement agencies need stringent oversight without considering the other side of the coin. RCMP officers and CBSA agents are dedicated professionals who remain committed to their missions despite facing increasingly complex situations.

Over the past nine years, Justin Trudeau's Liberal government has contributed, through the legislation it has passed, to a significant rise in crime in Canada.

• (1530)

For example, with the measures introduced by Bill C-75 in 2019 concerning the bail system or Bill C-5 in 2022, which abolished mandatory minimum sentences for firearm-related crimes and increased the use of conditional sentences.

Crime statistics speak for themselves. I would like to quote a passage from Statistic Canada's report on police-reported crime in 2022:

The Violent CSI rose 5% in 2022, following a 6% increase the previous year. Compared with 2021, the increase in the Violent CSI in 2022 included higher rates of robbery (+15%), extortion (+39%), homicide (+8%) and level 1 sexual assault (+3%).

Looking at vehicle theft, I note that it has risen by 34% after nine years under Justin Trudeau, with increases of 300% in Toronto and more than 100% in Montreal.

What about borders? For years, our immigration flows have been steadily increasing, placing growing demands on our Canada Border Services Agency, or CBSA, agents, who perform monumental work to manage these new arrivals.

There have also been ill-considered decisions by the Liberal government on immigration, such as the decision to lift the visa requirement for Mexican citizens in 2016, thereby opening the door to organized criminal groups. *Le Journal de Montréal* reported in 2019 that 400 criminals entered Canada, with an 80% rise in Mexican drug seizures and a 500% increase in inadmissibility cases just one year after this decision.

This year, under pressure, the Liberal government ultimately reversed its position by reintroducing the visa requirement for Mexicans with certain exceptions. It would, therefore, be unfair not to acknowledge that the Trudeau government is placing increasing pressure on our Royal Canadian Mounted Police, or RCMP, and CBSA officers, who must handle more situations with fewer resources all while adhering to high ethical standards.

But, here, colleagues, is the good news. We are less than one year away from an election in which a common-sense Conservative government under the able and capable leadership of Pierre Poilievre will be elected. It will restore Canada back to a country that used to be — colleagues, used to be — the envy of all law-abiding citizens anywhere rather than the envy of every criminal element in the world.

In closing, colleagues, I want to again express my gratitude to our RCMP and CBSA officers for the remarkable work they do every day for our country and our safety. Thank you.

Some Hon. Senators: Hear, hear.

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

Hon. Senators: Question.

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

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

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

THE SENATE

MOTION TO URGE GOVERNMENT TO DIRECT THE SPECIAL ENVOY ON PRESERVING HOLOCAUST REMEMBRANCE AND COMBATTING ANTISEMITISM TO CONVENE A SECOND NATIONAL SUMMIT TO COMBAT ANTISEMITISM ADOPTED

Leave having been given to proceed to Other Business, Motions, Order No. 181:

On the Order:

Resuming debate on the motion of the Honourable Senator Housakos, seconded by the Honourable Senator Dalphond:

That the Senate take note:

- (a) of the data from Statistics Canada and Jewish organizations such as the Centre for Israel and Jewish Affairs, Friends of Simon Wiesenthal Center and B'nai Brith indicating a shocking rise in antisemitic incidents across Canada over the past years;
- (b) of a global surge in antisemitism, to which Canada has not been immune, since the October 7 terrorist attack by Hamas and Israel's duty to respond to it;
- (c) that since October 2023, Canada's Jewish community has witnessed shots fired at its schools, arson attempts at its communal buildings, boycott efforts and vandalism targeting private businesses, simply because their owners are Jewish, and the intimidation of its students at universities;
- (d) that police departments across the country all report major and unprecedented increases in hate crimes since October 2023, with the Jewish community being by far the most targeted;
- (e) that the Government of Canada has appointed Deborah Lyons, Canada's former Ambassador to Israel, as the new Special Envoy on Preserving Holocaust Remembrance and Combatting Antisemitism;
- (f) that the authority vested in the Special Envoy's office permits her to be uniquely placed to convene and chair a second national summit to combat antisemitism; and

- (g) that a second national summit to combat antisemitism would provide a valuable forum for stakeholders representing all levels of government, civil servants, law enforcement agencies, educators and community leaders to share information and agree on effective strategies to blunt the unprecedented wave of hate aimed at Jews; and

That the Senate urge the Government of Canada to direct the Special Envoy on Preserving Holocaust Remembrance and Combatting Antisemitism to convene a second national summit to combat antisemitism.

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, I rise today in support of Motion No. 181, which calls for an urgent second national summit to combat anti-Semitism. Before I get to the crux of the matter on this motion, allow me to provide some background to those who are listening at home.

My colleague Senator Housakos gave notice of this motion on February 29, exactly eight months ago. He spoke on it on April 16, and debate was adjourned by Senator Dalphond. This motion was inspired by the tireless work of Mr. Marvin Rotrand of the Montreal-based organization United Against Hate Canada.

Mr. Rotrand recently contacted all the leaders of the various Senate caucuses to inquire why this motion was not progressed.

Initially, Mr. Rotrand reached out to Senator Gold to inquire about the fate of the motion. Unfortunately, Senator Gold served him the excuse that since it is not a government matter, he would not intervene to push for the motion to be debated. This is another clear example of Senator Gold's inconsistent stance about his role. He claims he will not intervene on a motion against anti-Semitism under the pretext that this is not a government motion. And yet, the same Senator Gold participated twice, just this week, at the Foreign Affairs Committee because it is studying Bill C-282. In fact, Senator Gold has been attending all committee meetings on Bill C-282, which is not a government bill.

There is an undeniable paradox here. Senator Gold refuses to lift a finger in support of Motion No. 181, but he is willing to invest significant effort in a non-government bill — a private member's bill — that doesn't come from the government or the Liberal Party of Canada. His newfound preoccupation and dedication of time towards the future of the chicken, turkey, egg and dairy farming industries is at best questionable, especially when we contrast his efforts with his lack of action and his decision to pass the buck on the issue of anti-Semitism — which we know is very near and dear to his heart.

• (1540)

In any event, after eight months of no progression, it is time for the Senate to move on this motion.

A week ago Tuesday, I invited my fellow leaders to speak on the motion and invite members of their various caucuses to do so as well. I received full cooperation.

This past Tuesday, I informed the leaders we wanted to bring this motion to a vote today. Again, we received cooperation. I am thankful for that.

Colleagues, it is time for this Senate to send a clear signal to Canadians, particularly the Jewish community, that we take the issue of anti-Semitism seriously, stand by our fellow citizens who are attacked and will push the Government to act.

It is time for us to vote on this motion because the issue of anti-Semitism in Canada has not disappeared — quite the contrary.

This motion essentially calls for the Special Envoy on Preserving Holocaust Remembrance and Combatting Antisemitism to convene a second national summit to combat anti-Semitism. As you can see, we are not asking for a lot here. The motion calls for a summit. However, the motion is crucial because it comes at a difficult time for the Jewish community here at home, but also the community everywhere around the world.

While anti-Semitism is a phenomenon that goes back to immemorial times, we have seen a rise in incidents in the past year. It is time to send a clear signal about that.

We all know what anti-Semitism means: prejudice against or hatred of Jews. For reasons that are unclear to me, anti-Semitism has persisted throughout history, disappearing from public discourse only to resurface with unprecedented intensity.

From ancient Egypt to modern times, this hatred of Jews is incomprehensible. Why is there so much hate? For centuries, Jews have been a frequent scapegoat, falsely blamed for catastrophic events, disease, economic hardships and famine.

Even today, some U.S. politicians are accusing Jews of controlling the weather and creating catastrophic wildfires using laser beams from space.

Would you like to enter the debate?

This hate is accompanied by numerous ridiculous and disgusting tropes about Jews. Some people try to rationalize anti-Semitism by linking it to anti-Zionism, claiming that the hatred of Jews stems from the hatred of Israel.

However, anti-Semitism has been around long before Israel was created in 1948. I have two problems with that argument. First, I cannot accept that profound disagreement with the policies conducted by the state of Israel equates to the hatred of the people of Israel; second, extending this hatred of Israel to people who live here is simply sickening.

Many Canadians disagree with the policies of a foreign government. They are 100% entitled to their opinion and to demonstrate in front of that country's embassy or consulate. But attacking a synagogue in Montreal or boycotting a restaurant owner in Toronto simply because of a dislike for Israel is disgusting.

Let me make one thing clear: Disagreeing with the policies of Israel does not make one an anti-Semite. But attacking Jews because they are Jews under the pretext of Israel's actions is anti-Semitism. It is Jew hatred, pure and simple.

As University of Toronto President Meric Gertler recently noted in a conference:

Discrimination based on creed or place of origin does not cease to be prohibited simply because the word "Jewish" or "Israeli" is replaced with the word "Zionist."

The position of Special Envoy on Preserving Holocaust Remembrance and Combatting Antisemitism was created in 2020. In July 2021, the special envoy organized the first National Summit on Antisemitism. As Senator Housakos pointed out in his speech, that summit led to substantial new funding for the special envoy's office, new money for the security infrastructure program, a commitment to better train civil servants and law enforcement to recognize and react to anti-Semitism and a strong statement by Canada at the Malmö International Forum on Holocaust Remembrance and Combating Antisemitism in October 2021.

Of course, the creation of the position of special envoy — and the summit — did not mean that anti-Semitism disappeared from Canada. However, it brought concrete results and served as a signal to the Jewish community in Canada that they are not alone.

The events of October 7, 2023, in Israel, when Hamas terrorists killed and injured thousands of innocent people, have opened the floodgates to Jew hatred within Western democracies.

When we talk about foreign interference, it would be interesting to know who finances those violent demonstrations. Notwithstanding which foreign power has launched a war on Jews in Canada, we need to send a clear signal that, as a country, we will not tolerate this anymore.

When someone attacks a synagogue or a Jewish school because they supposedly disagree with the government of Israel, they are an anti-Semite. When someone calls for the boycott of a Canadian business owned by a Jew because they supposedly do not agree with the government of Israel, they are an anti-Semite.

When someone occupies a building of a Canadian university that bears the name of a Canadian-Jewish donor because they supposedly do not agree with the government of Israel, they are an anti-Semite.

When someone goes to a Jewish neighbourhood wearing a mask, shouting "death to Jews" and calling for the destruction of Israel because they supposedly do not agree with the government of Israel, they are an anti-Semite.

When someone organizes a march to glorify the killers of Jews because they supposedly do not agree with the government of Israel, they are an anti-Semite.

Regrettably, what I have just described happens every week in Canada. It is deplorable that anti-Semitism appears regularly in our country.

The resurgence of anti-Semitism in Canada and around the world is of great concern. We must commit ourselves to ensuring Canada is a place where everyone can live and worship in peace and security.

Here in Canada, the Trudeau government is obviously struggling to take a clear position in support of Israel, our long-time ally.

In November 2023, former Liberal senator Jerry Grafstein wrote an open letter to the Prime Minister entitled, "Dear Justin Trudeau, rampant anti-Semitism on your watch is shameful." He said:

Attacks on Jews in Canada — bullets at Jewish schools, fire-bombing a synagogue and vandalizing restaurants or coffee shops in peaceful Jewish residential areas — are unconscionable.

Under your watch, antisemitic attacks at universities, law schools and even medical schools, is unprecedented in modern Canadian history. . . .

A year after the terrible massacre of October 7, Justin Trudeau and Mélanie Joly are still trying to say one thing and then say something contrary depending on the day and audience.

We have zero moral clarity from our government.

Colleagues, we cannot sit here and do nothing. It is time for the Senate to say enough is enough.

Anti-Semitism remains persistent and a deeply troubling issue in Canada. Therefore, the urgent need for a second national summit to combat anti-Semitism cannot be overstated. This summit could be a turning point. It will show to members of the community they are not alone. It will open dialogue on ways to educate and combat hate and discrimination. It may help us understand where the rising tide of hatred comes from.

The motion before us represents a crucial step in addressing the rise of anti-Semitism in Canada and ensuring that our Jewish community is supported and protected.

Our simple message is this: The Senate of Canada stands with you. You are not alone.

Also, we will make it clear that, as believers in the Canadian ideals of equality and nondiscrimination, we will not tolerate anti-Semitism as an acceptable and fashionable form of discrimination or as simply a byproduct of troubled times.

• (1550)

Colleagues, let's work together as parliamentarians to combat anti-Semitism and hate crimes by voting in favour of Motion No. 181. Thank you.

Hon. Yuen Pau Woo: Senator Plett, will you take a question?

Senator Plett: Certainly.

Senator Woo: I thank Senator Plett for his speech and share with him the importance of combatting the scourge of anti-Semitism and showing solidarity with Canadian Jews and Jews around the world.

You're right, Senator Plett, in pointing out there has been a rise in anti-Semitism since the horrendous October 7 Hamas attack on innocent Jewish people in Israel. The motion makes reference to that incident. It says, ". . . since the October 7 terrorist attack by Hamas and Israel's duty to respond to it . . ."

I wonder, though, Senator Plett, if you consider Israel's duty to respond to the attack as unlimited, without bounds, and whether it should be constrained and subject to international humanitarian law.

Senator Plett: I believe wholeheartedly, 100%, full stop that Israel has the right to defend itself, and I stand with it.

Senator Woo: My question is whether you agree that Israel's right to defend itself, which I agree with, should be subject to international humanitarian law, in other words, subject to the regime of war crimes.

Senator Plett: As I said, Senator Woo, Israel has the absolute, 100% right to defend itself, and I stand with them. I hope you do too.

Senator Woo: I do stand with them. Since you will not answer my question, I hope that this national summit, which I think is sorely needed, will recognize that there are limits to the right of a country to defend itself, that those limits are constrained and defined by international humanitarian law, and that if, in fact, there are credible claims of violations of international humanitarian law in Gaza, in the West Bank, this same summit will address those questions.

Senator Plett: First of all, Senator Woo, there is one way to assure absolute, complete peace: If Hamas and Hezbollah and every other terrorist out there lay down their weapons, there will be instant peace.

Senator Woo, vote for this motion. I agree; we will allow this forum and this summit to take place, and hopefully they will deal with it in the most proper way. I'm not going to be there. I'm not going to instruct them. There is no amendment to the motion. It's very clear and straightforward. I hope you support it.

Hon. Paula Simons: Senator Plett, would you take a question?

You asked me earlier if I wished to enter the conversation, and I do. As a person of Jewish descent in public life, I have been subjected to anti-Semitic attacks for 30 years. I grew up during the time of Jim Keegstra in Alberta when lies about a Jewish conspiracy to control the world were part of the everyday discourse.

You talked about anti-Semitism on the left, but I'm hoping I could ask you, as an important leader in the Conservative movement in Canada, if you will be equally committed to standing against the anti-Semitism of the right-wing conspiracy theorists who have conflated COVID protocols with war crimes, who have presented a concern about climate change as Jewish

attempts to control the weather. I'm hoping I can call on you and your Conservative colleagues to be equally vocal in calling out the toxic culture of anti-Semitism that infects much of the far-right discourse.

Senator Plett: First of all, Senator Simons, I thought it was your seatmate who interjected before. I didn't know it was you when I asked whether you wanted to enter the debate, but I probably would have made the same comment had I realized it was you.

Nevertheless, Senator Simons, you are quite free, quite open, quite welcome to introduce a motion that you would like to, and I will certainly review that motion and decide whether or not I can support it. This one has nothing to do with any of the things that you just suggested.

Senator Simons: Are you saying it has nothing to do with anti-Semitism but only to do with Israel's response in Gaza? Because I cannot imagine a conference that tackled anti-Semitism that did not also look at the horrific kind of anti-Semitic tropes that are being trafficked in by the right, particularly in the United States, the ones you just enumerated in your own speech.

Senator Plett: Again, I'm not the author of the motion, Senator Simons. I am a supporter of Israel. I am absolutely opposed to all forms of anti-Semitism. And if we want to have a debate on what anti-Semitism is, some of the things you suggested are I might agree with, and some I might not agree with. This one we probably do agree with. This is the one we are debating. Let's vote on it.

Hon. Leo Housakos: Would you take a question, Senator Plett?

Senator Plett: Absolutely.

Senator Housakos: Senator Plett, it's unfortunate in this chamber that a simple motion dealing with anti-Semitism, period, full stop — it's not a question of anti-Semitism on the left or anti-Semitism on the right, and this motion certainly doesn't debate whatsoever the geopolitical situation in the Middle East. It's calling for a conference on anti-Semitism.

I was recently meeting university students who have gotten the full thrust of anti-Semitism on a daily basis, Senator Plett, and they feel abandoned by their institutions, their governments and everyone across the board. Would any common-sense individual oppose, at this particular juncture in Canada where we've had so many attacks on the Jewish community, a simple, open conference where we will discuss the issue in a transparent fashion?

Senator Plett: Thank you very much, Senator Housakos. I fully agree with that. Senator Simons referred to the fact that she is of Jewish origin. I'm of Mennonite origin. I'm a Christian. I believe in love. I believe in loving all human beings. So I am opposed to all forms of anti-Semitism, as I said.

I am talking about one motion today, and I don't really know why we need to get into the weeds of "Are you going to support this?" or "Are you going to support that?" Again, I would

encourage anyone who wants to debate this particular motion to stand up and do so, and once we have voted — and I'm hoping it is positively on this motion — and others have other motions to bring forward, I certainly will be willing to entertain speaking to or considering those.

[*Translation*]

Hon. Pierre J. Dalphond: I intend to vote in favour of this motion moved by Senator Housakos, which I supported and continue to support. This is not a political issue for me. This is not the time nor the place to decide what is happening in the Middle East. These are serious issues. What we need to talk about is anti-Semitism in Canada, and that is a non-partisan issue.

[*English*]

Honourable senators, I rise as a seconder of Senator Housakos's motion to condemn anti-Semitism in Canada and around the world.

Hatred and hateful perceptions of Jewish people go back many centuries. The author Robert Wistrich called anti-Semitism "the longest hatred." Yet, we still have not fully grasped the lesson that history has taught us time and again: The most extreme manifestations of hatred do not happen overnight. They are the culmination of a series of events that society witnesses and fails to confront.

Colleagues, anti-Semitism is a kind of cancer that must be eradicated at its first sign. Failure to respond quickly can lead to the worst consequences.

This was true of the Holocaust, a deliberate, organized, state-sponsored persecution and genocide of 6 million Jews living in Europe. The alarm bells sounded well before the Nazi regime implemented the final solution, a campaign of annihilation that would take the lives of two out of every three European Jews.

Upon assuming power, Hitler stripped Jews of their property and their positions in academia, the judiciary, the military and the civil service. Then came the Nuremberg Laws, enshrining in law discrimination against Jewish people.

• (1600)

On Kristallnacht in November 1938, more than 250 synagogues were destroyed, innumerable Jewish businesses and homes were vandalized and destroyed, 91 people were murdered and some 30,000 Jewish men were sent to Nazi concentration camps. Still, the world did not act quickly and decisively. This genocide and the collective failure to respond to it quickly will forever stain human history. In the wake of the Holocaust, humanity vowed, "never again." Sadly, however, anti-Semitism continues to poison the minds of many people around the world today.

Unfortunately, Canada has not been shielded against the resurgence of anti-Semitism. Last year in Montreal, we saw firebombings of a synagogue and a Jewish community centre. We saw Montreal's oldest synagogue defaced with Nazi signs. In

May in Toronto and Montreal, we saw shots fired at Jewish schools. This resulted in parents becoming afraid to send their kids to school.

I met with representatives of Jewish communities in Montreal and Toronto who spoke to me about their fears and the prevailing insecurity for them and their children. This month in Toronto, on the Jewish holiday of Yom Kippur, we again saw shots fired at the same Jewish girls' elementary school. It breaks my heart that anyone wanted to terrify students — children — and their families because they are Jewish. These incidents are only the tip of the iceberg.

According to Statistics Canada, in 2023 there were 900 police-reported hate crimes against Jewish people, representing a 71% increase from the previous year. In October 2024, Statistics Canada data for the first two quarters indicated that our Jewish neighbours were the number one overall group to be targeted in reported hate crimes, making up 17.6% of the total.

Colleagues, we know all too well that incidents of hate have risen since the atrocities of the October 7 terrorist attacks last year. New acts of hate seem to happen constantly, but let's all be united in saying that this hatred and violence have no place in Canada or anywhere. Our country is a society of Charter values, where freedom of speech is protected to sustain respectful dialogue. However, hate speech, intimidation and threats have no place in our country.

At this difficult time, we must listen to Deborah Lyons, Canada's Special Envoy on Preserving Holocaust Remembrance and Combatting Antisemitism. As I referenced in a statement in May in a joint interview with Amira Elghawaby, Canada's Special Representative on Combatting Islamophobia, Ms. Lyons said:

Amira and I work very closely together, and I think it's important that we demonstrate to Canadians that, even during a time of fracture and pain, we as Canadians come together — based on our Canadian values — compassionately, respectfully, to work together, even when we disagree, but to work together toward the kind of Canada we want to have.

[*Translation*]

Despite that appeal, we have to recognize that many people of the Jewish faith in Canada still live in constant fear, whether in the streets, on campuses or elsewhere.

As I said, anti-Semitism is a cancer that must be eradicated from our society. What can we do to combat anti-Semitism and support our Jewish fellow citizens?

As I was reflecting on this, I was moved by an interview broadcast on Radio-Canada last May. Author Lawrence Hill said:

These are very serious times, and I find that sometimes it's easier for some people to hate than to love. But loving is what you have to do.

Colleagues, I agree with Mr. Hill that love can vanquish hate. Love must spread through education, dialogue and empathy. We are all responsible for building bridges as parliamentarians, as neighbours, as teachers, as coaches, as friends and as fellow citizens. This is what our Canada must be, and we must never let racism and hatred build walls between us.

As the Torah says in Leviticus 19:18: “Love your neighbour as yourself.”

[English]

To Jewish people — in Canada, in Israel and around the world — I speak for many when I say that there should be no place where anti-Semitism can hide and instill hatred. The better angels of humanity wish for your safety, peace and peace of mind.

Though my focus is not on current events in the Middle East, I must add that any positive depiction of the terrorist attacks of October 7 is despicable and un-Canadian. The celebration of murder, rape, torture, hostage taking and other atrocities must never be tolerated in our society.

Sadly, we have seen this disgrace occur in Canada since October 7 of last year. Canadians are entitled to scrutinize Israel’s conduct of hostilities and the policies of its government, just as Israelis do — as in any robust democracy. However, the acts of glorification and support for Hamas seen since October 7 are an entirely different and disturbing matter.

We are collectively responsible for sounding the alarm and taking action when legitimate discussion or criticism of Israeli government policy or conduct crosses the line into anti-Semitism or the marginalization of our Jewish neighbours. In some cases criminal prosecutions may be justified, but the most effective response must be respectful dialogue between those holding different views on these events and finding ways to restore peace.

We should also be united in calling for the safety and immediate release of all hostages. Fathers, mothers and children must be returned to their families. This is the only option if you believe in love.

As you know, colleagues, our country is home to the third-largest Jewish population outside of Israel. The immense contributions of Jewish Canadians have enriched our democracy and our multicultural society.

I think of Bora Laskin, a labour law icon and the first Jewish man appointed to our Supreme Court of Canada and was the Chief Justice of Canada when I had the honour to clerk at the Supreme Court.

I think of the Honourable Irwin Cotler, our former minister of justice and a human rights icon with whom I have the honour to work from time to time on international human rights issues.

I think of Rosalie Abella, a champion for women’s rights and equality for all, the first Jewish woman appointed to the Supreme Court of Canada and the first refugee appointed to the bench in Canada.

I think of the Right Honourable Herb Gray, a former deputy prime minister and the first Jewish federal cabinet minister in Canada.

I think of the Honourable Marc Gold, our second Government Representative in the Senate, as well as his father, the late Alan Gold, Chief Justice of the Superior Court of Québec from 1983 to 1992.

• (1610)

I think of Minister Ya’ara Saks, the first dual Canadian-Israeli citizen in the federal cabinet. I think of Barbara, Linda and David Frum. Former senator Linda Frum was a distinguished member of this chamber with whom it was always a pleasure to work. I think of Bobbie Rosenfeld, Leonard Cohen, Mordecai Richler, Neve Campbell, Eugene and Dan Levy, William Shatner and Seth Rogen.

Our society has come a long way since 1807. That year, fellow Quebecer Ezekiel Hart was elected to the Legislative Assembly of Lower Canada, making him the second Jewish person elected to office in the British Empire. However, he was not allowed to take his seat because of his faith. It was only decades later, in 1832, that the Legislative Assembly of Lower Canada granted Jewish people political rights.

In 1926, McGill University adopted an informal ban on Hebrew students from outside of Quebec. In 1934, interns at the Notre-Dame Hospital in Montreal went on strike, the first medical strike in Canada, to demand the resignation of Dr. Sam Rabinovitch because he was Jewish. Think about our refusal to let the passengers of the *MS St. Louis* — including over 900 German Jews — disembark and enter Canada, forcing them to return to Europe in 1939. The Nazis murdered 254 of them in the Holocaust. That fact will haunt Canada forever.

However, no society is beyond redemption. Montreal’s Raoul Wallenberg Centre for Human Rights reminds us of our ideals and of progress towards equality and justice for all people, as well as the need to denounce all forms of fundamental human rights violations.

Sadly, the fraught and heated Canada we sometimes see since last year in our cities is not our country at its best. We as senators must do our part to restore respectful relations and dialogue between all communities in our country.

I’m glad to hear the Standing Senate Committee on Human Rights will soon initiate a study on anti-Semitism in Canada.

In this effort, I agree with our Special Envoy on Preserving Holocaust Remembrance and Combatting Antisemitism and former ambassador to Israel, Ms. Lyons, when she said, “No greater remedy to the antisemitism threat than a full effort on education for all ages.”

This includes teaching Canadians, especially youth, about the horrors of the Holocaust. Indeed, the fact that young people lead in Holocaust skepticism in Canada shows us just how much work needs to be done.

As Yad Vashem, the World Holocaust Remembrance Center, observes:

. . . Many youths today regard history not in the sense of where they have come from, but rather as a bygone series of events that are “past,” while they themselves are living “post.” This viewpoint is dangerous in that it is disjunctive rather than connective.

In addition to Holocaust education, there is also a vital need for learning around contemporary forms of anti-Semitism. On this point, I was very pleased to learn that — just today and thanks to the leadership of the special envoy — Canada has published a new guide to combat anti-Semitism, which is available online. The *Canadian Handbook on the IHRA Working Definition of Antisemitism* is available now on the website.

In drafting the handbook, over 100 individuals were consulted, including Jewish community leaders, the Canadian delegation to the International Holocaust Remembrance Alliance, or IHRA, rabbis, academics, teachers, lawyers, civil servants, political staff and law enforcement personnel. Numerous experts on anti-Semitism were included in the consultations.

[*Translation*]

The rise of anti-Semitism in Canada is a cancer that demands an immediate response using various means.

Of course, our schools need to educate kids about the dangers of anti-Semitism and the horrors of the Holocaust, and police and prosecutors need to be trained on how to deal with hate speech, but all leaders, whether they are religious, political or community leaders, also need to adopt responsible behaviours.

We also need more tools to help us identify and combat all forms of anti-Semitism, like the handbook we published today. The office of the special envoy, Ms. Lyons, is also partnering with government agencies to gather information and research. She is in touch with researchers and organizations across the country.

In adopting this motion, we are also asking her to convene a second National Summit on Antisemitism in due course as a complement to her current efforts on other aspects of the strategy to combat anti-Semitism.

However, this work is not her responsibility alone.

Everyone, but especially senators, given our special role of protecting minorities within our society, should hold our Canadian values high and encourage respectful dialogue, not hate. Our chief concern should be to build bridges, not walls, between communities.

The fight against anti-Semitism must be multi-pronged, involving education, research, publications, conferences, public awareness campaigns, including on social media, and, in some cases, criminal and civil prosecution. No tool must be overlooked in the fight against this scourge that is not only an attack on our Canadian values, but a threat to our fellow Canadians of the Jewish faith.

[Senator Dalphond]

It is in this spirit that I, along with my colleague Senator Housakos, whom I thank once again, drafted the motion we are seized with today. I urge you to consider it as a means of drawing Canadians’ attention to the rise of anti-Semitism in Canada and the urgent need to address it.

Thank you, *shalom*.

Hon. Julie Miville-Dechêne: Senator Dalphond, would you take a question?

Senator Dalphond: Of course.

Senator Miville-Dechêne: I’d like to begin by congratulating you on your profound and heartfelt speech. Obviously, like you, I deplore the rise of anti-Semitism since the events of October 7, 2023.

Like you, I was stunned by the horrors of the October 7 attack, which not only killed civilians, but also involved the terrible act of rape committed against Jewish women, as we later learned. It’s all horrific.

That being said, I have carefully read and reread the text of the motion you drafted with Senator Housakos.

I’d like to understand why the following words were chosen, and I quote: “since the October 7 terrorist attack by Hamas and Israel’s duty to respond to it.” I must admit that I’ve reflected carefully on this word choice, “Israel’s duty to respond,” because now we start to get into what happened. We start to get into the highly controversial issue of the scale of Israel’s response to what we can all agree was a horrific attack.

Is it appropriate to use these words, given what’s happening in Gaza? I’m talking about the words “Israel’s duty to respond” instead of “right to respond” or something a little more neutral.

• (1620)

Senator Dalphond: The motion was written several months ago in a context that is different from today’s. There is no doubt in my mind that any country that is attacked has a duty to protect its citizens and respond to the attacks.

Beyond that, international law sets out rules of engagement, limits on how to respond, and so on, and I don’t want to get into that.

My goal is to say that we can discuss these matters. The question you are asking is valid : Is the use of force excessive? These are valid questions that many people in Israel and Canada are asking and that we have the right to debate. Let’s do it respectfully, in an educated and well-informed manner, always with the same objective of finding a path forward, compromises and answers that might lead to the peace we want to see for everyone in the Middle East.

We don’t want to add fuel to the fire or make it impossible to walk down the street without fear. Senator Marc Gold’s wife was harassed for being Jewish while walking around in her neighbourhood. That kind of thing is unacceptable.

[English]

Hon. David Richards: Senator Dalphond, I will ask a question and make a comment. Have you ever heard of the Rabinovitch family from Toronto? They are the sponsors of the Giller Prize, which is the greatest prize in literature in Canada. They are a Jewish family, and they raised the profile of dozens of Canadian writers, one of them being me, and I'm eternally grateful to them. They are wonderful human beings. Last year, the Giller Prize was invaded and taken over. This year, when I received my invitation, they didn't disclose the location of the prize's gala because they are afraid that people will find out where it is and invade it again. They are under threat because they are giving one of the greatest prizes in Canadian literature that has ever been awarded to the public. I thought I would mention them, and that's why I'm supporting this motion.

The Hon. the Speaker: Was there a question, Senator Richards?

Senator Richards: My question was asked first. I asked whether Senator Dalphond has ever heard of the Rabinovitch family.

The Hon. the Speaker: Thank you for reminding me.

Senator Dalphond: Just at the beginning, I remembered there was a question. Honestly, I was not aware of that prize, and I'm not as well written as you are. I refer more to people who have left their imprint on law and politics, which I know better. Certainly, what you said is in line with what I am saying and with what I hear.

I was attending a conference here in Ottawa one night, and it happened to be organized by leaders of the Jewish communities regarding human rights. I couldn't believe that my friend Irwin Cotler had to be escorted by four RCMP members because there were so many threats that they would be killed, so they needed 24-hour protection. His house has to be under constant surveillance by the Montreal police. To me, it is beyond what I can accept.

If we let this continue, we are destroying our values. We have to stand up and say, "No, that's enough." You have the right to protest, you have the right to oppose and you have the right to support this or that, but when you're on the side of the street, don't harass people and be respectful. There is no excuse to threaten people and to make the lives of people miserable. That's not the way we are going to solve problems. That's building walls.

Hon. David Arnot: Honourable senators, I rise today to express my support for Motion No. 181, which asks the Government of Canada and the Special Envoy on Preserving Holocaust Remembrance and Combatting Antisemitism to convene a second National Summit on Antisemitism. This is a critical moment for Canada — a time when we must confront the alarming rise in anti-Semitism in our country.

As the motion rightly states, the shocking increase in anti-Semitic incidents across Canada is backed by clear and unambiguous data. B'nai Brith reported 5,791 anti-Semitic incidents in 2023 — the highest ever recorded in Canada, marking a 109% increase over the previous year.

Moreover, Statistics Canada confirms that Jewish people are the most targeted religious group in the country, accounting for more than 56% of religiously motivated hate crimes, despite comprising less than 1% of the population. The number of police-reported hate crimes against Jewish people increased by 64% between 2019 and 2022.

This alarming trend is not confined to Canada. Across Europe and North America, reports from the Anti-Defamation League, or ADL, and the European Union Agency for Fundamental Rights indicate that anti-Semitism is rising globally, exacerbated by events in the conflict between Hamas and Israel.

The Office of the Special Envoy on Preserving Holocaust Remembrance and Combatting Antisemitism is uniquely positioned to coordinate stakeholders across sectors, including government, law enforcement and community leaders.

A second summit would provide a valuable platform for developing cohesive strategies to combat the unprecedented wave of hate crimes aimed at Jewish people, which our society must confront without delay.

In addition to convening the summit, we should take note that the Senate continues its tradition of supporting human rights, including the rights of Jewish people. The Standing Senate Committee on Human Rights has committed to studying anti-Semitism in the Canadian context commencing later this year in November. As the committee previously explored the issue of Islamophobia in November of 2023 — it was a year ago when our report was made public — such a study will generate a companion report into the specific challenges facing Jewish Canadians today. It will build on existing data from Jewish organizations and help us evaluate the effectiveness of current policies.

I believe that a study and a national summit will be complementary and support meaningful action. Experiential and data-driven insights must be used to inform effective policies, enhance resource allocation and improve law enforcement efforts. This unbiased work should create public awareness and foster social cohesion at a time when divisions within our society are deepening.

We must also acknowledge there are potential challenges with holding a summit or a study. In addition to treading carefully to balance free speech and hate speech, especially in discussions about Israel and Palestine, we know that the issues drive divisive and sometimes hostile responses.

There may also be concerns about government overreach if new measures and regulations are proposed to curb online hate. Despite these challenges, the benefits far outweigh the risks. A thorough examination will allow us to address anti-Semitism in a measured, evidence-based way while upholding Canadian values of human dignity and freedom.

Honourable senators, Motion No. 181 is a call to action that Canada cannot afford to ignore. A second National Summit on Antisemitism would provide a vital forum for collaboration across sectors. The Senate Human Rights Committee's own study will ensure our efforts are informed, inclusive and effective.

In the face of unprecedented hate, we must act decisively. Anti-Semitism has no place in Canada, and, together, through education, law enforcement and policy reforms, we can blunt the wave of hate and build a society where all Canadians feel safe and respected.

I support Motion No. 181 and invite you to do so as well. Thank you.

Hon. Hassan Yussuff: Honourable senators, I rise to support Motion No. 181. It is important in the context of this debate that we reflect our own values because, too often, when we talk about issues of anti-Semitism, as we also talk of Islamophobia, it is not an abstract debate or discussion. We are talking about the impact on the lives of our fellow citizens, our friends, our neighbours and our own children. I think since, of course, the period of October 7, we have seen it increasingly rise.

• (1630)

But anti-Semitism was also here. It was maybe not as apparent to many of us, but it was also here, and it continued to thrive. The reality is that it is always going to take a tremendous effort on behalf of all of us if we truly want to build a society that is equal.

I'm speaking to you today as somebody with a Muslim name. I'm not a religious person. I never was when I was young, and I'm not today. I also know my own equality and treatment cannot be assured if the equality of treatment of my sisters and brothers in the Jewish community is not assured. Because what I like to take for granted, I know, is dependent on the rest of society accepting me as an equal citizen in my own country.

Now, I wasn't born here. I came here when I was 16 years old. I grew up in a country that perpetuated racism. I was too young to really understand it when I left, only later to realize fundamentally how it shaped my own life and the impact it had on me and my own family. Two of my uncles were murdered because of being in the wrong place at the wrong time.

I understand what it's like for a community to feel that they are by themselves. How could somebody possibly want to firebomb a place of worship? This is Canada. How could they possibly want to shoot at a school, where children are trying to get an education? Why would you want to disrupt the place where people go to pray?

There are some things in our society that we take as sacred, but the reality is, of course, as we know, we weren't born with these values. We learn them over time.

My young daughter came back one day from therapy, and she said, "Dad, one of my friends in therapy told me that there was a bomb threat in their school." And I said, "How did you deal with

it?" She said, "I didn't know what to say." I said, "Well, what if it was a bomb threat in your school?" And she said, "I wouldn't like that."

Her friend's school was a Jewish school.

I said, "You need to understand that when these things happen, not only do you need to have empathy, but you also need to understand that they are fundamentally wrong, and you need to recognize that no school — whether it is a Jewish school or a Muslim school or any religious school — should ever have to go through that, and no children should ever have to live in that reality."

Colleagues, as we know, hatred is something that no matter how much the summit will accomplish, no matter how much the secretariat work will be relied upon for us to educate Canadians, we will not end hatred in our society, and especially hatred for our Jewish brothers and sisters. It will take a continuous effort of every generation to stand up and say, "We will not tolerate it."

For the longest time in my life, I could not go to Germany because I couldn't get over the war. I couldn't get over what happened. When I finally went there, I went to one of the memorials, and, for the life of me, I know German people struggled when they erected that to remind the world that they understood and they take responsibility.

I stood there for the longest time, complete pain in my heart, trying to understand how something like that could happen in the world, where 6 million brothers and sisters were murdered, and yet in a modern society, people still carry that hatred. How is that possible?

Colleagues, I know we will pass this motion unanimously in this chamber, but a motion is only the words. It is the action that we must live every single day in the work that we do.

As for my young daughter, I hope she grows up in a world — when she becomes an adult — where hatred is not part of the world that she will live in. But I know I'm deluding myself. I know I'm deluding myself.

We are part of the most beautiful country in the world where, possibly, human beings from every part of the planet have come to settle, and we recognize one of the fundamental things about coming to this country is the way we live. We accept each other, and we should treat each other with respect and dignity. Too often, we tend to forget that. It will take a generation.

When I was a leader in the labour movement, I recognized a long time ago that the movement that I grew up in was rife with racism. I was a co-chair of the first National Anti-Racism Task Force for the Canadian Labour Congress. As I went across the country to talk to my fellow union brothers and sisters, it broke my heart when I heard what fellow union members were facing in their own union.

When the report was finally released, I remember a journalist saying, "Why would the labour movement examine itself and then make it public?" One of my responses was, "I hope we will take action to change our behaviour because if we don't

acknowledge it, we cannot fight it. And if we don't have a commitment in the leadership, we will never change how we behave."

Colleagues, I know the importance of this motion and what it means, not just for our debate here in the chamber but also for my sisters and brothers in the Jewish community. But it should mean more than that. It should mean that it is what we talk about on a constant basis and what the reality is that our Jewish brothers are facing on a daily basis.

I hope my young daughter's life has been enriched because of her Jewish friendship. I can tell you that some of my friends, as we are constantly meeting and talking about anti-Semitism and some of the issues that they are struggling with, worry about the future. I cannot reassure them any more that things will get better, except I make the commitment in my own life and in my own actions and behaviour that I will do my part to ensure our country is rid of anti-Semitism.

Thank you so much.

Hon. Michael L. MacDonald: I don't have prepared remarks, but I want to say a few words. I feel obliged, as a Cape Bretoner, to say a few words.

Most people don't know this history, but for the first half of the 20th century, the largest Jewish community in Canada east of Montreal was in industrial Cape Breton. In fact, there was a time that there were four synagogues in industrial Cape Breton. There is only one today, and the community is much reduced in numbers, but that reduction in numbers is one of upward mobility, not of social marginalization.

The Jewish community in Cape Breton was an early community. Most of them arrived over before the First World War. At one time, there were over 300 families. The first generation really came over with nothing, and they worked so hard. The first day, when the young guys would come over, their family would be there, and they'd have dinner for them, and then the next day they would put them out to work. Most of them at that time were, I guess, peddlers. They went out and worked around the island and tried to save enough money to set up a business and establish themselves.

• (1640)

They did a great job of it. By the end of the Second World War and the mid-1950s, when I was born, they were by far the most notable business community on the island, and they were so philanthropic. They gave so much back to the community.

I remember when I got appointed to the Senate, there was a Jewish meeting here on the Hill, and Rabbi Medjuck was the guest speaker, so I wanted to go. Rabbi Medjuck was from Glace Bay. His brother Ralph was a law partner for years with John Buchanan, who was the Premier of Nova Scotia later and, of course, a senator. I went to the meeting, and Rabbi Medjuck talked about his life growing up in Cape Breton. I was so proud when he said this. He said that growing up in Cape Breton, neither he nor his family nor any of his friends ever experienced one anti-Semitic incident. I think that's a wonderful reflection on the Cape Breton that he grew up in.

They always punched above their weight in Cape Breton. The contribution they made, and I know Senator Cuzner would back me up on this, being from that area — I think we have an obligation to speak up for them, and I will.

There are some great stories from the community. I always loved the one that was told by the Nathansons where one of the young sons came over, and he was 14 or 15, and they put him out on the road in the early fall, saying, "Go out and make some money and work." He was walking around rural Cape Breton before the First World War. He was gone for six months, and he finally gets back to his table with his family and, of course, they're all speaking Yiddish. Then they stop and say, "Okay, enough Yiddish. Let's hear your English. How is your English coming along?" So he started to speak, and their jaws dropped. Not a word of English, nothing but Scottish Gaelic. He got snowbound in Cape North for about three months. The MacLeod family took him in, and he learned all the English he could learn.

I remember my grandfather roomed with Dave Epstein at the home when they got older, and Dave had all kinds of stories. He was one of those young men who went around the island. He'd say to me, "Michael, Michael, Michael, I speak five languages. Can you guess them?" I'd say Russian — yes. German — yes. Yiddish — Yes. English — yes. I couldn't get the fifth, and he'd say, "Scotch." The same thing.

He would tell me that when he opened his business — he had a very successful clothing business for many years — all the old people from the country, who didn't have a lot English then, would always frequent his store because he could communicate with them.

There are so many great stories. They made a great contribution to Cape Breton. They are respected in Cape Breton. Again, they're all over this country. Many of the Cape Breton community are in Halifax, Montreal, Toronto, New York — you name it. They're all so successful, and they all come back, and they're still very philanthropic towards the island.

I find it extremely difficult to see what's going on in this country when it comes to the open expression of anti-Semitism. I think our universities had better reassess how they're handling this matter because I think they've been far too active in promoting this mindset in this country.

I certainly support this motion, and I encourage all honourable senators to do the same. Thank you.

Hon. Salma Ataullahjan: Honourable senators, as you can see, I have no prepared notes, but I feel compelled to speak as a practising Muslim and as someone who has Jewish family members. I have a sister-in-law who is Jewish; I have a nephew who is married to a Jewish woman. This hatred puzzles me. As a family, we have lived together. We love each other. So I am puzzled.

I want to share with you that when I came to this country 43 years ago — most of my life has been spent in this country — if anything happened to the Muslims, it was our Jewish brothers and sisters who stood up and spoke in support of us. So now I struggle, and as a human rights person I struggle, because I don't

have hatred for anyone based on their ethnicity, their religion or colour. Because I see the similarities between us. I see what we want for ourselves and what we want for our children.

We need to stand in solidarity with each other at this time, be it with the Jewish community or be it with the Muslim community. We need to stand with Canadians who are hurting.

I didn't intend to speak, but after Senator Yussuff, Senator Dalphond, Senator Plett and Senator Arnot spoke — and as you learned, the Human Rights Committee — when we did the study on Islamophobia and I found out there hadn't been a study on anti-Semitism, I was surprised. That's why we propose that we look at anti-Semitism.

I want to say that I stand in solidarity with those who are suffering. I stand in solidarity with the children who don't understand this hate. I will tell you the story about my daughter when she was in kindergarten, and she came back from school and said, "Oh, we have a new kid in class." You know my mindset; we grew up differently. I said, "Oh, what ethnicity is she?" And she said, "Let me think." And that day, I realized that children see beyond colour and beyond ethnicity. That is what makes Canada so beautiful, and that is why people all over the world aspire to come to Canada — because they can practise their faith. They can be who they want to be, but in love and respect for each other.

I just want to say that I stand in solidarity with my Jewish brothers. There is no need for anti-Semitism. As leaders, we need to be examples. We need not to spread discord and spread hate. We need to show everyone.

We are here in this chamber, and I don't know what religion most of you practise, what you believe in, yet we all get along. I will stand and support you, and I think that's the important message — that, as leaders, we support the people of Canada and what they believe in. Thank you.

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, I was not planning to speak, but I want to say a few words in my personal capacity as a Jew and as somebody who was blessed to be born in this country at a time — and I'm one of the oldest folks in this chamber, so I think I can speak for all of us. We didn't think — at least those of us who were born and raised here in the 1950s and the 1960s, and I certainly didn't think — that my community would be going through what it has gone through for the last year.

I just want to thank all of you for your expressions of support. The speeches have been very touching to me and to my community and my family. It encourages us through the study that our committee is doing to dig deep and unpack what truly is the oldest and longest hatred.

It is necessary but not sufficient to show empathy. Actions are what is needed but also understanding, really understanding and peeling back the layers of the rhetoric. Because anti-Semitism — I'm not sure; it might have been Senator Plett who called it a virus or someone else — it morphs. In every generation, the Jewish community becomes the avatar into which people fill their frustrations, their anger and their beliefs — conspiratorial most of the time if not all the time — for what ails the world.

[Senator Ataulhjan]

We have a job of self-education, and we have a job of action. But most importantly, I just want to stand here and thank you. It means a great deal.

• (1650)

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

Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to.)

HEALTH OF ANIMALS ACT

BILL TO AMEND—FOURTEENTH REPORT OF AGRICULTURE AND FORESTRY COMMITTEE—DEBATE ADJOURNED

The Senate proceeded to consideration of the fourteenth report of the Standing Senate Committee on Agriculture and Forestry (*Bill C-275, An Act to amend the Health of Animals Act (biosecurity on farms), with an amendment and observations*), presented in the Senate on October 29, 2024.

Hon. Robert Black moved the adoption of the report.

He said: Honourable senators, I have the honour to present the fourteenth report of the Standing Senate Committee on Agriculture and Forestry, which deals with Bill C-275, An Act to amend the Health of Animals Act (biosecurity on farms).

We had seven meetings, totalling almost 10 hours, during discussion of this bill. We heard from 23 witnesses, had one meeting for clause-by-clause consideration and received 11 written briefs.

I would like to add that, by comparison, the other place only held three committee meetings on this bill.

We heard from animal activist groups, vaccine and infectious diseases specialists, veterinary experts, legal experts, farmers, ranchers, producers, processors and government representatives.

Colleagues, there has been support both for and opposition to this bill.

We also heard twice from the sponsor of the bill from the other place, M.P. John Barlow, once during our first meeting and again at our last meeting.

During clause-by-clause consideration of the bill, government representatives were present to answer any last-minute questions from committee members.

Mr. Joseph Melaschenko, Senior Counsel, Agriculture and Food Inspection Legal Services, was the representative from Justice Canada who attended our clause-by-clause meeting.

Senator Dalphond tabled one amendment, which was adopted. He amended page 1, by replacing line 6 with “9.1 No person shall . . .”

According to Senator Dalphond, this amendment was proposed based on two concerns. The first was that compliance may be exceeding federal jurisdiction. The second was to ensure that every person on a farm, in a building or an enclosed place on farm property will have to comply with biosecurity protocols and that the owners of the farm will have to ensure this.

The amendment was then debated, and concerns were raised that farmers might find it difficult to enforce biosecurity protocols with non-authorized individuals on their farm.

It was also noted that a similar amendment was proposed and defeated in the other place in the Standing Committee on Agriculture and Agri-Food. During the discussion on the amendment, it was noted that amending a bill at this stage will, in all likelihood, kill the bill, as it will cause an unnecessary delay; the bill could die on the Order Paper if amended.

After debate, the amendment was voted on and adopted with seven yeas and six nays.

The committee then discussed Senator Dalphond’s observation, which stated that:

The committee recognizes the importance of biosecurity on farms and observes that, according to evidence from a representative of the Canadian Food Inspection Agency, compliance with biosecurity protocols is currently voluntary. The committee observes that the Governor-in-Council has the authority to make obligatory regulations to protect biosecurity on farms under Section 64 of the Health of Animals Act. The committee urged the Governor-in-Council to develop and implement effective regulations on this subject.

The observation passed with eight yeas and five nays.

I would like to conclude by thanking the Library of Parliament analysts, the clerk and all committee staff for their diligent work throughout this study.

I would also like to thank my many Standing Senate Committee on Agriculture and Forestry colleagues for their hard work and perseverance throughout the study of our bill, including the ones who joined the committee only for clause-by-clause consideration. I hope that your interest in agriculture continues to grow and that you come back to hear the excellent testimony from witnesses throughout the entire value chain.

Thank you to all my honourable colleagues for listening to me today and continuing to support Canadian agriculture.

Thank you, *meegwetch*.

(On motion of Senator Martin, debate adjourned.)

[*Translation*]

CRIMINAL RECORDS ACT

BILL TO AMEND—THIRD READING—
MOTION IN AMENDMENT—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Pate, seconded by the Honourable Senator Moodie, for the third reading of Bill S-212, An Act to amend the Criminal Records Act, to make consequential amendments to other Acts and to repeal a regulation, as amended.

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

That Bill S-212, as amended, be not now read a third time, but that it be further amended, in clause 5, on page 3,

(a) by replacing line 5 with the following:

“(a) ten years, in the case of an offence that is prose-”;

(b) by replacing line 14 with the following:

“(b) five years, in the case of an offence that is punish-”.

Hon. Bernadette Clement: Honourable senators, I move, in the name of Senator McBean, that further debate be adjourned until the next sitting of the Senate.

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

Hon. Senators: Agreed.

(Debate adjourned.)

[*English*]

COPYRIGHT ACT

BILL TO AMEND—THIRD READING

On the Order:

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

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

Hon. Senators: Agreed.

(Motion agreed to and bill read third time and passed.)

COPYRIGHT ACT

• (1700)

BILL TO AMEND—THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Housakos, seconded by the Honourable Senator Martin, for the third reading of Bill C-294, An Act to amend the Copyright Act (interoperability).

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

Hon. Senators: Agreed.

(Motion agreed to and bill read third time and passed.)

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: I ask leave to reset, please.

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

Hon. Senators: Agreed.

(Debate adjourned.)

CORRECTIONS AND CONDITIONAL RELEASE ACT

BILL TO AMEND—SECOND READING—DEBATE ADJOURNED

On Other Business, Senate Public Bills, Second Reading, Order No. 24:

Second reading of Bill S-281, An Act to amend the Corrections and Conditional Release Act (parole review).

Hon. Yonah Martin (Deputy Leader of the Opposition): I ask leave to move adjournment of the debate.

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

Hon. Senators: Agreed.

(Debate postponed until the next sitting of the Senate.)

PUBLIC SECTOR INTEGRITY BILL

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Dalphond, seconded by the Honourable Senator Cordy, for the second reading of Bill C-290, An Act to amend the Public Servants Disclosure Protection Act and to make a consequential amendment to the Conflict of Interest Act.

Hon. Hassan Yussuff: Honourable colleagues, I rise to speak to Bill C-290, the public sector integrity act. The professional members of our public service play a fundamental role in our democracy by providing elected representatives with independent, nonpartisan advice, allowing them to make the best possible decisions with the best possible evidence for the good of the public. They are also first in the line of defence to protect the public interest from wrongdoing, whether illegal or improper, inside the machinery of government.

Having laws in place that effectively protect public servants who discover wrongdoing and give them the ability to come forward, freely and without fear of reprisals, to shine a light on wrongdoing is fundamental in our democracy.

Today, I want to talk about the importance of strengthening our current whistleblower law, the Public Servants Disclosure Protection Act, and why I support Bill C-290 that intends to do just that.

Colleagues, our current whistleblowing law has been in effect since 2007. Although it appears to be good in theory, it has been criticized by many for being wholly ineffective in practice. If our laws are not effective in practice, then they are not worth the paper they are written on. We are debating Bill C-290 after its unanimous passing in the other place because the current whistleblowing legislation is not working as it was intended.

Let me give a sobering fact to make this point clear. According to the findings of the 2021 International Bar Association report on whistleblowing laws in 38 countries: Canada ranked last. They found that Canada was tied with Norway and Lebanon in having the worst whistleblower-protection laws, only matching 1 out of 20 best-practice criteria.

The world has changed considerably since the Public Servants Disclosure Protection Act was passed some 19 years ago. I believe Bill C-290 will modernize our current legislation with the intent of making it more effective by giving public servants a tool to expose actions that are potentially illegal, unethical or inconsistent with public service values and to have those concerns acted upon in a fair and an impartial manner.

Honourable senators, I would also like to talk about what this bill is about and why it is worthy of being sent to committee for further study. The current problem that the bill is trying to address is not the lack of whistleblowing legislation in Canada but the ineffectiveness of the current law to protect whistleblowers and the public's interest.

As I mentioned earlier, we have legislation in place that was enacted 19 years ago to protect whistleblowers in the federal public service and to provide a process to allow them to come forward and expose unethical or illegal behaviour. This legislation is called the Public Servants Disclosure Protection Act. I would like to give context to where Bill C-290 comes from.

In 2017, the House of Commons Standing Committee on Government Operations and Estimates decided, at the request of the President of the Treasury Board, to conduct the first statutory review of the Public Servants Disclosure Protection Act since its implementation in 2007. They made 15 recommendations.

The committee report found that although some senior public servants believed that the act was working well, they could find no evidence to support this claim. They found that the act was lacking in six areas.

First was a lack of clarity around public interest proposed in the acts. Second, the disclosure mechanisms under the act do not necessarily ensure the protection of the public interest. Third, the act does not sufficiently protect whistleblowers from reprisal, as most of them face significant financial, professional and health-related consequences as a result of coming forward. Fourth, the committee held the perception that the federal organizational culture towards disclosure of wrongdoing seemed to be one of discouraging it. Fifth, mandatory annual reporting, as prescribed under the act, is inadequate to provide a meaningful evaluation of the effectiveness of the disclosure mechanism. Last but not least, sixth, public service external experts lack confidence in the adequate protection of whistleblowers under the act, mostly due to the potential conflicts of interest of those administering the internal disclosure process.

The committee issued that report in 2017; however, there had been no real progress in implementing their recommendations until the proposed legislation was introduced. Instead, the government announced in November 2022 its intent to appoint an external task force that would explore revisions to the Public Servants Disclosure Protection Act.

The report with recommendations is only expected by the end of this year. That means no action will be taken before the next election. We have before us an actual piece of legislation to improve whistleblower processes and the protection of public interest.

Let me now describe what the bill is about and how its simple terms were inspired by the 2017 report and recommendations of the House of Commons Standing Committee on Government Operations and Estimates. Our colleague and sponsor of the bill, Senator Dalphond, gave a detailed explanation of what is in the bill, including how to broaden the definition of the term "wrongdoing" and extend protection to cover more public servants involved in reporting such wrongdoing.

The legislation would also provide increased fines for reprisal against the whistleblower and extend the period in which a reprisal complaint might be filed and, importantly, it requires the act to be reviewed every five years.

These are just a few of the specific measures in the bill that seek to better protect whistleblowers who stand up for the values of public service and the ethical standards necessary to protect the public interest — but will they?

I want to go back to something I said at the start of my comments about the recent international study on whistleblower protection undertaken by the International Bar Association and how this bill proposes measures compared to accepted best practices around the world.

The International Bar Association examined 38 countries' whistleblowing protection and found that Canada was last in having any of the 20 best practices around the world.

This past January, the Whistleblowing International Network sent a letter signed by 16 national and international whistleblowers' advocacy organizations to the Prime Minister and opposition leaders stating their support for Bill C-290. They said that Bill C-290 is a final step towards reform of Canada's ineffective federal whistleblower protection law. Such a reform is long overdue in our country.

They also said that Bill C-290 will upgrade the Public Servants Disclosure Protection Act to largely comply with 8 of the 20 global best practices for whistleblower laws, including full subject matter scope for protection, protection in a refusal to violate the law, protection against spillover retaliation directed at those who assist or are associated with whistleblowing, reliable identifying protection, due process if the Public Sector Integrity Commission does not help, discipline and accountability, a realistic statute of limitation and periodic review of the statute records.

Colleagues, in conclusion, although this bill is not perfect, it is a positive step in the right direction. The legislation is about strengthening our whistleblowing legislation and its effectiveness.

As the Whistleblowing International Network stated in the letter I mentioned earlier:

These are important initial steps towards establishing a foundation for credible protection. There is no need for further delay in enacting these reforms.

Effective whistleblower legislation is about loyalty to the truth and allowing our professional public servants do what is right: to uphold the values and ethical standards that make our professional public service one of the best in the world. However, colleagues, there is no point in asking them to uphold public service values or maintaining high ethical standards in public service if we do not give them the tools to do so.

• (1710)

Although Canada is committed to stronger whistle-blowing laws, the current legal framework is simply not working for would-be whistle-blowers and the protection of the public. It falls short of internationally recognized best practice.

I think we can all agree that effective protection of whistle-blowers and the handling of protected disclosure is essential in promoting the rule of law and preventing corruption in our country. This is why I believe, colleagues, this bill has merit and should proceed to committee where members can hear from public service employees and national and international experts on how best to protect whistle-blowers and the public interests.

Thank you very much for your consideration.

(On motion of Senator Martin, debate adjourned.)

ETHICS AND CONFLICT OF INTEREST FOR SENATORS

FOURTH OF REPORT COMMITTEE—DEBATE ADJOURNED

The Senate proceeded to consideration of the fourth report of the Standing Committee on Ethics and Conflict of Interest for Senators, entitled *Interim Report on the Senate's Order of Reference of December 7, 2023*, tabled in the Senate on October 10, 2024.

Hon. Judith G. Seidman: Honourable senators, I rise today as the Chair of the Standing Senate Committee on Ethics and Conflict of Interest for Senators to speak to the committee's fourth report, which was tabled in the Senate on October 10, 2024.

On December 7, 2023, the Senate adopted an order of reference authorizing the committee to examine and report on the November 9 case of privilege. I will not recount those events. Senators may read the debates from November 9 and 21 or review the Speaker's ruling of December 5, 2023, for the specific details.

This order of reference was unique in two ways. First, questions of privilege are generally referred to our Rules Committee. Second, it asked the committee to consider both the obligations of senators in the performance of their duties and whether any updates to our rules and procedures may be needed as a result.

From the outset of our study, committee members understood our mandate to be prospective in nature. As such, no senator was invited to testify about or respond to the particular events of November 9. The committee chose instead to call on academics, parliamentary and procedural authorities and legal experts who work in the field of ethics and conduct. As an initial step, the committee felt it was important to outline the mechanisms that already exist to address matters of conduct between senators. These include raising a point of order or a question of privilege, making a complaint through the *Ethics and Conflict of Interest Code for Senators* or the *Senate Harassment and Violence Prevention Policy*.

Quite deliberately, this report contains no conclusions nor does it offer any commentary about the specific conduct of any senator in relation to the case of privilege. Instead, the committee undertook to carefully study the issues that were raised that day with the hope that our observations could serve as a strong foundation for a broader conversation on the parameters of civility in the Senate.

This study reminded us that, as senators, we are always expected to uphold the highest standards of conduct. Senators are also expected to be actively engaged in Senate business. This includes debating issues of national importance, taking positions on controversial policy matters and legislation and, at times, zealously advancing political positions both in the course of Senate proceedings and in other public forums.

To allow us to do that, parliamentary privilege guarantees our freedom of speech when we take part in Senate proceedings. Parliamentary privilege also protects us against any attempts at intimidation or obstruction when we participate in any such proceedings.

Most of the time, these two expectations can coexist. Controversial issues are debated respectfully and opposite points of view can be expressed without senators feeling threatened or intimidated. However, the events of November 9 and subsequent activity challenged the limits of political disagreement. They also raised questions about the extent to which these limits are properly expressed within the Senate's existing rules, how allegations of inappropriate conduct between senators should be adjudicated and who should be responsible for adjudicating them.

Committee members are grateful to all of the witnesses who provided thoughtful evidence and highlighted the challenges faced by other legislative and professional bodies in codifying standards of conduct.

In the case of the Senate's ethics and conduct regime, our report noted that the code requires the committee to undertake a comprehensive review every five years. As such, debates like this over the adequacy of the standards of conduct embodied in the code are welcome and are necessary. It is our belief that these reflections allow the code to evolve while ensuring that it continues to reflect the ethical aspirations of all senators.

A recurring theme in our discussions was about a principles-based versus a rules-based approach to our ethics regime. On this point, we heard often about the experience of the UK Parliament where members are bound by high-level ethical principles that are also grounded in detailed guidelines on how those principles should apply in a variety of situations. Although the aspirational principles contained in our code may have served the Senate well over the past decade, the committee intends to consider whether more detailed rules, directives or guidelines would provide more clarity on those expectations.

Freedom of speech became an important theme during our study. The committee considers the ability of senators to fully engage in debate and to voice opinions within and outside parliamentary proceedings to be vital. There is, and should be, flexibility both in what senators are allowed to say to each other during debates and in how they say it. The difficulty lies in finding the line between a speech that is sharp and forceful on the

one hand and a speech that is inappropriate or intimidating on the other. We also recognize that any attempt to codify rules of conduct related to what senators say, either in debate or privately, would require striking a very delicate balance between maintaining the highest standards of conduct and preserving the right to free speech.

As senators know, the Senate Ethics Officer is responsible for conducting inquiries and for applying the code while the committee is responsible for providing general directives and recommending sanctions or remedial measures to the Senate for final decision. The committee believes that the adjudication of allegations of inappropriate conduct between senators should remain exclusively with senators. We were nevertheless intrigued by the presence of lay members in the House of Lords on its Conduct Committee, and are interested in learning more about their role.

• (1720)

Finally, the committee asked witnesses whether the code's current framework is sufficient to address senators' conduct on social media.

Though witnesses seemed to agree that senators' conduct on social media should be subject to enforcement, some felt the code is already broad enough to address misconduct on social media, while others argued that additional measures or guidelines may be necessary to introduce the concept of appropriate conduct in how social media is used.

Honourable senators, I must remind you that this is an interim report and does not contain any conclusions or recommendations. We are not asking the Senate for its adoption, nor are we asking senators to make any decisions at this stage. This is because we are of the view that our report has only scratched the surface on these important questions.

We hope that our report will lead to further discussion and prompt serious reflection, which will encourage all senators to give some thought to how our ethics regime should evolve. With that in mind, I would conclude by stating that it is the committee's intent to undertake its periodic review of the code soon.

In keeping with the order of reference sent to us on December 7, 2023, we hope all senators will take the time to read our report, as it will provide important context into the questions we hope to consider and to see what, if any, updates are required to strengthen the provisions relating to conduct in our code and to reaffirm the ethical obligations of senators in the performance of their duties.

Thank you.

(On motion of Senator Cotter, debate adjourned.)

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

MOTION TO AUTHORIZE COMMITTEE TO STUDY THE SITUATION IN LEBANON—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Housakos, seconded by the Honourable Senator Smith:

That the Standing Senate Standing Committee on Foreign Affairs and International Trade be authorized to examine and report on the situation in Lebanon and determine whether Canada should appoint a special envoy, when and if the committee is formed; and

That the committee submit its final report no later than February 28, 2022.

Hon. Leo Housakos: Honourable senators, I note this item is at day 15. I'm not ready to speak at this time. Therefore, with leave of the Senate and notwithstanding rule 4-14(3), I move the adjournment of the debate for the balance of my time.

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

Hon. Senators: Agreed.

(Debate adjourned.)

[*Translation*]

THE SENATE

MOTION CONCERNING POSSIBLE EXIT OF ALBERTA FROM THE CANADA PENSION PLAN—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Simons, seconded by the Honourable Senator Greenwood:

That the Senate of Canada:

1. call on the Chief Actuary within the Office of the Superintendent of Financial Institutions to publish an actuarial study that reports on:
 - (a) a possible exit of Alberta from the Canada Pension Plan (CPP), including an analysis of the viability of the CPP after such an exit by Alberta;
 - (b) a reasonable estimate of an exit cost of Alberta's share of the Canada Pension Plan fund; and
 - (c) any other information that the Chief Actuary deems to be relevant in the study of this issue; and

2. call on the Office of the Parliamentary Budget Officer to study a possible exit of Alberta from the CPP, including any fiscal and/or economic impacts of such an exit from the CPP on Canadians.

Hon. Pierrette Ringuette: Honourable senators, this item stands adjourned in the name of the Honourable Senator Martin, and I ask for leave that it remain adjourned in her name following my intervention.

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

Hon. Senators: Agreed.

[English]

Senator Ringuette: Honourable senators, I rise today to speak to Senator Simons' important Motion No. 172. This motion calls on the Chief Actuary within the Office of the Superintendent of Financial Institutions and the Parliamentary Budget Officer to study the effect of a possible exit of Alberta from the Canada Pension Plan, or CPP. It's quite a challenge for our Parliamentary Budget Officer, or PBO, because I find that the current Canada Pension Plan act has some contradictions between sections 95 and 113(2).

I also find that the act as a status circumvents or neglects the recognition of the Charter of Rights and Freedoms and its impact on the interpretation of the CPP act.

First, this is about information. It calls for a study. If Alberta chooses to leave the CPP, it will have large and wide-ranging ramifications that we need to understand. I don't see any objection to moving forward with this motion.

The Government of Alberta has made claims that are disputed and honestly disputable. I wish to say at the outset that CPP assets are administered and invested via a trust fund, an arm's-length entity. The assets within the fund do not belong to the federal government, nor any provinces.

These assets belong to individual workers who have contributed, along with their employer, to the system to provide a basic retirement for them, as well as providing death benefits and survivor and orphan benefits.

In my humble opinion, if withdrawals are made from the fund under section 113(2) of the act, these withdrawals should be from individual workers residing in the withdrawing province — workers who wish to invest these funds in another system, so it's directed by the workers.

There is no portion of this fund that belongs to anyone else or any government entity. The lack of respect of this premise would probably be a constitutional challenge before the courts.

When the Canada Pension Plan was negotiated in 1965, Canadians had no Charter of Rights. When the Constitution was patriated in 1982 — 17 years later — it wisely included a Charter of Rights and Freedoms.

The important right for Canadian citizens are the mobility rights under section 6, where Canadians have the right to move freely in and out of Canada and within its boundaries. We must

also recognize that since 1965, the assumption that a worker resides in the province where he or she works is considerably outdated.

For decades, Canadians have worked in one province and resided in another. It's even more so today because the internet enables people to work for a business not in his or her province of residence and maybe not even in Canada.

May I highlight here that Canada has retirement contribution agreements for individual workers with over 50 countries, thus reinforcing that the assets generated by these contributions, although administered by the CPP, are directly linked to the individual workers and future benefits, not to a province or a country where the contribution occurred.

I would emphasize the PBO's study must also differentiate the contribution to the CPP during many decades by Canadian workers, not residents of Alberta; rather, it's the workers from other provinces, particularly thousands from Atlantic Canada because if not for them, the resource sector of Alberta may not have been that productive.

Contribution to the CPP by both the employer and the employee is part of the benefit package of an employee. The assets belong to the employee and his or her survivors, not to a government.

Let's take ourselves into consideration. We — senators — reside in different provinces. We work and are paid by the Senate of Canada. An absolute benefit is our contribution and the Senate contribution to the CPP. In fact, since 2016, our retirement benefits are directly linked and inclusive of the CPP. For senators not from Ontario, do you agree that our collective CPP assets belong to the Government of Ontario? I should think not, because these assets have been invested for your individual benefit, not for the future benefit of the Government of Ontario.

• (1730)

The CPP was created to establish a comprehensive pension program for all Canadian workers. If we start dismantling that program, we'll have different plans across the country with different benefits, contributions and rules. This will potentially create an unreasonable barrier for moving between provinces and how that will affect retirement benefits.

Portability tied to our mobility rights is also a key issue here.

Bob Baldwin from C.D. Howe notes in a recent report that "One CPP beneficial feature is that it facilitates labour mobility." He goes on to note that a key issue that an Alberta pension plan, or APP, will have is that it will have to negotiate portability arrangements with other provinces and the federal government.

Patrik Marier, a professor of political science at Concordia University explained that “. . . if you end up with a very different set of rules and benefits, then portability becomes quite an issue.”

This brings up at least three big problems that will occur. One, there will need to be a long and complex negotiation to develop portability arrangements. Two, the Alberta pension plan will likely need to be very similar to CPP to facilitate those arrangements.

The third and most important problem to consider is the most probable constitutional challenge based on the Charter mobility rights in the interpretation of the Canada Pension Plan act, where arguments should and would identify the rightful owners of these assets. This will become a considerable problem for Alberta businesses.

Frank McKenna wrote in the *Financial Post*:

Similarly, the portability of an APP with the CPP is not guaranteed and could hinder Alberta’s ability to attract external workers for its large, labour-intensive resource projects.

The Calgary Chamber of Commerce also commented on its impact on retired workers:

Questions about the portability of the CPP to the APP would run counter to our talent attraction efforts, and while these questions may be resolved in due course, our labour shortage is urgent and we cannot afford to compromise our ability to attract talent to Alberta.

The Canadian Labour Congress correctly noted that “The CPP is fully portable, following workers wherever they work, regardless of how often they change jobs.”

Honourable senators, if this is a political Alberta objective, it could become a nightmare for workers and employers that will cause massive disruption and unintended barriers to Canadian rights to move between provinces, particularly for those workers who have worked in Alberta, who have paid contributions and should, upon retirement, get the benefit of their contribution.

Let’s get more financial and legal information on this before we must deal with a possible chaotic situation for Canada.

Thank you.

[*Translation*]

Hon. Lucie Moncion: Will Senator Ringuette take a question?

Senator Ringuette: Of course.

Senator Moncion: As usual, you have done your homework. I started working on this file because I had some concerns about the simplification of the data that was being presented to us here.

You highlighted key points about the mobility of the workforce, a workforce that was not necessarily permanent, which could lead to issues down the road for people who may work in Alberta temporarily or live in Alberta permanently.

I would like a yes or no answer to this question: Have there been any major omissions in the data that has been presented to us to date that could lead to the problem that you identified in your speech?

Senator Ringuette: Thank you for your question, Senator Moncion. It’s hard to talk about data right now, because we don’t have exact amounts. However, the premise that has been put forward, which is that contributions were made for a worker in Alberta regardless of where they reside, is problematic.

Here’s an example based on my own situation. I never worked in Alberta, but I worked in Quebec for years. I currently work in Ontario and have done so for years. I reside in New Brunswick and will retire in New Brunswick. When I retire, even though I worked in Quebec, I will apply to the Canada Pension Plan, not the Quebec Pension Plan. When I apply, the contribution I made in Quebec will go back to the Canada Pension Plan for the years I contributed to the Quebec Pension Plan.

None of that has been discussed so far. There’s this assumption, this claim — which was even made in this very chamber last week — that the Government of Alberta is entitled to billions of dollars in capital that, technically, do not belong to it. That capital belongs to workers for their retirement. I hope I’ve answered your question, Senator Moncion.

(Debate adjourned.)

ROYAL ASSENT

The Hon. the Speaker informed the Senate that the following communication had been received:

RIDEAU HALL

October 31, 2024

Madam Speaker,

I have the honour to inform you that the Right Honourable Mary May Simon, Governor General of Canada, signified royal assent by written declaration to the bill listed in the Schedule to this letter on the 31st day of October, 2024, at 5:05 p.m.

Yours sincerely,

Ken MacKillop

Secretary to the Governor General

The Honourable
The Speaker of the Senate
Ottawa

Bill Assented to Thursday, October 31, 2024:

An Act establishing the Public Complaints and Review Commission and amending certain Acts and statutory instruments (*Bill C-20, Chapter 25, 2024*)

[English]

ADJOURNMENT

MOTION ADOPTED

Leave having been given to revert to Government Business, Motions, Order No. 197:

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of October 30, 2024, moved:

That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, November 5, 2024, at 2 p.m.

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

Hon. Senators: Agreed.

(Motion agreed to.)

• (1740)

THE SENATE

MOTION CONCERNING BILLS WITH A “NOTWITHSTANDING CLAUSE”—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Harder, P.C., seconded by the Honourable Senator Bellemare:

That the Senate express the view that it should not adopt any bill that contains a declaration pursuant to section 33 of the *Canadian Charter of Rights and Freedoms*, commonly known as the “notwithstanding clause.”

Hon. Brent Cotter: Honourable senators, I rise to speak to Senator Harder’s motion regarding the “notwithstanding” clause. I should say at the outset that Senator Harder has introduced to this chamber a very important question, one that I would greatly have preferred to see studied in detail, perhaps, at the Legal and Constitutional Affairs Committee.

That said, senators before me have provided the context for the debate of this motion. I would like to build on that context and propose a tentative framework for considering the profoundly important issues embedded in the motion.

In these few minutes, I’m going to make seven points, but first just some reflections on the Charter. You will recall, I think, that it applies only to federal, provincial and territorial governments and their actions — that is, governments — but not private actors.

Second, it is organized in seven various categories of rights. That’s relevant, in particular, to the way in which the “notwithstanding” clause operates, since it only applies to nullify or suspend rights in some categories.

Third, all of these rights are subject to section 1, which establishes a reasonable limit to the application of those rights.

Fourth, the “notwithstanding” clause provides a structured override, as I say, to some but not all of those rights — the section 2, sections 7 to 14 and section 15 rights but not other rights in the Charter.

My second point is that the idea of a government override of rights is not a new phenomenon. Indeed, it is based on the concept of parliamentary supremacy, an authority that existed in every one of our federal, provincial and territorial governments prior to April 15, 1982, the day when the Constitution was patriated and the day that the Charter kicked in. Indeed, this concept of supremacy of Parliament still operates in the United Kingdom.

Third, it is an overstatement, I think, to say that our Charter rights are capable only of being limited by the “notwithstanding” clause. Indeed, throughout the negotiations that led to the adoption of the Charter, all governments were fully aware of the need to include a limitation-of-rights mechanism, ultimately the negotiated language of section 1, which reads:

... subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

I would also say that the Supreme Court of Canada has developed a sophisticated, highly respected approach to the interpretation of section 1 and its application to limitations of Charter rights.

My fourth point is that it’s important to appreciate that the “notwithstanding” clause itself was negotiated into the Constitution. Even if you agree with Prime Minister Trudeau Sr.’s remarks at the time, as Senator Harder does — and, quite frankly, as do I — Mr. Trudeau’s comments at the time were no more than the lament of someone who lost on the issue.

Fifth, it’s helpful to examine how we got to the “notwithstanding” clause in 1982, and I’d like to take a few minutes to recount that.

As negotiations began in 1980 toward patriation of the Constitution from the United Kingdom, the place of a Charter of Rights and Freedoms — long an aspiration of Prime Minister

[The Hon. the Speaker]

Trudeau Sr. — began to take shape. At the initial first ministers' conference in September 1980, discussion did turn to a federal draft Charter. It was little discussed, but at that meeting, then-premier of Saskatchewan Allan Blakeney, one of and perhaps the intellectual leader of the provincial side, indicated that Saskatchewan and perhaps other provinces would be amenable to the constitutional entrenchment of rights if it were accompanied by a *non obstante* or a "notwithstanding" clause. This was the first formal entrance of the concept into the negotiations.

It took on greater resonance following the Supreme Court of Canada decision on the so-called patriation reference. It occurred this way: The court's decision or advisory opinion, as they are known, indicated that the Government of Canada possessed the legal authority to patriate the Constitution of Canada unilaterally, but this would contravene a constitutional convention in doing so. This put pressure on Ottawa to be more accommodating in negotiations and on the provinces to find a more flexible approach to the Charter out of fear that Ottawa would proceed unilaterally.

As then-attorney general of Saskatchewan Roy Romanow put it:

What we do know is that the Supreme Court's decision produced the conditions under which the governments of Canada were forced to continue once again their long search for constitutional agreement.

The result was that, with respect to the "notwithstanding" clause, last-minute accommodations were made. At the so-called kitchen cabinet meeting between Mr. Chrétien, Roy McMurtry, then-attorney general of Ontario, and Mr. Romanow, then-attorney general of Saskatchewan, a compromise was sketched out for a package, the so-called kitchen accord, one part of which included the "notwithstanding" clause. Though opposed to this part of the compromise, then-Prime Minister Trudeau reluctantly agreed, and there we have it.

I turn next to a series of cascading ways of thinking about the use of section 33. This is point no. 6 of 7 in my remarks.

Obviously, a default position is to conceive of the "notwithstanding" clause as usable whenever a government wishes to constrain those constitutional rights that can be subject to it. The usage is the most muscular exercise of parliamentary supremacy in the modern context and understandably attracts the greatest criticism. It pre-emptively delegitimizes many rights and, implicitly, the value of section 1 — the rights-limiting clause — and the jurisprudence of the Supreme Court of Canada in crafting a sophisticated approach to section 1.

Cascading from that position, one could consider the use of the "notwithstanding" clause limited to circumstances where a Supreme Court decision has upheld rights and struck down legislation, that is, use of the "notwithstanding" clause but not pre-emptively. This is a somewhat greater justification for the approach, since it at least requires a parliamentary exercise balancing constitutionally protected rights against other rights and values. This was essentially the argument advanced by Premier Lougheed and Premier Blakeney in supporting the "notwithstanding" clause in 1982.

A third approach, stepping down from this, was recently articulated by Tsvi Kahana following an extensive study of the use of the "notwithstanding" clause in provincial jurisdictions. Kahana developed a series of criteria for examining the exercise of the "notwithstanding" clause and specifically identified circumstances in which the clause was used "tyrannically"; that is, where a legislative authority exercised the "notwithstanding" clause essentially as the "tyranny of the majority" in imposing it upon a minority community. This, in his view, is an illegitimate use of section 33.

This was also a concern of John Whyte, a distinguished Canadian constitutional scholar and an adviser to governments during the negotiations. Professor Whyte put it this way:

. . . the anxiety that produced the political demand for entrenched rights cannot rationally be calmed in the face of the legislative power granted by section 33. That anxiety is simply this: political authority will, at some point, be exercised . . . to impose very serious burdens on groups of people when there is no rational justification for doing so.

Finally, one comes to the bottom of the cascade — that the "notwithstanding" clause be used never. This is the seventh and last section of my remarks, and I want to turn to two arguments or viewpoints that support this last approach, at least by the federal government.

The first argument is that it will be recalled that the "notwithstanding" clause adopted in April 1982 has not been used by the federal government in a period of over 42 years — not once.

• (1750)

Hold that thought for a moment while I talk about something completely unrelated — or so it may seem.

In 1867, when Canada became a country, the then British North America Act included provisions that are now sections 55, 56 and 90 of the Constitution Act. These provisions created the authority, in particular in section 90 — I see Senator Gold nodding. He's probably wanted to use this one from time to time — that allows the federal government to disallow or reserve provincial legislation; that is, the federal cabinet can direct the Governor General to disallow, or void, any provincial law. This is a power that mostly we don't talk about — and for good reason. That power was used by Ottawa periodically, but it has not been used a single time since 1943.

Today, the powers of disallowance and reservation, while still on the books, are generally considered dormant, prompting some debates about whether they have effectively become obsolete through disuse. Comparative public law scholar Richard Albert has argued the powers fall into "constitutional desuetude," which occurs, as he states:

. . . when a constitutional provision loses its binding force upon political actors as a result of its conscious sustained nonuse and public repudiation . . .

A similar view was shared by distinguished Canadian political scientist Andrew Heard, who said that these powers reflect the days of a “bygone era,” and the Supreme Court of Canada said as much in the 2014 Senate reference.

These views are predominantly based on a maturing of our country over the decades whereby it is no longer necessary to have the federal government serve as the watchful parent over petulant, misbehaving provinces in the exercise of their legislative authorities.

I think you can see where I’m going. As a reminder, the notwithstanding clause has not been exercised by the federal government in 42 and a half years. I want to suggest that as a result, it has fallen into disuse, or what some commentators would refer to as constitutional desuetude, at least at the federal level, and hence, there is coming or maybe now exists a constitutional convention against its use by the Government of Canada.

In a similar way as the non-use of the powers of reservation and disallowance occurred, over these last 42 years, the argument would be that we have matured as a nation, quite frankly, with the assistance of the Supreme Court of Canada and its own articulation of rights and their limitations. We have matured in our understanding of basic rights and their boundaries to the extent that parliamentary interference to negate those rights is no longer needed — hence a convention, at least with respect to Parliament, that the notwithstanding clause is inoperative.

My second argument — and I’ll try to be brief here — is similar to the first but based on different grounds. It is that our thinking about constitutional rights, the basic rights of all citizens, has evolved. This evolution has taken us to a place where as citizens, we recognize as a matter of principle that it is no longer wise to preserve parliamentary supremacy in ways that can deny basic human rights. I am more comfortable with this line of argument. It acknowledges the legitimacy of the views from 40 years ago of those who championed parliamentary supremacy in order to protect values that may have been, or were thought to have been, jeopardized by an overly rich interpretation of the availability of basic rights. At the same time, it acknowledges that societal values have evolved and that the constitutional protection of basic rights has enhanced, not jeopardized, the ability of our country to function well.

Another way of saying this is to state that we are in a new era in which the preservation of certain rights, those captured in the Charter, adequately defined and circumscribed, ought not to be exposed to the vagaries of parliamentary supremacy. How might we secure this modern, principled position? It might be attractive for us to consider a constitutional amendment to remove section 33. Constitutional amendments are difficult to achieve, though there is an argument with respect to the Parliament of Canada that it would only affect the Parliament of Canada and, therefore, only the federal level and could be done unilaterally.

In the meantime, recognizing that section 33 has become by convention non-usable, or because we accept the view that the evolution of our understanding of rights in the country has evolved, we can commit Parliament to the principle that the use of section 33 in federal legislation is a product of a bygone era and is now a no-go. Thank you very much.

Hon. Percy E. Downe: Senator, would you take a question?

Senator Cotter: I certainly would.

Senator Downe: Thank you for your excellent speech. Not only was it informative, but it also was a history lesson for those who weren’t around at the time. However, what we heard in your speech was what actually happened, which was that the provinces insisted on the notwithstanding clause.

You make the very valid point that the federal powers to overrule provinces have been dormant for a number of years, but for a province like Prince Edward Island, the notwithstanding clause is critically important. For example, we have land restrictions. It’s the only province in Canada that has restrictions on how much land non-residents of Prince Edward Island can own in Prince Edward Island.

There may come a time when either the federal government or some other provinces say that’s simply unfair. You can’t restrict Canadian corporations —

The Hon. the Speaker: You will have to ask for five more minutes.

Senator Cotter: Could I have five more minutes?

The Hon. the Speaker: Is leave granted?

Hon. Senators: Agreed.

Senator Downe: There might be a time when you would say you have a 3,000-acre restriction for corporations and you have a smaller amount of land for individuals, and the federal government might get involved. That’s why this clause is there. It’s a shield, particularly for the smaller provinces, against what may or may not happen.

I share your argument that these powers are dormant. They haven’t been used, but let me point out what happened in the United States when you have a President Trump who doesn’t obey the rules. If someone like that appeared on the Canadian scene with the powers of a prime minister, those powers could be resurrected. Do you share that concern?

Senator Cotter: I’m not going to answer the part about President Trump. I’ll dodge that one. I may answer next Wednesday.

Senator Downe, I am very familiar with the rules with respect to land in Prince Edward Island. Actually, you’re slightly wrong. Saskatchewan has the same rules, and I spent a lot of time overseeing that rule when I was a deputy attorney general.

The point, though, that you’re making is that of the exercise of the notwithstanding clause at the provincial level and how if Ottawa tried to in some fashion intervene, they’d be offside on other constitutional grounds related to division of powers.

I have been trying to limit my remarks here to reflecting on the use or non-use of the notwithstanding clause at the federal level because my argument fails completely at the provincial level in terms of the clause falling into disuse. I think it’s maybe 17 times now — aside from some challenges in Quebec — that it’s been

used at the provincial level and, quite frankly, a couple times as recently as this year, including by my own province — in the context of the tyranny of the majority, if I could say — but I leave it to reflection on the provincial use of it.

Here, I think the conversation is focused on the scope with respect to which a federal Parliament could or should or should not exercise it and leave the space for the provinces going forward.

(On motion of Senator Martin, debate adjourned.)

• (1800)

[*Translation*]

THE HONOURABLE RATNA OMIIDVAR, O.C., O.ONT.

INQUIRY—DEBATE CONTINUED

Hon. Julie Miville-Dechéne rose pursuant to notice of Senator Clement on October 23, 2024:

That she will call the attention of the Senate to the career of the Honourable Ratna Omidvar.

She said: Honourable senators, this is a tribute to our departing colleague, Senator Ratna Omidvar.

[*English*]

My relationship with Senator Omidvar got off to a flying start. I remember a small, decisive, direct woman who told me what to do and what not to do with a lot of confidence. I wasn't used to that. It made me a bit uneasy. But Ratna was also the senator who invited me to her condo for dinner during my very first week in the Senate when I was really feeling alone and lost.

I also remember during my first speech on my bill — Bill S-211 against forced labour in the supply chains of companies — I saw Ratna quickly walk around the Senate to whisper in my ear, “Julie, you have forgotten the most important thing. Forced labour is not only in an international scourge, but we have victims here and we need to talk about them.” Senator Omidvar was absolutely right. I had chosen to focus on the worst case of forced labour abroad, for example, children working in mines, but I should have had the flair to say that Canada also had its faults in this area, particularly among farm workers and other vulnerable foreign workers. A good lesson for me. Don't lecture the rest of the world without first looking at your own country with a critical eye.

Senator Omidvar and I grew closer progressively. One event was important. A few English-speaking senators from outside Quebec — Muslims and Sikhs, including Senator Omidvar — asked me to give them some context about Bill 21, the Quebec act banning visible religious symbols for some professionals, the hijab in particular. Senator Omidvar was curious, eager to understand and was grateful to hear a Québécois colleague give a historical perspective on this controversial law, which was popular in many circles in Quebec but denounced in the rest of Canada.

What really made us accomplices was our shared interest in women in Afghanistan and Iran, in particular the women's movement, Women, Life, Freedom. Ratna had lived in Iran for five years I think before seeking refuge in Canada, so she knows the Iranian culture and the tensions between refugee groups. For my part, I was close to the women of the Iranian diaspora in Montreal. We collaborated with our teams to write opinion pieces in English and French and supporting motions asking the Canadian government to act. We were on the same wavelength. As a bonus for me, Ratna Omidvar had real gravitas. Her words carried weight, and it was a privilege for me to raise issues and fight battles at her side.

I am losing not only just a colleague, a partner, but also a friend and sometimes a mentor. Dear Ratna, I know you will continue to make your voice heard loud and clear. Thank you.

Hon. Senators: Hear, hear.

Hon. Mary Coyle: Honourable senators, I rise today on the lands of the Anishinaabe Algonquin Nation in this august chamber of sober second thought to speak to Inquiry No. 31 to celebrate the retirement of our esteemed colleague, Senator Ratna Omidvar, to sing her praises for her enduring contributions to Canada and the world and to wish her well as she embarks with her legendary dynamism on her next exciting chapter of life and service.

Senator Omidvar is well respected by every individual in this chamber. She is also held in great affection. Senator Omidvar brought to this chamber her own experiences of displacement and the real struggle of being a refugee with her family when she moved to Canada.

When we recently met in Antigonish with refugees and other displaced people from Haiti, Syria, Afghanistan, Congo and Ukraine, Ratna was able to listen with genuine empathy and share her own stories of hardship, hard work and of ultimate success.

She also brought to the Senate her professional background, first as an educator and her many years as the president of Toronto-based Maytree, leading innovative work in support of immigrants locally, nationally and internationally. She was laser focused on helping people to make a living, something which is fundamentally important for successful integration and inclusion in Canada. She continued her work on diversity, migration and inclusion at Ryerson, now Toronto Metropolitan University.

Senator Omidvar's deep experience with Canada's civil society sector, her work on immigration and refugee success and her keen attention to the matters of diversity and inclusion prepared her well for her role in this chamber.

In fact, her first statement in the Senate was on Canada's apology for turning back the 376 Punjabi migrants who had sailed to Vancouver from Hong Kong in 1914 on the *Komagata Maru* looking for a safe and secure place to live. Canada had a White-only immigration policy at that time.

As in her previous life, Senator Omidvar has been incredibly productive during her time with us here in the Senate. Our job as senators is to represent, to investigate and most importantly to legislate.

Senator Omidvar has sponsored several critical bills: Bill C-20, which just passed and received Royal Assent, establishing the Public Complaints and Review Commission; Bill S-279 related to tax treatment for charities; and Bill S-278, An Act to amend the Special Economic Measures Act (disposal of foreign state assets).

As Chair of the Social Affairs Committee, she has shepherded countless other bills through that very busy committee: bills on disability supports, suicide prevention, early learning, intimate partner violence, sustainable jobs in a net-zero economy and pharmacare.

As for the responsibility to investigate, Ratna was Deputy Chair of the Special Senate Committee on the Charitable Sector and, as we are all aware, guided the Social Affairs Committee as its chair in its recently completed study on Canada's Temporary Foreign Worker Program.

She has represented the people of Toronto and Ontario well in this chamber, and as a citizen of the world she has brought the plight of oppressed Iranian and Afghan women to our attention as well as the exploitation of international students in Canada, reminding us also of the important contributions that all of those people bring. She has represented temporary foreign workers and made sure the diverse voices of those not often heard are listened to here in this chamber.

Ratna is never reluctant to bring to our attention the many injustices experienced by people in Canada or internationally, but she never dwells there. Senator Omidvar is always clear on the contributions people make or could make if given fair opportunities. She sees people for their strengths; she sees them in all their dimensions.

It is for these many accomplishments that Ratna has earned our respect, yet it is for how she goes about her work and how she relates to others that she has earned our affection. Ratna Omidvar is a driven, serious and accomplished leader, but she is not a lone wolf. She is a collaborator. She is a team player. She is generous and kind, and she is a delight to work with. She is someone who reaches out to fellow senators across this chamber, to colleagues in the other place, to cabinet ministers and to Canadians and international colleagues.

When I first came to this chamber, just as we heard from Senator Miville-Dechéne, she was so generous and part of a group of women senators who took me and other new senators under her wing.

• (1810)

Throughout our time together here, we have worked on many common matters. In September, I hosted Senator Omidvar, her husband, Mehran, and her staff member Stephanie Saunders in Antigonish, Nova Scotia. The purpose of the visit was to

investigate the situation of newcomers in that rural context and to look at how they were being supported in formal and informal ways.

We met, of course, with Antigonish's most famous chocolate maker, former Syrian refugee Tareq Hadhad, the CEO of Peace by Chocolate. Not surprisingly, and coincidentally, our very first Senate event — collaboration — was focused on refugee issues. It was jointly sponsored with the Refugee Hub at the University of Ottawa and featured Peace by Chocolate CEO Tareq Hadhad, Peace by Chocolate's corporate partner Sobeys and Minister Hussen, who at that time was the Minister of Immigration, Refugees and Citizenship.

A couple of weeks ago, we co-hosted, with several colleagues, a very enlightening event with international women civil society leaders.

Senator Omidvar is a member of Senators For Climate Solutions and made a very important contribution to my climate solutions inquiry by linking the issues of migration and climate change. We, of course, have in place our initial plan for working together in the future. She is not done. That future plan is focused on success in migration, an innovative win-win-win training and employment model which benefits people who are migrating, the countries that receive them as well as their countries of origin.

Ratna and I have a number of things in common, and one of those is the date of November 5. Ratna was celebrating her fifth birthday in Amritsar, India, the day I entered the world in Orillia, Ontario. And here we are, both about to celebrate milestone birthdays, and I know we both share the same wish for our birthdays next Tuesday, November 5: Our wish is — and her name is — Kamala.

Most honourable departing colleague, Ratna — my birthday sister — I want to wish you a very happy, healthy and fulfilling retirement with your wonderful and supportive husband, Mehran; your lovely and accomplished daughters, Ramona and Yasi; your sons-in-law, Vik and Dan; and those most precious grandchildren you love to dote on, Nylah, Elikah, Maisha, Zayan, Kiaan and Asher.

I want to thank you, Ratna, sincerely, for the gift of our friendship, and I ask our colleagues to join me in thanking you for the indelible mark you have made here in the Senate, in the lives of people in our country and in the world.

Go with our respect and affection, Ratnaben.

On Diwali, this day of light, we wish you well, our colleague and friend. Happy retirement, Ratna; happy birthday, Ratna; and happy Diwali!

Hon. Senators: Hear, hear!

(On motion of Senator Clement, debate adjourned.)

(At 6:14 p.m., the Senate was continued until Tuesday, November 5, 2024, at 2 p.m.)

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