



# DEBATES OF THE SENATE

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1st SESSION



44th PARLIAMENT



VOLUME 153



NUMBER 248

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OFFICIAL REPORT  
(HANSARD)

Wednesday, December 11, 2024

The Honourable RAYMONDE GAGNÉ,  
Speaker

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



## THE SENATE

Wednesday, December 11, 2024

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

Prayers.

### SENATORS' STATEMENTS

#### TRIBUTES

THE HONOURABLE BRENT COTTER, K.C.

**Hon. Raymonde Saint-Germain:** Honourable senators, it is with mixed emotions that I rise today to pay tribute to the Honourable Brent Cotter. While I feel privileged to have this opportunity to sing Senator Cotter's praises for three minutes, I know the members of our group and I will miss his precious advice, his insights, his unique sense of humour and his friendship.

Senator Cotter was called to the Senate of Canada in January 2020, a little less than five years ago. Do not, however, let this short amount of time fool you — Senator Cotter has achieved in those five years what other legislators would be happy to achieve in a decade.

Having been a former deputy minister, deputy attorney general, professor and Dean of Law at the University of Saskatchewan, he entered the Senate with ease and immediately contributed to the institution in an outstanding way. Senator Cotter soon became the reference in matters related to constitutional law, notably on the Canadian Charter of Rights and Freedoms, and he never hesitated to provide informed, relevant analysis and legal advice to his colleagues. He stood out with his remarkable ability to make complex subjects appear simple.

Unsurprisingly, his peers elected him as Chair of the Standing Senate Committee on Legal and Constitutional Affairs, a responsibility that he fulfilled with the high competence Senator Cotter has accustomed us to.

Brent was also very active in the chamber, notably through his sponsorship of many challenging bills. In doing so, he always had in mind the relevance and quality of a bill from a legal perspective as well as the needs and interests of Canadians.

In his work, he was truly the embodiment of sober second thought. He championed the most vulnerable people. Through his numerous interventions, encouragements and sponsoring of events, he allowed people living with disabilities — notably those coping with mental health issues — to have a voice in the upper chamber. Thanks to his unwavering support, we now have a better understanding of those vital issues. His work has helped prevent discrimination and improve and increase the quality of public services across our country. With his undying commitment to public service, he made Canada a better place.

• (1410)

Senator Brent Cotter has done outstanding work in the upper chamber of Canada, and, in spite of his too-short tenure, his legacy will be cherished for many years to come.

Dear Brent, in the name of all your colleagues from the Independent Senators Group, we commend you on your merit and your service to the Senate. We look forward to your continuing contribution to Canada. We will not delete your personal address or your phone number.

Thank you, *meegwetch*.

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

**Hon. Marc Gold (Government Representative in the Senate):** Honourable senators, it is also with mixed feelings that I rise today on behalf of the Government Representative Office, or GRO, to pay tribute to our colleague, the Honourable Brent Cotter.

As you have heard and as you know, prior to his appointment to this chamber, Senator Cotter had a distinguished career in both public service and law. As a deputy minister in Saskatchewan, Senator Cotter oversaw the delivery of a nationally recognized program of services for First Nations and Métis peoples. As one of Canada's foremost legal ethicists, Senator Cotter was one of the original professors and writers in the field of legal ethics and was a founding member of the Canadian Association for Legal Ethics.

During his time here with us in the Senate, Senator Cotter has been an integral member of many committees including his work on the Legal Committee and as its chair. Senator Cotter has also sponsored important legislation in this chamber including Bill C-51, An Act to give effect to the self-government treaty recognizing the Whitecap Dakota Nation, and Bill C-22, the Canada Disability Benefit Act, that laid the important groundwork to create the first ever federal benefit designed specifically for persons with disabilities and one that we all hope will be enhanced and expanded as soon as possible.

The Senate, as those of us who have been around know, has a long tradition of appointments of constitutional and legal scholars. It dates back many decades, if not longer, in this chamber's history. Even in that long tradition, Senator Cotter stands out.

What stands out for me about my friend Brent Cotter are the personal qualities of his character that he brings to the work: his integrity; his thoughtfulness; his respect for us in this chamber and for the chamber itself, for Canadians; and, importantly, respect for those with whom he may disagree. But he always prosecuted his ideas with thought, consideration, great humour, as you heard, and, indeed, elegance, as I suspect we are going to hear when it's his turn to take the floor.

Senator Cotter, you were quoted shortly after your appointment saying the following:

. . . I hope I can make a contribution that advances the national interest, but also is responsive to the needs of the people of Saskatchewan . . . .

During your time here — altogether too short, Brent — you have accomplished exactly that.

Again, on behalf of the GRO team and family, happy retirement, my friend, to you with Elaine and your lovely family. You will be missed.

Thank you.

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

**Hon. Donald Neil Plett (Leader of the Opposition):** Honourable senators, I also rise today to pay tribute to our colleague and certainly my friend the Honourable Brent Cotter as he prepares to retire from the upper chamber.

Senator Cotter was appointed during the COVID pandemic. Those were truly unusual times for everyone, but it must have been particularly challenging to start your tenure in the Senate while our sittings were forever adapting and evolving.

Let me begin by saying that I have grown to really appreciate Senator Cotter. He has a way with debates that is, indeed, interesting to listen to. Somehow, he manages to balance humour and seriousness in his speech, unique to his style.

Though I must admit, Senator Cotter, our first exchanges at committee on Bill C-7 weren't necessarily off to a great start. However, over time, we worked on other topics where our opinions often had commonality.

Senator Cotter, you not only found your groove in the Senate, but you also raised your voice to inspire us to find ways to “. . . enrich the lives of those less fortunate than us and open our hearts to their needs.”

A turning point for me was, Senator Cotter, when you spoke about your daughter. The way you shared her story and how you supported her big ideas of weaving and putting together decorative pillows for everyone in this chamber deeply touched me. That pillow has been a staple in my office ever since. Your comments that day showed us your character. We saw a man who cared for others. We saw beyond your extensive legal knowledge and experience. We saw your compassion and dedication for those who face life with disabilities. Your support for individuals with disabilities is truly inspirational.

I believe this marked the beginning of our friendship. Colleagues, you may or may not know that Senator Cotter and his daughter are dedicated curling fans. Over the years, I have truly appreciated both of their support for my granddaughter Myla and her curling team. Brent is a student and a teacher of the game, and I have valued his advice both in sports and in this chamber.

Senator Cotter, we wish you all the best in your retirement. May you continue to inspire and enrich the lives of those around you just as you have done here. Thank you for your service, Brent, your friendship and your unwavering commitment to making a difference.

On behalf of myself and my colleagues in the Conservative caucus, our heartfelt gratitude and best wishes to you.

Thank you.

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

**Hon. Robert Black:** Honourable senators, I am honoured to rise today to provide a tribute, on behalf of the Canadian Senators Group, to our colleague Senator Brent Cotter.

To start off, Brent, according to my calculations, when you retire you will have been a senator for 1,784 days. That is a long haul, my friend. And you have been an active senator since your first day here in this august chamber so many months ago.

Your interventions over the years have been insightful, thought-provoking and inspiring. You have not only represented your home province of Saskatchewan with honour and integrity, but you have also been a great “ag-vocate.”

You have participated in numerous debates in the Red Chamber and in committees with sincerity and veracity. Whether studying the Statutes Repeal Act, the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act, budget bills or legislation related to our justice system, your leadership as the Chair of the Legal and Constitutional Affairs Committee has been commendable, and as a committee chair myself, I applaud your diligence and productivity.

As a member for a short time of the Senate's Agriculture and Forestry Committee, you always asked insightful and thought-provoking questions that added immense content to our debates, discussions and reports.

I had the opportunity to travel with Brent to the World Congress of Soil Science in Glasgow, Scotland, in 2022 in relation to the Agriculture Committee's soil health study. I believe it was during that very trip that Brent had a realization — in fact, some might call it an epiphany — about how important soil health is for everything from food, clothing, petroleum, biodiesel and the list goes on. We have heard you say you came to pray and stayed to play. One might say that the notion of soil health was cultivated, sprouted and grew within Brent that trip.

In the Agriculture Committee, he helped us dig deep, and we did just that when we toured the Canada Agriculture and Food Museum in December of 2022. We literally dug deep into the soil and got our hands dirty.

Brent, we would also like to thank you for your many interventions here in the chamber and in committees. They have always been thought-provoking. However, the most recent one that comes to my mind is your intervention on Bill C-275 related to biosecurity on farms. Colleagues, if you did not hear Senator Cotter's speech on November 5, please take the time to review it.

While, as you might expect, it does include muddy lawyer speak, he makes some great points that I believe all senators should hear.

• (1420)

Thank you, Senator Cotter, for your commitment to Canadians, to Saskatchewan, to the Senate of Canada and to each and every one of us here in this chamber. On behalf of the Canadian Senators Group, Brent, we wish you all the best as you begin this new venture, this new opportunity: your retirement. You will be missed.

Brent, if you ever want to talk about soil or learn more about what we came to realize as “soiling your undies” — that’s “soil-speak” — you know where to reach me.

Thank you, *meegwetch*.

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

**Hon. Pierre J. Dalphond:** Honourable senators, on behalf of the independent senators of the Progressive Senate Group, or PSG, it is my pleasure to pay tribute to Senator Cotter, though it still remains unclear which event will come first: Senator Cotter’s seventy-fifth birthday or our end-of-year adjournment.

Though his term with us will be relatively short — not quite five years — and began only weeks before we faced the unusual circumstances of the 2020 pandemic, I think we can all agree that Senator Cotter has used his time here wisely and productively. We have been privileged to hear his interventions on a variety of topics, and I have enjoyed the tandem role that we have sometimes played in this chamber and at the Standing Senate Committee on Legal and Constitutional Affairs, including on its steering committee.

Though we jurists may have contributed to some complications, it remains a pleasure for all of us to have benefited from your interpretation of the many legal issues that we have examined. Through his term here, Senator Cotter has been a fierce advocate for his province, Saskatchewan, and for its farmers and government. I remember very well the fight with the Canadian Pacific Railway.

Senator Cotter has always demonstrated empathy and respect when outlining his own positions or critiquing different views. Moreover, though from a landlocked province, he has shown the ability to navigate the occasional stormy waters of the Senate.

Senator Cotter has also showcased his humour, treating us to a variety of entertaining anecdotes in his remarks. I particularly enjoyed hearing about his sweatshirt emblazoned with the phrase, “This case ought to have been simple, but the lawyers have made it complicated.”

Brent, you will leave a legacy in the Senate in its Hansard in addition to leaving a lasting reminder of your kindness through the decorative pillows that you have provided many of us, courtesy of your daughter, Kelly.

I can add that I will continue to borrow from you the Cotter style of presentation or introduction for my speeches. I really enjoyed it, Professor Cotter.

On behalf of my colleagues in the PSG and all of us here today, I wish you a wonderful retirement with Elaine. I know she loves horses, like we all do, and that you will monitor our future discussions about that issue. But I can’t imagine this will be the last time we hear from you, and I look forward to seeing you again in what comes next. Thank you. Have a happy retirement, my friend.

**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 Elaine Gibson, Senator Cotter’s partner; his son, Rob Cotter; his granddaughter Charlotte; Tara and Jenna Oak; family members; as well as friends of the Honourable Senator Cotter.

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

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

#### THE HONOURABLE BRENT COTTER, K.C.

##### EXPRESSION OF THANKS

**Hon. Brent Cotter:** Honourable senators, I was warned this would be difficult. I think it will be more difficult than I had expected. Nancy Hartling spoke to me about that yesterday.

Let me begin by observing that — this is a reference to Senator Plett’s kind remarks — my daughter, Kelly, made the pillows but she made me buy them before we could give them. She’s got a little entrepreneurial streak in her.

I want to say thank you. Your remarks are very kind; they made me regret that I did not try harder for that constitutional amendment to get the retirement age up to 80.

If I may, I don’t often have visitors here, Your Honour, but I would like to acknowledge those who are here today. Among them are my friends Denis Lehotay and Joan Scaglione. Denis is a polymath and a biogeneticist, Joan an artist. Also, Frances is here. She’s an environmental planner and an architect at one of the national parks on Prince Edward Island. Tara and Jenna, Elaine’s daughter and granddaughter, are here too. Jenna is a spectacularly talented person, Tara an environmental adviser. I’d also like to acknowledge Elaine and Rob and Charlotte, about whom I will say a word or two shortly. Charlotte is my tiny perfect granddaughter.

As I mentioned to the Independent Senators Group, or ISG, yesterday, there are three kinds of people in the world in this kind of situation: those who are gone and forgotten, those who are gone but not forgotten, and for now, I’m in the third category, forgotten but not yet gone.

As I leave, I want to note further diminution, if I may, in the number of Dalhousie law graduates serving in this place — there were seven when I started if we count Senator Dalphond’s

slightly tenuous connection to Dal. I think there will be three if I leave. I trust the Prime Minister will be attentive to this and rectify it. I'm sure he's watching now.

After Senator Fridhandler, a Dalhousie law graduate, was appointed, I happened to be at Dal law school and I noticed his picture on the wall of the 1983 graduating class, right next to another senator. They are in alphabetical order: F-r and then F-u, Fridhandler and Furey. Our Speaker was a classmate. I'm sorry; that's a terrible way of telling it.

I would like to divide my farewell remarks into four parts. My friend Senator Dalphond would be disappointed if I did otherwise.

First, a few words of thanks to the Senate people and those who have supported me during my time here. Lynn Gordon settled me in magnificently and assisted me in persuading Cindy McCavour to work with me. She taught me to be a senator.

Students worked with me over the early years, but particularly Haneen Al-Noman and Isabelle MacLean; both are now clerking in the Supreme Court of Canada. For those who don't know, there are 27 jobs in the Supreme Court of Canada, much sought after among the 3,000 graduates every year. More recently, I've worked with Audrey Matheson, and presently with Dylan Odd and Haneen Faisal. I do not want to laud them excessively, but sometimes you don't know what you've got until you've got it.

Audrey was a brilliant researcher, now clerking at the Supreme Court of Ontario. Dylan opened up ways of getting things done for me, outreach to key people, being on top of things in ways I didn't know possible here. Thank you, Dylan. And Haneen, who joined my office almost by accident, has been a researcher extraordinaire and a sounding board for almost every issue I have faced here. Thank you, Haneen.

One small example: Colleagues in the ISG and a few others will recall a presentation I did on Indigenous and treaty rights recently. I did the talking and took pretty well all the credit, but it was Dylan and Haneen who built the architecture of the talk, gave it gravitas and made it meaningful.

Second, a few words about you as senators even influential in me getting to this place. In the previous model of the Senate and Senate appointments, I would never have been appointed, and, to be honest, I would never have ever wanted to.

• (1430)

Even with the new appointment model, I never gave it a thought. A friend encouraged me to consider making an application, so I had a look at the people who had been appointed and who had offered to come to the Senate. I saw Peter Harder, Peter Boehm, my friend Howard Wetston, Sabi Marwah, Bev Busson, Gwen Boniface, Raymonde Saint-Germain, Chantal Petitclerc, Marc Gold and Tony Dean — people whom I knew a little bit or by reputation, and many whom I did not know at all. I thought that if they, as distinguished as they have been in their careers to date, think it's worthwhile to serve in the Senate, I should give it some consideration.

So I applied, but I didn't hear a word for three and a half years. I thought there was a message there. I put it out of my mind, but then on consecutive days, I received two phone calls, with the second being from the Prime Minister, and here I am.

My presence here has been a challenge, particularly for Elaine, who has not once complained about my geographical or mental absences. But I am grateful to the people whom I hardly knew or did not know at all, only by reputation, for serving as inspiration for me to come. Thank you.

I was immediately made welcome when I arrived here. I had a delightful visit with Senator Gold, and we have, then and occasionally since then, shared stories of overlapping lives, careers and interests.

Senator Omidvar invited me out for a meal at a Colombian restaurant. Senator Kutcher and Senator Wetston did the same. Senator Dalphond invited me out for lunch and gave me a chance to talk about my career, or maybe it was he who talked about his.

People were friendly to me. Senator Keating and I were sworn in at the same time and were made welcome. When Senator Plett's granddaughter's curling team was visiting — the spectacular curlers and sparkling personalities that they are — Don invited me to a reception in their honour to get to know them and their families. The families were, in particular, curling heroes to me. Thank you, Don.

The personal warmth was extended to me throughout the Independent Senators Group, particularly with the leadership of Senator Woo and Senator Saint-Germain.

Senator Furey invited me to go on a trip, and he encouraged me in my style of speaking in this place, by which I think he meant to use more *The Far Side* cartoons.

Senator Gagné, whom I greatly admire, was supportive and gave me the honour of serving as the Speaker once for a whole hour. To express my thanks — this part is true — I wrote her a note later, advising that since the points of order were piling up in here, on her behalf, I simply decided a number of them orally from the Speaker's chair. I was sure she would be appreciative, and I advised her I had to expel a number of senators from the chamber for not bowing low enough.

Neither of these was true, but, then again, I only had an hour. You have probably observed since, though, the Speaker watching you closely as you enter or leave this chamber. She's taken my lead and is watching to see how low you're actually bowing and whether it's low enough.

To be honest — this is embarrassing — as a private joke between us, she may not have noticed, but I entered the chamber recently and made a very low bow to her and nearly fell on my face. I'm nearly 75 years old.

During my time here, as I say, you've made me feel very welcome. You made Elaine feel welcome each time she visited, and you made my daughter feel valued and welcome when she came to visit.

Senator Smith regaled my athlete brother with football stories when he visited. Thank you, Larry.

Even in the short time that my son Rob and Charlotte have been here, you've been generous and warm in your welcome to them. Within minutes, Senator Saint-Germain and Charlotte became pals on Monday evening. Thank you. It made my time in this place — I searched for a word — joyous.

If I may digress for a moment and introduce a solemn thought, I feel sad for Judith Keating, Josée Forest-Niesing and Ian Shugart, each of whom passed away during the last few years and did not have the opportunity to contribute the full extent of their gifts to this place or to Canadians, or to experience the full extent of your warmth and the dynamism of this unique place.

I would be remiss if I didn't share this one story in relation to the passing of Judith Keating.

As many of you know, and it's sometimes noted, there's a special bond that develops when people come to this place at the same time. Senator Keating and I were sworn in together, and we became friends. We didn't know each other previously.

In July of that year, shortly after Senator Ravalia learned that Judith had passed away, I received a phone call from rural Newfoundland. Knowing the meaning of that special bond, and with his warm, empathetic voice, Senator Mohamed Ravalia thought to call me and express his grief. And he knew that I was suffering grief as well. It was a very generous thing to do. Thank you, Mohamed.

Sometimes I think about Senator Ravalia and how that beautiful, empathetic voice heals people. He doesn't need medicine or anything. He just has to talk to them to help heal. Thanks.

During my time here, I was overwhelmed by the respect and support shown to me and the quality of the work by Senate staff, pages, the people at the Library of Parliament and the committee staff. I'm thinking of the Usher of the Black Rod; Shaila Anwar, our Clerk, of whom I'm inordinately fond; and the clerks of the committees, including Ferda Simpson from the Agriculture Committee, Joëlle Nadeau and Marie-Eve Belzile from the Standing Committee on Ethics and Conflict of Interest for Senators — and sometimes Shaila was there as well — and Vincent Labrosse from the Legal Committee as well as the lawyers and staff. There are the particularly unsung members from the Library of Parliament, as well as Joanne Markle Lamontagne at the Agriculture Committee and Michaela Keenan-Pelletier at the Legal Committee, all of whom have been wonderful to me.

I have a degree of humility — Elaine and my family would disagree, I think, and probably call it fake humility — and I was truly overwhelmed by all of this, so I thought about it a bit. I

want to share the thought or understanding that I came to. If you remember nothing else about what I have said this afternoon, this might be one of a few small points.

This respect and consideration were really not for me; it was their show of respect for the office I held and for the institution we are serving in. I thought, "If they have this profound respect for the Senate and the office of senators, so should I." So should I.

I tried to do so, to the extent that I have. I owe much of that to their inspiration and the role modelling of so many of you here. Thank you.

Next, and if you're counting, Senator Dalphond, I'm moving on to point number two. It seemed like a long point for number one, and I apologize. It's a bit about my experience here and my reflection on how I served in this place.

I'm not on social media, and I decided not to be during my time here. This has made me not a very good outside senator, if I can call it that. I don't have much of a public profile. I'm available to talk with the media; I do so when asked, and I think I do it reasonably well when asked. I can speak in complete sentences, but I haven't sought it out, and it's perhaps a failing. We are, I guess, who we are.

When that dawned on me, I thought about how I could serve well in this place, and I thought there were three areas in which I could make contributions. The first was to try to do my job ethically. I'm no more so than the next person, but I do want to share with you three short stories from my pre-Senate professional life in government that are a constant inspiration.

I served as the Deputy Attorney General of Saskatchewan in the early 1990s. On the first day I started that job, a bottle of champagne arrived from the hotel across the street and also crackers. It was a welcome gift to the new Deputy Attorney General. I thought, "How nice. I wonder what they have in mind." In this act of incredible equality, I thought I would arrange that we would hold on to this bottle of champagne, and on Friday afternoon at 4:30 p.m., the five of us in the office would each have a drink.

When you're the Deputy Attorney General, at least in my province, you have somebody as your leading executive assistant. It's usually somebody whose career gets fast-tracked in the department. That fast-tracking turns entirely on the will of the Deputy Attorney General. Before that morning, I had never met the guy whom I had as an executive assistant. His potential speed through in his career depended entirely on me.

I went into my office after this message about the champagne. He knocked on the door and came in, then closed the door, and he said, "You know that bottle of champagne? We're sending it back. The Department of Justice does not accept gifts."



• (1440)

I thought I did a pretty good thing. And then I thought, what courage. This guy, not knowing me at all, not knowing how I might react, let me know what the standards of ethics were in that department. Curtis Talbot is his name. I learned from that.

I had a series of direct reports when I worked there, one of them was a guy named Daryl Bogdusovich — these are names that quite possibly are known to Senator Batters. Daryl was the head of the civil law branch. These folks reported to me, and they had to report their vacations to me. Daryl, I thought he was teasing me, would provide these vacation reports: Wednesday, July 28, one eighth of a day; August 7, one eighth of a day.

What happened was Daryl, who had to work long hours, he was the key guy in the government in Saskatchewan responsible for working out payouts when people were laid off. He had a big job, worked weekends, a lot into the nights. On Wednesdays, four of them went golfing. In Saskatchewan, long days, you can play golf well into the evening. They teed off at five o'clock. He left the office at four o'clock, and he's reporting one eighth of an hour vacation because he left the office an hour early. I wouldn't have done that actually, but I thought that's a very good thing for me to learn.

A third one I learned at Prime Minister Trudeau Sr's funeral. When that funeral took place in Montreal a number of years ago — some of you will be familiar with it — former premiers were invited to come to the funeral, and I was the deputy of intergovernmental affairs and coordinating the Saskatchewan premiers coming. After the funeral, I, one other fellow, former Premier Blakeney, and the then Premier Romanow — at their request — we went to Schwartz's smoked meat deli for lunch. They're not the first people who ever went there. And on government travel, my anticipation is the bill will come, it won't be a large bill, but I will pay the bill and I will get reimbursed back from the government, the bill is going to be \$75. The bill arrives, Allan Blakeney grabbed the bill. He had a gift of arithmetic — and lots of other gifts, he was a Rhodes scholar. He took the bill, immediately looked at it and said, "You owe \$14.50, you owe \$12.75, you owe \$13." We all hauled out our money and paid the bill, and the government paid not a nickel. It was the way Allan Blakeney ran his government in Saskatchewan. Sometimes people think that social democratic governments are tax-and-spend governments. Allan Blakeney ran the Government of Saskatchewan for 11 years, 11 surpluses, and I think he put his personal stamp on respect for the people's money. I learned from that. I ran 12 years of deputy minister departments, I ran 12 surpluses, and most of it inspired by Mr. Blakeney.

Then I got lucky here and got to serve on the Ethics and Conflict of Interest Committee. It's a great committee. Senator Smith, Busson, Carignan and Harder are honourable, respectful, thoughtful, non-partisan, all under the exceptional leadership of my friend Senator Judith Seidman. In recent memory, this committee has been led by among the most distinguished of senators — Serge Joyal, Raynell Andreychuk, Murray Sinclair. Judith Seidman joins a long list — deservedly so — of distinguished senators to serve in that role, and I was honoured to work under her there. I looked forward to every meeting of the Ethics Committee. Who can say that?

Second, in terms of contribution, I tried to be informative on issues that I knew a little bit about. More issues than I thought, although probably more than you wished.

It's in my nature, I think, as well — and this is coming to the last of these observations — to try to be helpful to senators who are working on initiatives that I support. It's a bit more like what deputy ministers do, as I once was one, and I swear I feel probably more in my element. So I'm thinking about trying to be supportive of Senator Deacon's sports betting advertising bill, Senator MacDonald's fruit and vegetable bill or, a few years ago, Senator Wells's sponsorship of the Kevin Waugh single-event sports betting bill. Sometimes not even a bill, such as Senator Deacon's work on digital commerce issues, Senator Greenwood's work on Indigenous learnings and solstice events, Senator Simon's inquiry on municipalities or Senator Boniface and Senator Manning on sexual assaults and coercive treatment of women. Senator Manning graciously and kindly quoted my remarks on that issue recently.

Now, all of these efforts are tied, in my own mind, to a sense of my own independence as a senator. I decided early on that my own personal approach would be that if I thought a bill or another initiative was a good idea, I would support it wherever it came from. This little list that I've mentioned suggests that I think I kept that promise to myself, for the most part. And where I sponsored government bills, where there's a little bit more of a constraint — if I may say, Senator Gold — I accepted those constraints, but my sense of independence is that I made the independent decision to support the bill as a whole and was honoured to do so.

In my own small way, I tried to make welcome new senators, that had happened to me, and to try not to be too impressed with their qualifications and potential, which, if I may say so, is exceptional.

I'll leave out many of you who would fall into this category, but I'm thinking of Senator Yussuff, whose every intervention has been meaningful, Senator Osler, who from day one offered insightful observations and such precise questioning of witnesses — scalpel-like — that I thought she must be a lawyer. It's the kind of thing lawyers say. Senator McBean, a hero of mine from her and her partner's Olympic rowing days, who from the very start was exceptional and, if I may, so right on in insights and contributions at committee. The same is true of Senator Oudar at the Legal Committee. And so many of you, the list would be embarrassing if I went on and on.

My friend Mary Robinson, Senator Robinson — this is quite a trick — showed up as a witness at the Agriculture Committee's study on soil health, then got herself appointed to the Senate — and to the Agriculture Committee — and then helped write the report about which she had testified. How cool is that? So as a result, the report is full of statements that read something like this, "The committee would now like to note, once again, witness Mary Robinson's insightful testimony." Senator Varone insightfully dissecting Bill C-280 and others. Chantal and Bernadette, glue that holds us together at the Independent Senators Group.

The diversity of our Senate, in my view, the scope of your backgrounds and personal stories, the breadth of your knowledge and insights and your intellect are, I dare say, unmatched in the history of this institution. Small wonder it is sad for me to leave.

I was also asked to sponsor a few bills, some have been mentioned already. I sponsored a private member's bill from MP Jim Carr on a green Prairie economy, a framework. A much beloved member of Parliament, Jim was dying as the bill crossed the finish line. It was an honour to guide that home.

And you will recall, a very important bill, the life-altering Miscellaneous Statute Law Amendment Act. I knew this — I wrote this down — and at this point I say, “You laugh,” and you did. Thank you. But who here can say that they sponsored a single bill that amended 543 acts of Parliament in one fell swoop?

As mentioned, the work we did in the group, and I filled a leadership role in it, dealing with the constitutional resolution regarding the Canadian Pacific Railway. An honourable thing for us to have done in support of our province of Saskatchewan. And also more seriously, Bill C-22, the Canada Disability Benefit Act, which is close to so many of our hearts, and which I hope will be close to coming to life in a meaningful way. Done right, it will be truly life-altering for so many people — so many people that all of us are concerned about. And thank you, Senator Gold, for providing me that opportunity.

Part three, since this will be my last opportunity in the chamber, at least a few thoughts on the Senate and my hopes for the Senate of the future; I really have only two. First, serving as an independent senator, however one conceives of the role, is actually a good thing. Despite all the critiques, the teasing and the platitudes associated with sober second thought, the concept only genuinely exists if the decision maker is truly untethered from the government of the day or an organized, caucus-based opposition. Sober second thought is nothing if it does not also lead to independent, uncontrolled decision making.

To be honest, I doubt that Mr. Trudeau had thought all of that through when he began to appoint independent senators, but one of the effects that he's largely achieved — sometimes to his own grief, I am sure — is the enrichment of untethered, independent thinking in this place.

• (1450)

Second, I would encourage you to commit to the many roles of senators in this federation, as you have, no doubt, already done. You know many of these — the protection of minority communities, vulnerable people and Indigenous people — but I would encourage you to also think meaningfully about your senatorial role as a voice for the provinces and territories, and the people thereof.

I want to make this point in a slightly constitutional way. First, this is a reminder that Canada is a federation. The federal government operates within that federation, constrained by at least these two things. The first is that the government and we as

parliamentarians have to be reasonably confident that in the things we do — and it's mainly writing and passing laws — we're not violating the constitutional rights of our citizens. We're mainly guided by the Charter here, from which we get guidance, and there's an additional argument, I think, that we should have organized guidance from the executive so we don't violate other rights, like those of Indigenous people. Senator Greenwood made this point to Minister Anandasangaree just last week.

The second thing, which is one we often overlook, is that we're constrained to not unconstitutionally intrude into the jurisdiction of our constitutional partners in the federation, the provinces and territories. As senators, we have a special obligation to look out for those partners in this regard. I believe in the concept of constructive entanglement, which is when Ottawa and the provinces use their authorities together constructively to achieve the best for our citizens. Even in doing this, though, we must have a rudimentary understanding of the boundaries of our powers as federal parliamentarians, mostly with respect to the division of powers, how we use them and how the executive uses them, and how to do that well.

That's the second point I hope you might remember from this.

I'm in the home stretch. This is the fourth part.

I'd like to say a few words about my evolution as a person and senator in this place, about my own motivations for conducting myself in a certain way here and in life, generally, as well as about the people who have supported and inspired me. I took the train as an immature 21-year-old from Moose Jaw, Saskatchewan, to Halifax to start law school at Dalhousie. Although I never thought it at the time, it was the best professional decision I ever made. At Dalhousie, I learned about the concept of public service. I made friends for life, and the professors were great. Some of you may know these friends: Mary Clancy and Anne McLellan; distinguished judges, including Howard Wetston, who served here for a period, Serge Anissimoff, Debbie Gass, Jill Hamilton and my close friend Jim McPherson, the guy who told me my fly was down — we're still friends. They have been constant inspirations to me throughout my life.

When I was a young lawyer, in particular, I was mostly representing clients who were vulnerable, powerless legal aid clients or people at Dalhousie Legal Aid, where I taught and worked for about five years. It felt like you were constantly fighting against power — landlords, the Department of Social Services and, often, unsympathetic judges. I developed a fairly edgy style — to be honest, it is not far from my actual persona — to advance my clients' interests.

It's hard to measure one's success in this line of work with this persona, but I can give you one measure, which is my record of success in the Nova Scotia Court of Appeal and the Supreme Court of Canada: It is unblemished; I lost every case. I have reflected upon this a little bit over the years and have made a conscious decision to do better and be better. I think this helped me in my career, and — with the exception of a few spectacular flameouts that I remember — I have achieved equilibrium.

When I came here, I found myself slipping back toward my former self: more aggressive, more litigious and such wit as I have being sharp as opposed to gentle. That was pointed out to me, and it caused me to reflect a second time. I'm not mentioning Senator Plett, specifically, but he was my inspiration in a good way. I consciously moderated my approach.

I mentioned my partner, Elaine, has made sacrifices for the past five years to enable me to take up this position, but more than that, she's been one of a small group of people — a true partner in this enterprise for me, and the most immediate — whose judgment, behaviour and contributions I greatly value. I would not have been much of a senator without her.

It is also my family who offered guidance. I have a luckier family story than so many of you and your courageous ones in this place. I come from a close and loving family. My brother and sister are among my best friends. My mother was a solid, stable, loving parent, but it is my father, daughter and son about whom I will speak briefly. My father, deceased now 20 years, was kind, gentle and selfless — a good person — as good as I've known in my life. Many would attest to that. I spoke about him briefly in a speech a while back — my funniest but least consequential, I think — in relation to the dental bill, but Senator Yussuff needed no help there. I do want to share two stories about my father that make the point and hopefully describe the aspirations I have.

When I was growing up in Moose Jaw, he worked as a salaried dentist at the Saskatchewan Training School where about 900 or 1,000 institutionalized people with significant intellectual disabilities lived. He was their dentist. He loved the people there. Every Christmas morning — and it took a number of years for me to realize this, as engrossed as we were in our Christmas gifts — we noticed he disappeared for two or three hours. He left his family on Christmas morning.

When I noticed this, I was offended until I learned why. Every Christmas morning, he would go out to the training school, dress up as Santa Claus — he had the build for it — and give out Christmas gifts to hundreds of the residents, mostly with no families present, and help serve breakfast. He loved his family deeply, more than anything in his life, but in those moments, he felt that those deeply disadvantaged young people needed him more.

Second — and this is a bit more about me — he always wanted to be a teacher but ended up a dentist with a family. Eventually, he went back to graduate school with a goal of becoming a dentistry teacher. The family cashed out all their money to make that possible, but I learned later that he delayed going back to school for years to enable me to finish high school without interruption. He had hopes for me as a student. It delayed the start of his last career as a dentistry teacher by years, and it was for my sake.

In my own defence, I will add this: He wanted to get a job as a dentistry teacher at the University of Saskatchewan. He was still finishing his degree in the United States. I was a student at the University of Saskatchewan and had just turned 18. I booked an

appointment with the Dean of the College of Dentistry in Saskatoon. I met with the dean and tried to talk him into hiring my dad. The dean was polite — unbelievably polite when you think about it; it was a pretty preposterous thing for some 18-year-old thing to do — but my dad got the job. He was a great teacher, and I reminded him until he retired, “I got you that job.”

From all of this love, I'll call it, came an expectation of how to be in the world. I let him down a lot, I'm sure, and I've certainly let Elaine down from time to time, but that set of expectations is powerful for me: to be good, kind and honourable. I am equally inspired by my children. Kelly, whom many of you have met, is a daily inspiration. My son, Rob, is also. There is also our vibrant granddaughter, Charlotte Kelly. Rob has grown into a wonderful person, a loving, caring spouse and a great father, better in most respects than I ever was. I learn more daily about him and from him. In my case, as Wordsworth said so long ago, truly, “The Child is father of the Man.” Thank you, Rob.

So, Elaine; Wilf, my father; and Kelly and Rob, more than any others, have inspired me in this place to try to be my best self so that they would be proud of how I am in this place and so that Charlotte and her sister, soon to come, will also be proud. They might think that whatever he had to say, Brent Cotter tried to conduct himself honourably; that's what the moniker is, after all — “honourable.”

My last thought — and I hope you'll remember this — is to encourage you to aim for honourability. This is a place where policies and ideas are hotly contested, as they should be, but I would encourage you to contest the ideas honourably; go hard on the ideas but soft on the people.

I have two mantras that guide my life, both of which are taken from others and adapted, which is the sort of person I am: derivative, not original.

• (1500)

Elaine doesn't like the first of them, so I won't share it with you, but I will share the second one. It requires a story — my last story. When I was the dean of law in Saskatoon, I became friends with a retired professor there at the time, Howard McConnell. I think Senator Batters and Senator Arnot will know or know of Professor McConnell. He was a brilliant guy, but quite disorganized in his thinking. I visited him once in his retirement, here in Aylmer, and he told me about his teaching experiences. His specialty was constitutional law, but one year the dean asked him to teach the law school course on the law of wills. Although he had never taught the course before, he dutifully agreed.

At the end of the course at Saskatchewan and other law schools, students can anonymously provide assessments of their professors. Howard told me that in that course he received the most honest assessment he had ever received. A student had written this: “With respect to the wills course, Professor McConnell did the best he could.” You laughed. I laughed. Howard chuckled. Later I started thinking: What more could he have done than the best he could? From that day on, in every aspect of my life, I have tried to aim for that.

So after I'm gone, if you remember me at all from here, I hope you will think of me in this way: Brent Cotter did the best he could. Thank you.

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

#### TRIBUTES ON RETIREMENT

**Hon. David M. Arnot:** Honourable senators, I join you in tribute to our colleague Senator Brent Cotter.

Senator Cotter is, by any measure, a remarkable contributor to the fabric of Canadian jurisprudence, to education and to the betterment of our society.

I met Brent in 1992, when he was the Deputy Minister of Justice in Saskatchewan. At the time, provincial court judges were pitted in a dispute with the province over the principle of judicial independence. His adherence to fairness, legal principles and the defence of the rule of law led to negotiated legislation to create a judicial independence commission, which, in turn, became a model for Canada.

As Deputy Minister of Intergovernmental and Aboriginal Affairs, he led the implementation of government-wide services for First Nations and Métis peoples, earning national recognition, a testament to his vision for a more inclusive society and an enduring legacy of progress and hope.

In the early 1990s, he negotiated the Saskatchewan Indian Gaming Authority agreement. This allows all 74 First Nations in Saskatchewan to participate in the profits of gaming revenue in casinos run by First Nations. I believe this is an example of economic reconciliation and a model for all of Canada.

He is a former dean of the College of Law at the University of Saskatchewan, and his passion for teaching continues to resonate in the lives of the students he mentored. Notably, he taught ethics and an always oversubscribed course on how to be an agent for professional athletes.

In the Senate, he has been exceedingly calm and fair as a chair, a sounding board for all constitutional matters and a champion of notable legislation, including Bill C-22 supporting the financial security of people with disabilities. This highlights, in my belief, his determination that no one should be left behind.

His accolades include the Saskatchewan Centennial Medal, the Distinguished Service Award from the Canadian Bar Association and the Lifetime Achievement Award from the Canadian Association for Legal Ethics.

Brent has been a personal mentor to me as I have learned to navigate this Byzantine place. Therefore, I would like to think that he is responsible for all of the mistakes I have made so far.

Brent truly loves his work in the Senate, which explains, I think, why he is so good at it and which may explain why he will miss us, in my opinion, just as much as we will miss him.

As a friend, I say this: May your journey ahead be as inspiring as the one you have travelled thus far. Best wishes to you and your family.

Thank you, Brent.

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

**Hon. Yuen Pau Woo:** Honourable senators, when Brent Cotter was named to the Senate in 2020, the late senator Murray Sinclair said to me:

Cotter is the pre-eminent authority on legal ethics in Canada. We should do everything we can to recruit him as a member of the ISG.

Such is the esteem with which Senator Cotter is held by his peers that he landed in our chamber with an aura and great expectations. He did not disappoint. In less than five years, Senator Cotter has chalked up a record on statements, bills, motions and inquiries, as well as service to the Senate.

He did the best that he could, which is better than most of us can hope for. That he accomplished so much during a time when the work of the Senate was reduced to a crawl because of COVID is even more impressive.

Senator Cotter plunged headlong into the work of the Senate and did not let a pandemic get in the way of that. In fact, he drove to Ottawa to attend several of our hybrid sittings. I was especially grateful for his presence because it was a bit lonely in the chamber with our reduced numbers. He participated actively in discussions on how to manage the uncharted territory that the Senate found itself in — from extraordinary budget measures to the rules around hybrid sittings and the use of the Emergencies Act.

He made learned, thoughtful and principled contributions on these bills and made a deep impression on his colleagues, starting with me.

Brent was a team player and a highly valued member of the Independent Senators Group, or ISG. He worked closely with the late senator Judith Keating to pilot an approach to the non-partisan, horizontal analysis of legislation, starting with Bill C-3 on the Judges Act and Bill C-7 on medical assistance in dying. They did such a good job that the ISG has institutionalized the practice of “legislative leads” on all bills, where ISG senators take responsibility for research and share their findings with other members.

Senator Cotter had been a senator for barely nine months when he took on this task, and he hit a home run on his first inning. Now, I say “home run,” but I could have used any number of other sports metaphors that Brent is fond of — whether it is curling, football or hockey. You may recall a story about how he was under the impression that he had had a very good score on a game of golf he played many years before. That score got better and better as his memory of the game became more distant, until he was reunited with the scorecard for that game, which showed a number that was rather less flattering.

I suspect Brent was being modest in his retelling of this story and that he is a better golfer than he is letting on, but that is the self-deprecating Brent Cotter that we have come to know and admire. He starts many of his speeches with a caveat about offering just a few “observations.” He then proceeds to dazzle us with his deep knowledge of the law, extensive experience in the administration of justice and his commitment to human decency.

Brent, your Senate scorecard is at the master’s level, and no amount of modesty can diminish the genuine, substantial and wide-ranging contribution that you have made to our institution.

You are a cotter pin. Those of you who know cotter pins understand that this is a humble piece of hardware that holds together important pieces of machinery. Our cotter pin has moral clarity, intelligence, wit and wisdom — not to puff himself up but to join people and ideas so that they work well together. We need cotter pins not only in machines but also in the machinery of life. We even need them in the Senate of Canada, which is why we will miss our friend and colleague Senator Cotter so dearly.

Brent, thank you for your outsized contribution to the Senate. I wish you a happy and healthy retirement.

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

• (1510)

**Hon. Marty Deacon:** Honourable senators, sense of humour, integrity, friendship and family — it is an honour to rise to pay tribute to our colleague Senator Cotter. I had the pleasure of working with Senator Cotter on Bill S-269, where he was essentially the co-sponsor. When I was working with the Law Clerk’s office in the initial stages, there was some concern around Charter implications and jurisdictional issues. Suffice to say, I knew just who to call. Senator Cotter’s passion for this issue was readily apparent, and he was incredibly generous with his time considering the multitude of other roles and responsibilities he had at the time. We were all taking a turn. This senator was with me at my first press conference for the legislation and was there to field questions with me when I appeared at committee.

The strength of our colleague is not only his encyclopedic knowledge that is readily available but also his ability to explain a complex issue to you without making you feel, frankly, a little bit stupid. No doubt this is from his time as a professor at Dalhousie Law School and as the former dean of the College of Law at the University of Saskatchewan. I would always leave our conversations better for knowing something I quite simply did not know before.

We all saw this time and again when he rose to speak in the chamber, and, no doubt, we are all better for having sat through his lectures, and I mean that in the best way possible. I have no doubt that Senator Cotter will continue to share his knowledge with the world in some form or another once he’s left this chamber. You should know I am not done with him yet as I try to get the bill through the other place.

However, my fondest memory took place many miles from here, and one of my favourite moments was in Calgary on a ski hill where I had the privilege of spending time with Senator Cotter and meeting his daughter, the curler, the builder, the pillow maker, the young gal who was just so vibrant to watch in action. I was honoured to be in a Special Olympics event where both of them were present at the same time and on the same day. I will never forget that.

Thank you, Senator Cotter. I’m wishing you the very best in your retirement with your family.

**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 Nancy Cummings Gold, spouse of the Honourable Senator Gold. She is accompanied by Dr. Joanne Cummings and Dr. Richard Cummings.

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

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

#### THE TRUE STORY OF SANTA CLAUS

**Hon. Fabian Manning:** Honourable senators, today I am pleased to present Chapter 86 of “Telling Our Story.” I’ll dedicate it to Senator Cotter.

Senators, this is the season for believing, and I fully realize that some of my previous chapters may, at times, have been difficult to believe, but they are all true — even the ones I made up.

What I am telling you today is the truth, and by the time I finish, you too will believe beyond a shadow of a doubt that Santa Claus is indeed a Newfoundlander and Labradorian.

This story started a long time ago when a lady by the name of Joy Butt of Pinsent’s Arm in Labrador married a fisherman named Christopher Legge from Turks Gut. Now, friends, it is only in Newfoundland and Labrador where you would have a Legge marry a Butt from the Arm and have the reception in the Gut, so anything is possible.

Joy and Christopher had three children. Two girls were followed by a bouncing baby boy, whom they proudly called Nicholas.

Nicholas grew up in a loving family and, at a very early age, learned the art of giving. Early on, he decided to spread his generosity around the world. In his early twenties, Nicholas became the person we now refer to as Santa Claus.

“How do we know this for sure?” you may ask.

It is because Santa Claus is very friendly, kind and generous, as all Newfoundlanders and Labradorians are known to be. He is always willing to share and bring happiness and smiles to people, especially those who are less fortunate. He works hard and is able to fulfill his duties each and every year because, like most men, he has a strong and confident woman by his side. You all refer to her as Mrs. Claus, but on the Rock, we all know her as Elizabeth Foley from Tickle Cove.

Only a Newfoundlander, in the absence of the fall of snow on Christmas Eve, could land that big red sleigh in heavy rain and thick fog, with less than 100 metres of visibility and 120 kilometres of wind. Only a Newfoundlander would have nine reindeer towing his sleigh when he may only need three to do the job. The reason for that is because Newfoundlanders and Labradorians enjoy the company of others, and Santa Claus does not want his reindeer to be lonely, especially on Christmas Eve.

And by the way, the leading reindeer, Rudolph, got his name from Nicholas's Uncle Rudolph, who lives in the beautiful fishing community of Joe Batt's Arm. Uncle Rudolph could take his fishing boat out on the water in the thickest of fog without as much as a compass to guide him, and he always made it back home safe and sound. All he ever did was sniff the wind, and he knew what direction to go — hence, Rudolph the red-nosed reindeer.

Now that I have your attention, I have a short message from Santa to share with all of you. After the big annual St. John's Christmas Parade, I met up with Santa, and we had a wonderful cup of tea and an engaging conversation. To once again tell you the truth, he is not all that happy with some things going on here in the Senate of Canada these last few months. Here are his words to all of us:

Dear senators,

Ho ho ho.

The political environment that you all have the privilege to work in each day can be a difficult place at times as you all carry out your duties. I thank you for your service to our wonderful country of Canada. I have been watching and listening, and I have noticed from time to time some very heated debates and discussions. It worries me.

As we approach the Christmas season, I ask that you remember that kindness and treating people with respect will always win the day. Everyone you meet is carrying a load of something, whatever that may be, and it is up to us to lighten each other's load with a kind word, a smile or a hug.

I am checking my list daily, and most of you are in good order, so you'd better watch out and you'd better be good because Santa Claus is definitely coming to town.

Merry Christmas to all and to all a good night.

Ho ho ho.

**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 a delegation from Hamlet of Tuktoyaktuk. They are the guests of the Honourable Senator Anderson.

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

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

## THE HONOURABLE SHARON BUREY

### CONGRATULATIONS ON LIFE MEMBERSHIP AWARD

**Hon. Flordeliz (Gigi) Osler:** Honourable senators, I rise today to extend my congratulations to my seatmate Senator Burey, but before I do, I want to acknowledge Senator Cotter and let him know the following: Senator Cotter, you did better than you could. You did the best. I will miss your reasoned and eloquent arguments made in this chamber that were delivered so well that this surgeon could always understand them.

I rise today to extend my congratulations to Senator Burey who was recently honoured with the prestigious Life Membership Award by the Ontario Medical Association, or OMA. This award recognizes members who have made outstanding contributions to the association's work, as well as the advancement of medical science and impactful initiatives at the provincial level to benefit the medical profession.

Senator Burey received this well-deserved recognition during the OMA's annual general meeting last week at the St. Clair College Centre for the Arts. Among her many accomplishments, Dr. Burey was the first woman of colour to serve as the president of the Pediatricians Alliance of Ontario. She also founded Attention-Deficit/Hyperactivity Disorder Awareness Windsor, contributed as a member of the Pediatricians of Ontario Executive Committee and served on the OMA's Health Policy Committee.

Senator Burey's advocacy transcends her professional achievements. Her leadership embodies a deep commitment to equity, justice and the pursuit of better health for all — values that resonate profoundly as we mark International Universal Health Coverage Day tomorrow.

This is an important day to recommit to the idea that everyone everywhere should have access to safe, high-quality, affordable health care. Universal health coverage is grounded on the principles of equity, non-discrimination and the fundamental right to health. Note that the right to health is a human right and a legally binding commitment enshrined in international human rights commitments.

Universal health coverage seeks to ensure that no one is left behind, particularly populations made vulnerable. This vision includes addressing gaps in access to essential services and advocating for care that is based on need rather than the ability to pay, whether it's for contraception or mental health care.

Senator Burey works tirelessly to advocate for youth mental health and has called for “mental health parity” to ensure that mental health care is treated with the same urgency and importance as physical health care. This advocacy aligns seamlessly with the principles of universal health coverage.

In celebrating Senator Burey’s achievements, we are reminded of the power of leadership to inspire meaningful change. Her dedication to advancing health equity and breaking barriers in medicine is an inspiration for many of us and a testament to the difference that committed individuals can make in addressing systemic challenges.

Senator Burey, thank you and *meegwetch*. It is an honour to call you a colleague and friend.

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

• (1520)

**THE LATE HONOURABLE MURRAY SINCLAIR,  
C.C., O.M., M.S.C.**

**Hon. Marty Klyne:** Honourable senators, I rise to pay tribute to our late colleague and friend — and to many of us, a mentor — the honourable, wise, kind and incomparable Murray Sinclair.

While serving in the Senate for five years, Murray was already a historic figure as the first Indigenous judge in Manitoba — the second in Canada — and the Chair of the Truth and Reconciliation Commission. In this place, which he viewed as Canada’s council of elders, Senator Sinclair achieved great things. He was a leader in Indigenous law, criminal justice reform, Senate reform, equality with respect to gender and sexual orientation, economic justice, children’s rights, environmental and animal protection and many other subjects — including comedy.

Our friend was quick-witted and very funny on the fly which often led to a lot of laughter. Even with the heavy responsibility he carried and all the tragedy he had witnessed, he would still find it within himself to be lighthearted and would share his positive energy.

As a senator, his efforts for justice were relentless. He played key roles in passing legislation to undo the historic gender discrimination in Indian Act status; to require Charter-compliance statements for all government bills; to reform the criminal justice system, including abolishing peremptory jury charges after the Colten Boushie case in Saskatchewan; to support Indigenous languages; to restore Indigenous jurisdiction over child and family services; and to expand the Good Samaritan Drug Overdose Act. His efforts also prompted government election commitments to adopt the United Nations Declaration on the Rights of Indigenous Peoples in federal law and to protect captive wild animals.

On a personal level, Senator Sinclair was loved here and greatly admired by senators and staff. He was very friendly, visible, approachable and accessible. He was able to make

everyone feel important. It was a good feeling to be a friend and a colleague to such a wonderful man with so many demands on his time.

With his book, *Who We Are*, Senator Sinclair gave us another gift. He wrote a good lesson for senators by saying, “The important thing about leadership is, you’ve got to learn to love the people.”

Senator Sinclair’s legacy is Canadians’ shared future of truth and reconciliation. It will forever be to the Senate’s credit that he served here. Though we miss him, our main emotion should be gratitude. God bless the Honourable Murray Sinclair.

I will conclude with a joke that some who knew Murray could say they heard at least 35 times. Senator Sinclair loved working with former senator Dan Christmas. In fact, every year around this time, he expressed his desire to be adopted by Senator Christmas. The reason, of course, was so he could wish everyone, “a Murray Christmas.” Thank you. *Hiy kitatamihin*.

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## ROUTINE PROCEEDINGS

### CANADIAN ENVIRONMENTAL ASSESSMENT ACT, 2012

2023-24 REPORTS BY FEDERAL AUTHORITIES WITH  
OBLIGATIONS UNDER SECTION 71 TABLED

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, I have the honour to table, in both official languages, the 2023-24 Reports by Federal Authorities with Obligations under Section 71 of the *Canadian Environmental Assessment Act, 2012*.

### JUSTICE

STATUTES REPEAL ACT—NOTICE OF MOTION TO RESOLVE  
THAT THE ACT AND THE PROVISIONS OF OTHER ACTS  
NOT BE REPEALED

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, pursuant to section 3 of the *Statutes Repeal Act*, S.C. 2008, c. 20, the Senate resolve that the Act and the provisions of the other Acts listed below, which have not come into force in the period since their adoption, not be repealed:

1. *Parliamentary Employment and Staff Relations Act*, R.S., c. 33 (2<sup>nd</sup> Supp.):

-Part II;

2. *Contraventions Act*, S.C. 1992, c. 47:
  - paragraph 8(1)(d), sections 9, 10 and 12 to 16, subsections 17(1) to (3), sections 18 and 19, subsection 21(1) and sections 22, 23, 25, 26, 28 to 38, 40, 41, 44 to 47, 50 to 53, 56, 57, 60 to 62, 84 (in respect of the following sections of the schedule: 2.1, 2.2, 3, 4, 5, 7, 7.1, 9 to 12, 14 and 16) and 85;
3. *Comprehensive Nuclear Test-Ban Treaty Implementation Act*, S.C. 1998, c. 32;
4. *Public Sector Pension Investment Board Act*, S.C. 1999, c. 34:
  - sections 155, 157, 158 and 160, subsections 161(1) and (4) and section 168;
5. *Yukon Act*, S.C. 2002, c. 7:
  - sections 70 to 75, 77, subsection 117(2), sections 167, 168, 210, 211, 221, 227, 233 and 283;
6. *An Act to amend the Canadian Forces Superannuation Act and to make consequential amendments to other Acts*, S.C. 2003, c. 26:
  - sections 4 and 5, subsection 13(3), section 21, subsections 26(1) to (3) and sections 30, 32, 34, 36 (with respect to section 81 of the *Canadian Forces Superannuation Act*), 42 and 43;
7. *Budget Implementation Act, 2005*, S.C. 2005, c. 30:
  - Part 18 other than section 125;
8. *Budget Implementation Act, 2009*, S.C. 2009, c. 2:
  - sections 394 and 401 to 404;
9. *Payment Card Networks Act*, S.C. 2010, c. 12, s. 1834:
  - sections 6 and 7;
10. *An Act to promote the efficiency and adaptability of the Canadian economy by regulating certain activities that discourage reliance on electronic means of carrying out commercial activities, and to amend the Canadian Radio-television and Telecommunications Commission Act, the Competition Act, the Personal Information Protection and Electronic Documents Act and the Telecommunications Act*, S.C. 2010, c. 23:
  - sections 47 to 51, 55, 68, subsection 89(2) and section 90;
11. *Financial System Review Act*, S.C. 2012, c. 5:
  - sections 54 and 56 to 59;
12. *Protecting Canada's Immigration System Act*, S.C. 2012, c. 17:
  - sections 70 to 77;
13. *Jobs, Growth and Long-term Prosperity Act*, S.C. 2012, c. 19:
  - sections 459, 460, 462 and 463;
14. *Jobs and Growth Act, 2012*, S.C. 2012, c. 31:
  - sections 361 to 364;
15. *Strengthening Military Justice in the Defence of Canada Act*, S.C. 2013, c. 24:
  - sections 12, 13 and 46;
16. *Yale First Nation Final Agreement Act*, S.C. 2013, c. 25:
  - sections 1 to 17, 19, 20, 21, 22, 23 and 24;
17. *Economic Action Plan 2013 Act, No. 1*, S.C. 2013, c. 33:
  - subsection 228(2);
18. *Northwest Territories Devolution Act*, S.C. 2014, c. 2:
  - section 47;
19. *Economic Action Plan 2014 Act, No. 1*, S.C. 2014, c. 20:
  - sections 371 to 373;
20. *Safeguarding Canada's Seas and Skies Act*, S.C. 2014, c. 29:
  - section 28, subsection 29(1), sections 31, 33, 35, 37 to 39, subsection 40(1), sections 41 to 49, subsections 50(2) and (5), sections 52, 53, 55 and 56; and
21. *Economic Action Plan 2014 Act, No. 2*, S.C. 2014, c. 39:
  - sections 306 and 308, subsection 309(1), section 311, subsection 313(2) and sections 387 to 400.



• (1530)

## ADJOURNMENT

### NOTICE OF MOTION

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, December 17, 2024, at 2 p.m.

[Translation]

## OFFICIAL LANGUAGES

### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY RESPONSIBILITIES OF FEDERAL INSTITUTIONS IN THE ARTS AND CULTURE SECTOR

**Hon. René Cormier:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Official Languages be authorized to examine and report on the responsibilities of federal institutions in the arts and culture sector with regard to the promotion of official languages and the vitality of official language minority communities;

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

That the committee submit its final report to the Senate no later than September 30, 2025, and that the committee retain all powers necessary to publicize its findings for 180 days after the tabling of the final report.

[English]

## QUESTION PERIOD

### PUBLIC SERVICES AND PROCUREMENT

#### PROCUREMENT PROCESS

**Hon. Yonah Martin (Deputy Leader of the Opposition):** Leader, on Friday *The Globe and Mail* reported that Accenture's contracts with Export Development Canada, or EDC, go far beyond the \$313 million in sole-source contracts it was given to run the Canada Emergency Business Account, or CEBA, loans program. In 2019, Accenture was awarded about \$10 million in

contracts. By April 16 of this year, that figure grew to an astonishing \$620 million, including multiple contracts for IT services. If all contracts with Accenture are paid in full between now and 2028, these external consultants will have received more than \$1 billion from taxpayers.

Leader, does your government dispute these figures obtained by *The Globe and Mail*, and if not, how can you possibly defend them?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you very much for your question. As I have mentioned in this chamber on other occasions, what is important to remember is that the Canada Emergency Business Account and the program that this government introduced and was passed in Parliament helped to keep nearly 900,000 small businesses across the country afloat during the most challenging health crisis that any of us have experienced. It not only helped these businesses stay afloat but also helped keep the workers on the payroll, and through that gave their families the ability to put food on their table and keep themselves sheltered.

As I've also mentioned, Export Development Canada, which was the arm's-length Crown corporation responsible for administering CEBA, independently awarded this contract. Canadians should be grateful that they were helped through this period through this program.

**Senator Martin:** We're talking about accountability and its importance for taxpayers. Last week, you told me Minister Freeland raised her concerns about Accenture's CEBA contracts with the president of the EDC, yet the Auditor General said her department "... did not provide effective oversight . . ." of \$313 million in contracts.

Leader, why should Canadians believe the other \$700 million is being managed properly?

**Senator Gold:** The government thanks the Auditor General for her work, but again, we must remember that these programs were put into place quickly, with eyes wide open, in order to ensure that Canadians could get the help they needed in this time of national crisis.

[Translation]

## PUBLIC SAFETY

### ROYAL CANADIAN MOUNTED POLICE

**Hon. Claude Carignan:** Leader, according to a CBC report, a government source has revealed that Justin Trudeau's Liberal government is considering spending \$1 billion to protect the Canada-U.S. border. In 2014, the RCMP had approximately 21,000 officers. Ten years later, in 2024, the RCMP still has roughly 21,000 officers, despite an 18% increase in our population. Short of resources, RCMP officers have become firefighters, putting out the fires set by this government.

How do you justify such a lack of resources and investment over the past nine years?

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

Honourable senator, after hearing your question, I can't believe that you do not support the additional investments that will be made to better protect our border, which is already garnering attention from our neighbours to the south.

That being said, this subject has been discussed several times in this chamber. Our police forces are under pressure. They are experiencing problems and dealing with recruitment issues. The government is continuing to invest to ensure that we have the resources we need to protect ourselves, not only at the border, but across Canada.

**Senator Carignan:** Leader, am I to understand that Canadians should thank President Trump for getting the Liberal government to wake up and try to repair its broken borders?

**Senator Gold:** The answer is no. Despite the false information that is being shared by the leaders of political parties here in Canada, our border is not a sieve. It is well protected. We can always do better. That is what the government is doing and will continue to do.

[English]

## EMPLOYMENT AND SOCIAL DEVELOPMENT

### CANADA DISABILITY BENEFIT

**Hon. Mary Coyle:** Senator Gold, the Canada Disability Benefit was introduced as a promise to lift low-income Canadians with disabilities out of poverty. As our colleague Senator Seidman and co-author Rabia Khedr pointed out in a recent *Montreal Gazette* article, this promise is undermined by requiring those people to qualify for the Disability Tax Credit. That qualification process is overly complex, costly and excludes many of Canada's most vulnerable people. Inclusion Canada stresses the need to expand eligibility beyond the Disability Tax Credit by automatically qualifying anyone currently receiving provincial or territorial disability benefits.

Senator Gold, why has the government chosen to hinge its access to the disability benefit on this exclusionary system? Will eligibility be expanded to include people currently receiving provincial or territorial disability benefits?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question, senator, and for your continued advocacy on this important matter, as well as the advocacy of others in this chamber, who were mentioned earlier today.

The benefit, as we all know, is being created to reduce poverty and support the financial security of working-age people with disabilities. We all acknowledge, as I did earlier today, that much more work needs to be done, and we all hope that will be done. My understanding is that the Canada Disability Benefit Regulations will make it possible for the benefit to be paid to those individuals who were meant to receive the benefit.

**Senator Coyle:** Hopefully, they will expand the access.

Senator Gold, the government estimates that at its current maximum level of \$200 per month, the Canada Disability Benefit will lift about 25,000 people out of poverty. However, this represents only a small fraction of the 1.5 million Canadians with disabilities currently living in poverty.

Senator Gold, the government says it wants to spend money on a \$250 affordability rebate. Why not demonstrate the same commitment to disabled Canadians by raising the Canada Disability Benefit to a meaningful level?

**Senator Gold:** Thank you for your question.

• (1540)

As we all understand, the level of the benefit of \$2,400 a year for low-income persons with disabilities was a significant step forward, with an eye toward cementing this program so that it's available for generations to come. As with all progressive programs that this government has delivered, they're built to be enhanced and expanded, and the government has so indicated in the budget. I understand the government hopes to grow this benefit to the level of Old Age Security and the Guaranteed Income Supplement, but the government's focus has been to get it out immediately.

## PUBLIC SERVICES AND PROCUREMENT

### CANADA POST

**Hon. Flordeliz (Gigi) Osler:** My question is for Senator Gold.

With the Canada Post strike now approaching its fourth week, the disruption is increasingly impacting Canadians nationwide. Small businesses are struggling with shipping delays and higher costs, with rural, remote and northern communities facing significant risk due to interrupted deliveries of essential items like prescription medications and medical supplies. The Assembly of First Nations and the Assembly of Manitoba Chiefs are calling for the urgent need for a resolution to prevent further harm.

What steps is the government taking to address these disruptions, particularly to ensure the timely delivery of critical supplies, such as medication, medical equipment and health care supplies to affected communities?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question and for underlining the real impacts this strike is having, if not for some of us in urban areas, with easier access to alternatives, then to those outside such areas who rely on Canada Post — as do others; charities and others could be mentioned.

The Minister of Labour has made it very clear that the parties are very far apart, and despite the intervention of mediators, the mediators concluded that it is, as we say in French, a *dialogue de sourds* and that mediation is not yet possible until the parties come closer and are willing to make a deal.

It's also unfortunately the case that the House of Commons is in a situation where the options for the government are very modest if existent at all. This is a structural problem within Canada Post. It's hard for the workers and for Canadians. We hope the parties will get back and bargain in good faith.

**Senator Osler:** Thank you, Senator Gold.

Given that Minister MacKinnon has stated that he is not yet contemplating an intervention, what additional actions do you believe the government could be taking at this moment? Furthermore, what specific steps do you think should be prioritized to swiftly resolve the situation and mitigate the ongoing impacts for Canadians?

**Senator Gold:** Thank you for the question.

For different reasons, I'm often unable to respond to questions. Were I to have the wisdom, knowledge and expertise to resolve this problem, I certainly would have shared it with the government. Nothing is hopeless, but this is a really difficult problem. The government does not have the ability to change the mindsets of the parties. It hopes they will come to their senses and show respect to Canadians, who need Canada Post to be delivering what they need for the benefit of Canadians.

## IMMIGRATION, REFUGEES AND CITIZENSHIP

### STUDY GUIDE

**Hon. Margaret Dawn Anderson:** My question is for the government leader.

On October 8, 2024, during ministerial Question Period, I asked Minister Marc Miller about Bill C-8, An Act to amend the Citizenship Act (Truth and Reconciliation Commission of Canada's call to action number 94), which I sponsored in the Senate and which received Royal Assent on June 21, 2021. I inquired about the working draft of the Immigration, Refugees and Citizenship Canada, or IRCC, study guide. Minister Miller responded at the time, stating:

My impression, senator, is that you had been provided with a copy. I'm glad to give you one after this meeting. So, yes, absolutely. I can print it off myself.

It is now two months later, and I have not received the document or any follow-up, despite repeated attempts. That act represented a commitment to reconciliation, yet three years later, critical steps remain incomplete.

Can you, as government leader, provide an update as to when I will receive a copy of the draft IRCC study guide? Alternately, can you provide a clear timeline for addressing this long-standing matter?

**Hon. Marc Gold (Government Representative in the Senate):** Senator, thank you very much for your question and for bringing to my attention the fact that you had not received this. I regret that I did not know this earlier and would have intervened to do my best to resolve this. It's regrettable, and I will make inquiries with the current minister at my earliest opportunity in the hopes this can be addressed.

I don't have a timeline for you, but I will make the inquiries as necessary.

**Senator Anderson:** Thank you, Senator Gold.

As an Inuk woman, I sponsored Bill C-8 in good faith and with the understanding that it was a meaningful step toward reconciliation. The lack of follow-through on this critical Call to Action of the Truth and Reconciliation Commission, or TRC, is troubling. This prolonged delay undermines reconciliation and questions the government's commitment to its mandate.

Can the government assure the public of its commitment to effectively action TRC-related bills? How does the federal government ensure meaningful collaboration with bill sponsors to guarantee effective implementation and avoid tokenism?

**Senator Gold:** This government has taken enormous steps, made enormous investments toward and stands by its commitment to helping Canada move forward on the path of truth and reconciliation. That does not mean that everything has gone smoothly nor, as you've pointed out, that everything has been done as hoped. But I can certainly commit to Canadians and to you that I will do my best to get the answers you requested, and I can promise Canadians that this government remains committed to reconciliation with First Nations, Inuit and Métis.

## FINANCE

### FISCAL MANAGEMENT

**Hon. Leo Housakos:** Senator Gold, with Canada's deficit now rumoured to be over \$60 billion, far beyond the \$40-billion guardrail promised by Minister Freeland, how do you justify the level of spending your government continues to engage in, including the GST tax trick that will only cost Canadians in the long run? Your government is playing loose and fast with nominal GDP growth, acting like it's a blank cheque to overspend in what can only be described as a lame-duck attempt to hold on to power.

Senator Gold, do you and Justin Trudeau still believe that budgets will balance themselves, and is fiscal discipline completely and simply off the table with this Trudeau government?

**Hon. Marc Gold (Government Representative in the Senate):** Senator Housakos, once again, the premises of your question are simply incorrect. This government has never said that budgets would balance themselves. What this government has done and continues to commit to is to invest in the future of Canadians and this country.

For example, let me remind you of the investment this government has made in the Housing Accelerator Fund, a program that your leader has vowed to cut even as he promises to substitute it partially with some other as-yet-to-be-elaborated-upon plan. The City of Calgary will receive \$228 million to support its initiatives in housing. Banff will receive money to support its action plan. The cities of Edmonton, Burnaby, Vancouver — we're talking about thousands and thousands of homes to be built through the investments that this government is making to solve real problems for Canadians. That costs money, and the government is focused on investing in Canadians while doing so in a fiscally responsible manner.

**Senator Housakos:** Senator Gold, from your answer, you're living in a fantasy world. Prime Minister Trudeau is well documented on video and audio having said that budgets balance themselves, and now in a question about balancing a budget, you're talking about all the spending your government does. My God! Canada's real GDP growth is the worst among G7 nations over the last 10 years, but you take nominal GDP growth — a snapshot of a time and place — and run around like chickens with your heads cut off as if you are in great financial shape.

The question is now very simple: Will your government have an anchor in place in order to stop the sinking of a generation of Canadians down to the bottom of the ocean?

**Senator Gold:** The budget this government has produced has the projections, as we all know, and that is why I answered as I did, senator. With respect, Canada remains in a solid financial position, and it —

**An Hon. Senator:** Harper ran a deficit for nine years.

**Senator Gold:** — and this government will continue to do its best to help Canadians in this regard.

## PUBLIC SAFETY

### PAROLE BOARD OF CANADA

**Hon. Salma Atallahjan:** Senator Gold, my question is a follow-up to what Senator Carignan asked you last week about an individual arrested in Toronto. He was caught on video attempting to carjack several vehicles and shooting at drivers. The Toronto Police Association says that, at the time of his arrest, he was on probation, out on bail and was facing multiple lifetime firearms bans. In response to that incident, the Toronto Police Association recently asked, "When will the federal government take accountability for the consequences of its weak bail policies?"

Senator Gold, what is your response to this question from the police officers in Toronto?

• (1550)

**Hon. Marc Gold (Government Representative in the Senate):** Thank you. I have enormous respect for the work that police officers do, putting themselves in harm's way to protect Canadians and their families. The laws in the Criminal Code and the laws governing bail are well-established. They grant a certain

degree of discretion to our independent judiciary, to prosecutors, and there is an entire process that involves both federal and provincial jurisdiction in this regard.

It is simply not the case, despite Conservative Party talking points, that the federal government is responsible for the crimes regrettably and horribly committed by those who manage to find themselves on the streets as a result of the application of the laws of this country.

**Senator Atallahjan:** Senator Gold, you told Senator Carignan last week, ". . . it's not legislation, nor the courts, nor independent commissions that are to blame for all this."

Who is to blame then, Senator Gold? Police in Toronto say the federal government must take accountability. Why do you think they are wrong?

**Senator Gold:** Thank you for your question. The federal government does take responsibility for matters within its jurisdiction. The Criminal Code and the approach that this government has taken to crime have struck a balance between the protection of Canadians and the respect for our constitutional rights and privileges. It is a partnership with law enforcement, a partnership with our courts and a partnership with our correctional sources, and we all have a job to do to keep Canadians safe.

## INNOVATION, SCIENCE AND ECONOMIC DEVELOPMENT

### BIOLOGICS MANUFACTURING CENTRE

**Hon. Rosemary Moodie:** My question is for the Government Representative in the Senate, Senator Gold. According to a *Montreal Gazette* opinion piece by doctors Adam Houston and Jason Nickerson in November, the Biologics Manufacturing Centre, or BMC, in Montreal — a facility completed in 2021 at the cost of \$126 million — remains underutilized despite ongoing global health crises and urgent need for critical medicines.

Given the significant investment already made in this facility, how does the government justify its failure to put the BMC to use to address pressing needs such as vaccines and treatments for diseases like Ebola especially during humanitarian crises like the one in Gaza? Why is Canada allowing this facility to remain idle while lives are at stake, Senator Gold?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question. Senator, it's important to note that from the very outset, the intent was always for the Biologics Manufacturing Centre to be self-contained on the one hand and governed through a public-private partnership. The National Research Council and the Centre for Commercialization of Regenerative Medicine, as founding members, jointly set up a new legal, independent, not-for-profit corporation, Biologics Manufacturing Centre, to govern and operate the facility in December 2022. On April 1, 2023, the Biologics Manufacturing Centre officially assumed responsibility for the operations of the centre to which you referred.

The Biologics Manufacturing Centre is an important part of Canada's biomanufacturing infrastructure. It's a key element of the Government of Canada's biomanufacturing and life sciences strategy.

**Senator Moodie:** Thank you, Senator Gold, but it's producing very little. As highlighted in a CBC article and by The Associated Press, the United Nations Relief and Works Agency for Palestine Refugees in the Near East, or UNRWA, has announced that it is halting aid deliveries to Gaza due to the threat of armed gangs looting aid convoys. This decision comes in the face of an intensifying humanitarian crisis with hundreds of thousands of people living in dire conditions.

Senator Gold, what steps are the government taking to protect aid workers? How much aid is actually getting to the ground?

**Senator Gold:** As you know, senator, the situation in Gaza is volatile and unpredictable following the October 7, 2023, terrorist attack on Israel — which breached the ceasefire — conducted by Hamas, which Canada has unequivocally condemned. There are hundreds and hundreds of trucks filled with aid inside Gaza that cannot be delivered because of the threats of violence from the criminal gangs that are still in control in Gaza.

## GLOBAL AFFAIRS

### ASSOCIATION OF SOUTHEAST ASIAN NATIONS

**Hon. Tony Loffreda:** My question is for the Government Representative in the Senate. Senator Gold, much has been said in recent weeks about the upcoming renegotiation of the Canada-United States-Mexico free trade agreement with the incoming Trump administration and the threat of tariffs on Canadian exports.

But I would like to turn our attention to free trade with the 10 member states of the Association of Southeast Asian Nations, commonly known as ASEAN. I wonder if you could provide us with an update on the status of Canada's talks for this multi-billion dollar, multilateral free trade agreement with ASEAN. I read that Canada recently reaffirmed its commitment to the substantial conclusion of this agreement by the end of 2025.

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

ASEAN is a fast-growing and dynamic market, and that's why the government successfully elevated Canada to strategic partner with ASEAN. By negotiating a free trade agreement, the government is securing unparalleled market access to a fast-growing economic region of over 630 million consumers for Canadian businesses and Canadian goods. The government knows that growing global market access is good for business, good for workers and good for the economy, and the government will continue to pursue this important objective.

**Senator Loffreda:** I noticed in the *Canada Gazette* this weekend that the government is now soliciting the views of Canadians on a possible free trade agreement with the

Philippines alone, an ASEAN member. Can you explain the rationale behind this approach of conducting trade talks for a multilateral agreement with ASEAN and a bilateral agreement with the Philippines concurrently? Are you concerned the ASEAN deal won't be signed? How advanced are these negotiations with the Philippines?

**Senator Gold:** Thank you. The government remains confident that the work it's doing with ASEAN is progressing well and will progress well. At the same time, as announced during the Team Canada Trade Mission to the Philippines only last week, the government is interested in exploring whether there is sufficient interest and sufficient benefit in pursuing separate bilateral negotiations with the Philippines, which if realized could lead to very important commercially beneficial outcomes for Canada and the Philippines that would go beyond the scope of the other agreement to which you were referring.

## PUBLIC SERVICES AND PROCUREMENT

### CANADA POST

**Hon. Andrew Cardozo:** My question to the government leader is regarding Canada Post, further to the conversation you had with Senator Osler. I mention two of the larger economic aspects in Canada over the last week, two important figures: We had a slight increase in the unemployment rate to 6.8%, which is troubling, but a decrease in the interest rate by the Bank of Canada, which is very encouraging and suggests that the fundamentals are, indeed, sound at the moment.

The issues facing small business are serious, and I think yesterday the debate on the GST bill talked extensively about the difficulties faced by small businesses.

Can the government not engage in binding arbitration to end the Canada Post strike to help small businesses at this critical time?

**Hon. Marc Gold (Government Representative in the Senate):** The challenges that the postal strike is causing extend certainly to small businesses and to others as we have been discussing here.

The federal government is in regular contact with the minister in particular, and has daily discussions with the mediator who is shuttling back and forth between the two parties to see whether there is a reasonable prospect that mediation, if it resumes, would succeed. I haven't been advised what advice the mediator has given to the minister at this juncture.

But with regard to your question, the issues that separate the two parties, as I understand them, are very significant and go beyond the kinds of issues that arbitration typically can address. More to the point, there are reasonably limited legal tools for the government to use and especially if —

**The Hon. the Speaker:** Thank you, Senator Gold. Senator Cardozo.

**Senator Cardozo:** What we have is about five sitting days of Parliament left before the Christmas break. Is the government's approach going to be, "Sorry, can't do anything, too bad" or is anything being contemplated?

**Senator Gold:** The government, and the Minister of Labour in particular, is actively involved in this file on a daily, if not hourly, basis. All alternatives are being considered, and all options remain on the table.

I am only sharing with you my understanding of the rather difficult issues that divide the parties and how the government continues to believe that the best solution for Canada Post and its workers is actual negotiations between the parties.

*(At 4 p.m., pursuant to the order adopted by the Senate on September 21, 2022, the Senate adjourned until 2 p.m., tomorrow.)*

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