



DEBATES OF THE SENATE

1st SESSION



44th PARLIAMENT



VOLUME 153



NUMBER 165

OFFICIAL REPORT
(HANSARD)

Thursday, November 30, 2023

The Honourable RAYMONDE GAGNÉ,
Speaker

CONTENTS

(Daily index of proceedings appears at back of this issue).

Publications Centre: Publications@sen.parl.gc.ca

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

THE SENATE

Thursday, November 30, 2023

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

Prayers.

SENATORS' STATEMENTS

THE HONOURABLE MARGO GREENWOOD, O.C.

CONGRATULATIONS ON ELECTION AS A FELLOW OF THE ROYAL CANADIAN SOCIETY OF CANADA

Hon. Bev Busson: Honourable senators, I rise today to acquaint you with a very esteemed and respected society that honours exceptional Canadians. The Royal Society of Canada, or RSC, was founded in 1882 under the personal patronage of the Governor General in an effort to help Canada benefit from an enhanced knowledge and understanding of the past and present. Today, the RSC unites Canada's foremost scholars, humanitarians, humanists, scientists and artists from around the country with the aim of fostering open discussions to collectively address pivotal issues of significance to Canadians.

In recognition of her tireless work as a researcher and author, and with over 30 years' experience focusing on the health and well-being of Indigenous children, families and communities, earlier this month, Senator Greenwood was formally inducted as a Fellow of the Royal Society of Canada.

As an internationally recognized scholar of Cree ancestry, Senator Greenwood has worked extensively on health research, contributing to public health policy in Canada, including helping to author the Indigenous Early Learning and Child Care Framework.

Senator Greenwood's groundbreaking work on *Determinants of Indigenous Peoples' Health in Canada*, 2015, created a new direction in public policy by addressing the lived realities of indigenous children and their families. Senator Greenwood's unwavering dedication to amplifying Indigenous voices, fostering inclusivity and championing the cause of the marginalized is not just commendable; it is foundational to recognizing the relevance of lived indigenous knowledge. Her work serves as an enduring reminder that leaving a legacy lies not just in accomplishments but in the profound impact one has on the lives of others.

Senator Greenwood, you now have an opportunity here in the Senate to turn your work, expertise, advocacy and voice into action and lasting change for all Canadians.

The Senate is truly fortunate to have a person of Senator Greenwood's calibre among its members. I am truly fortunate to call her my friend.

Colleagues, please join me in extending our warmest congratulations to Senator Greenwood on her appointment as a Fellow of the Royal Society of Canada.

Thank you, *hiy hiy*.

SOCIAL MEDIA

Hon. Andrew Cardozo: Let me add my congratulations to you, Senator Greenwood.

Honourable senators, I want to encourage us to think about how we interact on social media in relation to the work we do as senators. It is clear to most that social media is an increasingly dominant medium for politics, government and society at large. It is also clear that social media can be used as a force for good and constructive communications just as it can be used to spread misinformation, disinformation and even stir up rage and violence.

How politicians the world over use or misuse social media has been a growing challenge, one that requires more attention from all politicians and parliamentarians. I believe that we here in the Senate can be a point of leadership on this issue, by having discussions and finding solutions — even if they are partial solutions — that can be of benefit to senators and indeed members of all legislatures and municipal councils across Canada. A good starting point is the *Senate Harassment and Violence Prevention Policy*.

We need to find a way to have informed and vigorous debate on public policy issues without such social media interaction turning into a forum of hate and bullying. If I can paraphrase the late Ruth Bader Ginsburg, we must be able to disagree without being disagreeable or worse.

We cannot just do things the way we've always done them. Because I have been threatened or bullied on social media in the past is not an excuse for me to oppose measures that would help others in the future. We cannot continue to normalize this kind of behaviour. A recent Angus Reid poll found that three quarters of Canadians feel that there is no real debate in Parliament about the issues. Those who believe our debates are disrespectful number 37%, and 35% believe they are uninformative. We can do better.

We must also strongly insist that defending free speech does not mean defending hate or violent speech. Canadian laws are clear on the difference. With the rapid growth of social media and now artificial intelligence, we are at a turning point where we urgently need new discussions and solutions.

There are many options for what we can do. One is to develop a voluntary code of respect and another is to find ways to have regular dialogue and discuss the issues of restraint and thoughtful debate in this chamber.

The bottom line, colleagues, is that — if I can use a couple of well-worn clichés — enough is enough. We have to do something, and I welcome a discussion of what we can do.

Thank you.

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of His Excellency Dauletbek Kussainov, Ambassador of the Republic of Kazakhstan. He is the guest of the Honourable Senator Oh.

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

Hon. Senators: Hear, hear!

CANADA-KAZAKHSTAN RELATIONS

Hon. Victor Oh: Honourable senators, I stand here today to share my experiences and insights regarding the long-standing and evolving relationship between Canada and Kazakhstan.

Our two countries fostered diplomatic ties in 1992, strengthened through mutual respect, cooperation and shared values of democracy. We also collaborate through economic, educational and cultural exchanges and cooperate in many international forums.

We've worked closely on various fronts, from fostering economic partnerships in regard to natural resources, energy and technology to engaging in cultural interactions and educational initiatives.

One year ago, I had the privilege to visit the capital, Astana — with Senator Dagenais — during their presidential election. This trip was a testament to Kazakhstan's commitment to fostering the democratic process. This experience provided me the opportunity to witness the democratic spirit of the Kazakh people and their dedication to their country's future.

• (1410)

I observed their vibrant democracy in action, where Kazakh citizens were able to exercise their right to vote freely and responsibly. The dedication and enthusiasm of the people highlighted the nation's commitment to their democratic values.

Moreover, I also had the privilege of engaging in meaningful discussions with Kazakh officials, academics and citizens. These interactions reinforced the importance of open dialogue and cultural exchange between our countries. I was also able to experience the rich heritage and cultural diversity of the nation and observe their art, history and traditions.

As Co-Chair of the Canada-Kazakhstan Parliamentary Friendship Group, I would like to extend a warm welcome to His Excellency Dauletbek Kussainov to Canada. I look forward to

more discussions and exchanges regarding the importance of our collaboration and continuing to further strengthen our bilateral ties, promoting cultural exchange and tackling global challenges.

Thank you very much.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of representatives from ABLE2, a not-for-profit charitable organization that creates opportunities for people with disabilities. They are the guests of the Honourable Senator Petitclerc.

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

Hon. Senators: Hear, hear!

[*Translation*]

ABLE2 ORGANIZATION

Hon. Chantal Petitclerc: Colleagues, Sunday, December 3 is the International Day of Persons with Disabilities. This is a good opportunity to point out that 20% of Canadians live with a disability and that much remains to be done. What a privilege it is today to introduce you to an organization that is very dear to my heart and that is making a difference in the lives of dozens of persons with disabilities living in the National Capital Region.

[*English*]

ABLE2 is a not-for-profit charitable organization that creates opportunities for persons with disabilities to lead fulfilling lives by supporting them with programs, resources and services. Canadians who have a disability face many barriers to society, including stigma, discrimination, poverty, exclusion from education and employment, and inequities in the health care and legal systems.

Next year, ABLE2 will be celebrating 50 years of empowering persons with disabilities to build lives of meaning and joy as valued members of our country.

[*Translation*]

In honour of the International Day of Persons with Disabilities on December 3, I feel it is important to highlight the exceptional work of ABLE2. It is a pleasure and a privilege to welcome the members of this organization to the Senate this afternoon.

[*English*]

Too often, persons with disabilities remain an afterthought and don't have the same resources that most Canadians have. We have made a lot of progress with important bills like the Accessible Canada Act and the Canada Disability Benefit Act, but there is so much more to be done.

It is gratifying and heartwarming to see that there are organizations like ABLE2 that provide essential services, including legal counsel, to persons with disabilities who still desperately need it. They choose to make a difference, and their impact is major. The dedication they have for our community — my community — is truly inspiring.

[Translation]

Colleagues, please join me in thanking ABLE2 for the essential work it does. *Meegwetch*. Thank you.

16 DAYS OF ACTIVISM AGAINST GENDER-BASED VIOLENCE

Hon. Pierre-Hugues Boisvenu: Honourable senators, December 6 is a very emotional day for women in Quebec and across Canada, because it is the day they commemorate the 14 innocent women whose lives were taken in the École Polytechnique massacre in Montreal in 1989. Today, this date is preceded by 16 important days of activism on violence against women. We must not forget that 1,150 women were murdered in Canada between 2011 and 2021.

In addition to far too many femicides, violence against women takes on many different forms, including domestic violence, a type of violence that has destroyed the lives of countless women, as well as those of their children and families. Sadly, these victims still have very little recourse in our justice system when they put their lives at risk by reporting their abuser. In addition to enduring long delays in our justice system, these women are also victimized by the fact that our laws are too weak to protect them. One in 10 victims reports her abuser, 50% of victims will abandon proceedings before their case makes it through the court system, and just 3% of abusers are sentenced to jail time.

In short, only one in 30 women believe that justice was served in their case. That is disappointing and unacceptable in Canada in 2023.

The appalling lack of resources, as evidenced by the fact that people working in both the legal system and the social work sector are swamped, is also unacceptable. Representatives of shelters that help women who are victims of intimate partner violence have told me about this sad fact.

Year after year, we emphasize the urgency of the situation and talk about how important it is to take action to stop violence against women. Unfortunately, year after year, the results are disappointing. Women are forgotten, and men, who are responsible for most of the violence against women, are left to their own devices. They get no help or psychological support to overcome their problem with violence.

Any action to stop violence against women has to involve dealing with those who perpetrate that violence: men. As I have been saying since my daughter, Julie, was murdered by a repeat offender in 2002, violence against women is a men's issue. We need to address it quickly and effectively to end the violence and save lives. The hundreds of women I worked with to draft Bill S-205 agree.

I would like to take this opportunity to once again applaud the strength, solidarity and courage of these women as they rebuild their lives. They have responded to their personal tragedies with tremendous resilience, and they are helping other women recover even as they themselves are in the process of doing so.

Our shared goal is to review the legislation so that women who are victims of domestic violence have more recourse and support and never feel let down by the justice system. I hope with all my heart that Bill S-205, which is just steps away from being passed in the other place, will be adopted before we rise next month. That would be the best Christmas gift we could offer Canadian women.

Colleagues, this is probably my last statement in the Senate about the 16 Days of Activism against Gender-Based Violence. Today, I carry all of these women in my heart, and most of all, I thank them for sharing their experience with me.

In closing, I would like to give special thanks to my daughter Julie. She was with me during every step of this mission to make sure that my fight to end violence against women could continue despite every obstacle. Once again, thank you for your support, honourable senators.

[English]

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Zoran Knezevic, President and Chief Executive Officer of Port Alberni Port Authority. He is the guest of the Honourable Senator Quinn.

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

Hon. Senators: Hear, hear!

[Translation]

ROUTINE PROCEEDINGS

STUDY ON 2023 STATUTES REPEAL ACT

EIGHTEENTH REPORT OF LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE TABLED

Hon. Brent Cotter: Honourable senators, I have the honour to table, in both official languages, the eighteenth report of the Standing Senate Committee on Legal and Constitutional Affairs, which deals with the report on the 2023 Statutes Repeal Act.

• (1420)

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

NINETEENTH REPORT OF LEGAL AND CONSTITUTIONAL AFFAIRS
COMMITTEE PRESENTED

Hon. Brent Cotter, Chair of the Standing Senate Committee on Legal and Constitutional Affairs, presented the following report:

Thursday, November 30, 2023

The Standing Senate Committee on Legal and Constitutional Affairs has the honour to present its

NINETEENTH REPORT

Your committee, to which was referred Bill S-13, An Act to amend the Interpretation Act and to make related amendments to other Acts, has, in obedience to the order of reference of Wednesday, September 27, 2023, examined the said bill and now reports the same without amendment but with certain observations, which are appended to this report.

Respectfully submitted,

BRENT COTTER

Chair

(*For text of observations, see today's Journals of the Senate, p. 2237.*)

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

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

LEGAL AND CONSTITUTIONAL AFFAIRS

BUDGET—TWENTIETH REPORT OF COMMITTEE PRESENTED

Hon. Brent Cotter, Chair of the Standing Senate Committee on Legal and Constitutional Affairs, presented the following report:

Thursday, November 30, 2023

The Standing Senate Committee on Legal and Constitutional Affairs has the honour to present its

TWENTIETH REPORT

Notwithstanding section 1.5.3.1(a) of the *Financial Policy for Senate Committees*, your committee, to which may be referred matters relating to legal and constitutional affairs

generally pursuant to rule 12-7(9) of the *Rules of the Senate*, respectfully request funds for the fiscal year ending March 31, 2024.

Pursuant to Chapter 3:05, section 1(1)(c) of the *Senate Administrative Rules*, the budget submitted to the Standing Committee on Internal Economy, Budgets and Administration and the report thereon of that committee are appended to this report.

Respectfully submitted,

BRENT COTTER

Chair

(*For text of budget, see today's Journals of the Senate, p. 2248.*)

The Hon. the Speaker: Honourable senators, when shall this report be taken into consideration?

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

[*English*]

PRESIDENT OF THE PUBLIC SERVICE COMMISSION

NOTICE OF MOTION TO APPROVE APPOINTMENT

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

That, in accordance with subsection 4(5) of the *Public Service Employment Act*, S.C. 2003, c. 22, ss. 12 and 13, the Senate approve the appointment of Marie-Chantal Girard as President of the Public Service Commission, for a term of seven years.

HEALTH OF ANIMALS ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-275, An Act to amend the Health of Animals Act (biosecurity on farms).

(Bill read first time.)

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

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

QUESTION PERIOD

CANADIAN HERITAGE

CANADIAN HUMAN RIGHTS COMMISSION

Hon. Donald Neil Plett (Leader of the Opposition): Leader, I admit it would take a lot for me to agree with Prime Minister Trudeau on just about anything these days, but the Canadian Human Rights Commission has managed to create the conditions for it.

In the House yesterday, the Prime Minister said, “. . . Christmas is not racist.” I completely agree with the Prime Minister, and I have no problem saying to you, leader, that celebrating Hanukkah is not racist, either.

The Prime Minister said that in reference to a discussion paper released last month by the Canadian Human Rights Commission which states that the celebration of Christmas is discriminatory and a form religious intolerance.

Leader, this commission is receiving over \$39 million from Canadian taxpayers this fiscal year. How much did it spend producing this so-called — and what I would consider racist — discussion paper?

Hon. Marc Gold (Government Representative in the Senate): The Canadian Human Rights Commission is an independent organization; it operates completely independently of the government, and I can’t comment on that.

I can say this, though. Of course, celebrating Christmas isn’t racist, nor is celebrating any other holiday. We’re all entitled to celebrate our holidays. However, I think if one reads the actual report, not the headlines, one will see it was referring to the disparate impact that our statutory holidays have on those who don’t practise the Christian faith and who do not get statutory days off as a matter of course because their religion does not correspond with the statutory holidays, which have been in place for a long time in our country. That is something that many companies and provinces are taking into consideration out of fairness to their employees.

Senator Plett: These people have no problem taking that statutory holiday even if they don’t believe in Christmas.

Leader, do you agree with me that the Canadian Human Rights Commission should have more important things to do than denigrate Christmas and waste \$39 million of your, my and taxpayers’ money? Should it focus on combatting the shocking rise of anti-Semitism across Canada? Should it focus on Indigenous communities that still don’t have access to clean drinking water? Should it focus on the rights of Canadians who are targeted here in Canada by the dictatorial regimes of Iran and Beijing?

Senator Gold: I share your passion for those three issues you identified, all of which affect all of us, and one of which affects my community most dramatically.

However, it is not correct to say that the discussion paper denigrates Christmas. As I said, it was simply pointing out the disparate impact of our traditions on those who celebrate different traditions.

INFRASTRUCTURE AND COMMUNITIES

HOMELESSNESS STRATEGY

Hon. Yonah Martin (Deputy Leader of the Opposition): Leader, it has been reported that visible homelessness in your province of Quebec went up 44% between 2018 and 2022. The true percentage is likely higher because the term “visible homeless” only includes people sleeping in the streets, cars or in shelters.

In Greater Vancouver, a recent study showed homelessness has increased by almost a third since 2020, and a year ago, the Auditor General said the Trudeau government will miss its target of reducing chronic homelessness by 50% by 2028.

Leader, rent has doubled. Tent cities are spanning the country, and students are sleeping in shelters. Why didn’t your government listen to the Auditor General’s warning last year?

Hon. Marc Gold (Government Representative in the Senate): The Government of Canada takes the Auditor General’s warnings and advice very seriously. It also does its part, along with cities, municipalities and the not-for-profit sector, to do what we can to address this serious problem of homelessness that we see on our streets in big cities, small cities and everywhere in between.

The social determinants of homelessness, if I can use that term, are various. They include mental health challenges, institutionalization and lack of support in many quarters. These are multi-faceted, policy-centric problems that all citizens have the responsibility to address. The government is doing its part, as we all should.

• (1430)

Senator Martin: Perhaps even worse than missing their own target, the Auditor General also reported — a year ago — that the Trudeau government didn’t even know if the \$1.36 billion that they’ve already spent is actually reducing homelessness.

Leader, how is that possible? Have any steps been taken over the past year to fix this absence of accountability?

Senator Gold: The difficulty in gathering data from the provinces and municipalities is a serious issue. We’ve seen it, studied it and pronounced upon it a great deal in this chamber and in committees. I think it is a misrepresentation of that challenge to put it in the terms that you did, with the greatest of respect, senator.

[Translation]

HEALTH

EQUALITY IN HEALTH RESEARCH

Hon. Renée Dupuis: My question is for the Government Representative in the Senate.

Senator Gold, on June 8, I asked you a question about health research, which is largely publicly funded, excluding women from study samples.

Specifically, I asked you for disaggregated data on the federal research funds allocated, including the list of sampling required for each funding application and for each application that ended up being funded, and the list of sampling provided in reports on each grant obtained in the last five years.

I'd like to know why you haven't been able to get any answers to these specific questions.

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

As I've already explained several times recently, I always ask for answers and do my best to get them as quickly as possible, whether the questions are specific or general.

I'm sorry that the department has not provided your answer, and I will undertake to follow up.

Senator Dupuis: I have a supplementary question.

Senator Gold, are you not getting a response because the authorities responsible for these matters aren't cooperating with your office?

Senator Gold: I'm sorry, but I didn't catch the last sentence. Could you please repeat it?

Senator Dupuis: Are you not getting a response to my question because the authorities responsible are not cooperating with your office?

Senator Gold: The answer is no. We make a request and then follow up. Unfortunately, I don't have any other means at my disposal to insist that we get an answer within a specified period.

[English]

ENVIRONMENT AND CLIMATE CHANGE

CONFERENCE OF THE PARTIES

Hon. Mary Coyle: I have a question for the Government Representative in the Senate.

Senator Gold, COP 28 — the global UN Climate Change Conference — opens today in Dubai, with three of our Senate colleagues in attendance. There are reports that COP 28 could be

the “food Conference of the Parties, or COP,” as the world recognizes the connections between climate, nature, agriculture and food security. It's said that the food systems of the future should have regeneration at the core, ensuring we're giving more to nature than we're taking from it.

The World Economic Forum report suggests that nature-positive policies could generate an estimated \$10 trillion in annual business value and create 395 million jobs by 2030 while restoring and protecting nature.

Senator Gold, could you tell us what Canada is bringing forward at COP to contribute to this important food, agriculture, nature and climate conversation?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question, senator. COP 28 is the next significant milestone in our collective efforts to advance human security, our economic prosperity and, frankly, the health and well-being of our planet.

The government recognizes that there are great challenges ahead. The government engages in work with its partners around the world to accelerate our global efforts to reach our Paris Agreement goal of limiting global warming to 1.5 degrees Celsius, putting that within reach.

Putting a cap on oil and gas emissions is one of the key commitments of this government's 2030 Emissions Reduction Plan. The government remains committed to that, and it will be working to do that with its partners during COP 28.

Senator Coyle: Thank you, although that didn't really answer my question about the focus on food and agriculture at this COP.

Again, in regard to nature, Senator Gold, a new paper in the *Nature* journal predicts that restoring and protecting forests could capture 226 gigatonnes of carbon if they're allowed to recover from degradation and deforestation — equivalent to 23 years of human emissions.

Senator Gold, will Canada be taking a leadership role at COP on matters of forestry-linked climate solutions? If so, how?

Senator Gold: Canada is already a leader in forest management, and delivering on its promise to plant 2 billion trees. It's on track to do that. More than 100 million trees have been planted since 2021, and there are commitments to plant 374 million more.

I've run out of time, but addressing climate change is central to food security. I was attempting to answer your question that way.

EMPLOYMENT AND SOCIAL DEVELOPMENT

NATIONAL SCHOOL FOOD POLICY

Hon. Sharon Burey: My question is for the Government Representative in the Senate. School-based nutrition programs are used by one in five children in Canada, and are especially important for children in low-income situations. School nutrition

programs are expected to encourage healthier eating behaviours, and children with access to these programs will have healthier growth parameters.

Canada is currently the only G7 country without a national school food program. Dr. Freeman and Dr. Maguire are currently studying the impacts of school-based nutrition programs through the REACH — Research Equity Advocacy in Child Health — School Network in Toronto, which is the largest network in Canada.

In 2021, the Canadian federal government committed \$1 billion over five years to develop a national school nutrition program. Senator Gold, is there any update on the progress of this program? Will it be funded in the next budget?

Hon. Marc Gold (Government Representative in the Senate): I can speak to progress; I cannot speak about what will be in the next budget, senator, as you well understand. I've been informed that between January 2022 to June 2023, Employment and Social Development Canada undertook a consultation process to hear from key stakeholder groups and the general public about key considerations for developing the national school food policy. This has included thematic round tables, as well as engagement sessions — from all relevant sectors of society — with those with experience in poverty and food insecurity, academics, experts and so on.

I can assure you that in developing this food policy, and in working toward a national school nutritious meal program, this government remains committed to doing so, and will continue to work with the provinces, territories, Indigenous partners and key stakeholders to build a policy that reflects our national and regional needs.

Senator Burey: Senator Gold, the Ontario Student Nutrition Program launched a pilot project that encourages appreciation of different beliefs and traditions by serving diverse food in collaboration with knowledge keepers from different backgrounds.

How does the government plan to ensure that the national program, once funded, takes into consideration the necessity to have culturally appropriate and inclusive nutrition?

Senator Gold: Thank you. It's my understanding that during the consultation process that I described, there's been a lot of input and feedback on this point. The government has heard how important it is to ensure that the program respects not only the regional needs and perspectives, but also the cultural needs and particularities of our communities, including First Nations, Inuit and Métis peoples. The government will continue to work toward that goal.

FISHERIES AND OCEANS

FISHING VESSEL SAFETY

Hon. Brian Francis: Senator Gold, last week, the Transportation Safety Board of Canada, or TSB, released a report following an investigation into the capsizing of a fishing vessel, *Tyhawk*, which led to the death of two Mi'kmaq harvesters in

2021. The board observed that the Department of Fisheries and Oceans, or DFO, routinely moved the start date of the lucrative snow crab fishery almost three weeks earlier than in previous years without assessing the interplay of economic, conservation and safety factors, including the increased likelihood of colder water, ice and freezing rain, as well as fatigue due to the opening of the season at midnight.

To prevent further incidents and loss of life, I ask the following: How — and when — will the department implement the recommendation to include a comprehensive identification of hazards, as well as of independent safety expertise, in all of its fisheries resource management decisions?

• (1440)

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question and also for underlining the significance of these issues for the safety of our fishers and the industry. It's something that, as a former member of the Fisheries and Oceans Committee, I'm very aware of.

I certainly do not have specific answers to your question. I do know that safety issues were at the heart of the report that the Senate submitted to the government some years ago under the chairmanship of Senator Manning. My understanding is that the department is engaged with those recommendations. I'll certainly make inquiries on the more specific question that you asked.

Senator Francis: Thank you, Senator Gold. I look forward to a detailed response.

The deaths of Craig Sock and Seth Monahan could have been prevented. In fact, days before the *Tyhawk* capsized, Elsipogtog First Nation requested a delay in the opening of the season because there was still ice on the water, which was a hazard for their members. How many more harvesters will have to die before Fisheries and Oceans Canada, or DFO, respects the rights and knowledge of the Mi'kmaq, who have been fishing on these waters since time immemorial?

Senator Gold: The incident was a tragic and unfortunate one, and there are all too many such incidents. The rights of the Mi'kmaq and other Indigenous communities to hunt and fish for livelihood are well recognized in law and need to be implemented and recognized throughout our government, as does the contribution that Indigenous knowledge makes to ensuring that these practices are safe.

[Translation]

JUSTICE

YOUTH CRIME PREVENTION

Hon. Pierre-Hugues Boisvenu: Senator Gold, we learned in this morning's edition of *La Presse* that Canada beat a sad record in 2022 for the number of minors accused of committing murder. In 2022, 90 minors in Canada were accused of murdering women and children in particular. That is a 50-year high.

In 2022, a grandmother and her granddaughter were murdered by a minor whose accomplices were arrested last week in Montreal and Quebec City. One of those accomplices had already served time in prison for murdering an innocent victim, and the other was a minor.

Senator Gold, given that the Minister of Public Safety and Emergency Preparedness himself admitted that passing Bill C-21 will have very little impact on street gangs, rather than investing \$1 billion in the firearms buyback program, why doesn't your government invest in preventing crime among minors instead?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question, and thank you for highlighting the challenge of rising crime among our youth. It is untrue that the government is not investing in this area. On the contrary, not only is it giving more resources to our police forces, it has invested in mental health and supports for adolescents and young people, a determining cause of social alienation and the rise in crime, according to many experts.

There is also no denying the importance of ensuring that fewer guns get into the hands of young people and older people. All these factors will hopefully help combat this significant problem.

Senator Boisvenu: The government may have done as you say, but, in 2012, the Conservative government passed Bill C-10, which set out harsher punishment for minors who commit murder. The number of minors charged with murder dropped from 85 in 2010 to 25 in 2015. When the Trudeau government came to power, it scrapped that law, and the number of murder charges climbed from 25 in 2015 to 38 in 2017, to 55 in 2020 and to 90 in 2022. The numbers speak for themselves.

Why are you so determined to go easy on these murderers rather than do the right thing and make our streets safe again?

Senator Gold: The government's position is that the way to fight crime isn't necessarily to impose harsher sentences, but to identify causes and solutions. That includes support from the government to help young people stay on the right track.

[English]

NATIONAL DEFENCE

RETENTION AND RECRUITMENT OF MEMBERS

Hon. Donald Neil Plett (Leader of the Opposition): Leader, on Monday, the Royal Canadian Navy, or RCN, released a very serious video, which warns it will be unable to fulfill its basic commitments and adequately protect our country. In this video, the navy's commander begins by saying:

... the RCN faces some very serious challenges right now that could mean we fail to meet our force posture and readiness commitments in 2024 and beyond ...

[Senator Boisvenu]

He also said that the RCN is in "... a critical state ..." with many occupations experiencing shortages at 20% and higher. While our overall attrition is generally good, a marine technician leaves us every two days.

Leader, this is happening on your government's watch. Are you aware of this video? If you are, what is your response to it?

Hon. Marc Gold (Government Representative in the Senate): I have not seen the video, but the government is very aware of the challenges that this branch of our Armed Forces faces. It's a serious problem. Retention, not only in this branch but in the Canadian Armed Forces as a whole, as well as in the RCMP and others, is a problem that is being addressed with diligence.

We depend upon the men and women in the Armed Forces to defend us. They depend upon us to provide the resources and support that they need. This government is committed to doing just that.

Senator Plett: Well, the navy issued this warning. While there are wars going on in the Middle East and Europe, in the North, we share a border region with Russia, and the Royal Canadian Navy admits it is stretched to the limit in defending our Arctic sovereignty and security.

In the video, Vice-Admiral Topshee says the navy's "... situation is serious ..." and "... the air force and army are facing similar challenges ..." Should Canadians expect similar videos to come from other branches of the Canadian Armed Forces?

Senator Gold: I cannot predict what measures will be taken by others to publicize the importance of ensuring that our Armed Forces have the people and resources they need to do the job that we have given them and upon which our security depends.

ENVIRONMENT AND CLIMATE CHANGE

GREENHOUSE GAS POLLUTION PRICING ACT

Hon. Yuen Pau Woo: Government Representative, yesterday in the House of Commons, members of Parliament rejected a motion calling on the Senate to quickly adopt Bill C-234. This vote was defeated with the support of the Liberals and the Bloc Québécois, as well as Green Party MPs. How does the government interpret this seeming change of heart on the part of MPs with respect to Bill C-234?

Hon. Marc Gold (Government Representative in the Senate): Time and time again, in regard to this chamber, the will of the duly elected members of the other place is simply for the Senate to approve Bill C-234 as is. The motion also provided our colleagues in the other place a fresh opportunity to pronounce on whether it agrees with Mr. Poilievre in demanding that the Senate pass Bill C-234 without amendments.

It's now clear that the other chamber does not share that view. The vote was defeated on a vote of 178 to 135. Its failure, in my mind, means the Senate must do its job. In effect, the House of Commons is asking the Senate to undertake a fresh and

contemporaneous examination of this bill free from political pressure. In this spirit, I know that the other place, and indeed the government, will consider amendments put forth by the Senate intended to make this bill better.

My understanding, colleagues, is that on Wednesday, a Conservative MP said that senators should “. . . learn their place in a democracy.” He continued by saying, “They should go back to doing what they’re good at, which is being invisible . . .”

Colleagues, climate change is the most pressing public policy issue of our time.

• (1450)

Whether or not one agrees with Bill C-234, neither I nor, I hope, any honourable senator in this chamber plans on being invisible.

Senator Woo: That quote from our colleague in the other place is truly offensive. Even if the motion had passed, I hope all of us will take it for what it is worth, which is a form of intimidation.

But because your answer was interrupted so many times, I’m going to give you the opportunity to perhaps repeat what you said by asking the following: How should the apparent change of mind in the House of Commons affect the way we continue our debate on Bill C-234?

Senator Gold: My answer is very simple.

This Senate has never been shy about amending bills, whether they be government bills or private members’ bills. We amended Bill C-48 even though it was passed unanimously by the other place. The government is respectful of our amendments.

Let’s just do our job, which is to approve legislation free of pressure, based upon facts, free of disinformation. That’s what we were summoned to do. That’s all we have to do. It’s as simple as that.

[*Translation*]

CARBON SEQUESTRATION

Hon. Lucie Moncion: Senator Gold, in Senator Colin Deacon’s speech last week, he said that Canada didn’t have a strategy for carbon sequestration yet.

Air Products, a company owned by a major American industry group, is the world leader in technical solutions for capturing CO₂ during fossil fuel conversion before it’s released into the atmosphere, which is fundamental to carbon capture and sequestration.

In August 2022, the Canadian government announced that Air Products would receive approximately \$475 million in funding for its net-zero hydrogen energy complex in Alberta from the government’s energy transition programs. Could you tell us how this project is going and when will it be up and running?

Hon. Marc Gold (Government Representative in the Senate): Thank you for that important question. Canada is well positioned to become a global hydrogen leader, which will help create thousands of jobs, grow the economy, reduce emissions and put Canada on a path to achieving net zero by 2050. As I understand it, construction of Air Products’ transformative new hydrogen facility is well under way in Edmonton and it will deploy advanced technology and an innovative design to deliver net-zero emissions.

Senator Moncion: Could you also tell us whether other carbon capture programs are under way in Canada? If so, what provinces are they located in?

Senator Gold: I don’t have a complete list of the various carbon capture programs in Canada, but if my information is correct, today, the government announced a new carbon capture project in Alberta, the first of its kind in the world. The government has also invested millions of dollars in research, development and demonstrations to keep this project moving forward.

[*English*]

WOMEN AND GENDER EQUALITY

NATIONAL ACTION PLAN TO END GENDER-BASED VIOLENCE

Hon. Marilou McPhedran: My question is to you, Senator Gold, and I promise I won’t interrupt your answer.

Senator Gold, over 2 billion people live in countries affected by fragility, conflict and violence. Women and girls suffer disproportionately but remain mostly excluded from peace building.

Canada is not immune to this. Gender-based violence results in the violent death of a woman every 48 hours, with Indigenous women victimized at about six times the rate of non-Indigenous. We have yet to adequately address gendered violence in our security sectors, including the Canadian Armed Forces and the RCMP.

The twenty-third anniversary of the first of the suite of UN Security Council Resolutions on Women, Peace and Security, SCR 1325, has just passed, affirming the essential role of women in the prevention and resolution of conflicts.

UN Member States are urged to create effective national action plans to implement these priorities. Canada had two such action plans until 2022, guided by Canada’s feminist foreign policy. The year 2023 is almost over —

Hon. Marc Gold (Government Representative in the Senate): Thank you, senator, for your question and for raising the important role that women do play in peacekeeping and also, frankly, for underlining the impact of war on women.

The recent events in Israel can be properly called a femicide as much as anything else if you actually look at who was targeted, as I saw with my own eyes yesterday.

I will make inquiries with regard to the government's thinking on this matter. It's an important question, and I appreciate it.

Senator McPhedran: As a brief supplementary question, could you add to that, please, if there's also going to be attention paid to the resolutions on Youth, Peace and Security so we can see the intersection in the new national action plan when it is produced?

Senator Gold: Certainly.

ORDERS OF THE DAY

ETHICS AND CONFLICT OF INTEREST FOR SENATORS

FIRST REPORT OF COMMITTEE ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Seidman, seconded by the Honourable Senator Poirier, for the adoption of the first report of the Standing Committee on Ethics and Conflict of Interest for Senators, entitled *Consideration of an Inquiry Report from the Senate Ethics Officer*, presented in the Senate on November 21, 2023.

Hon. Michael L. MacDonald: Honourable senators, I rise today in response to the First Report of the Committee on Ethics and Conflict of Interest for Senators, which relates to my comments on Wellington Street in February 2022 and a lack of cooperation with the subsequent inquiry conducted by the Senate Ethics Officer.

I want to say first that I fully accept the findings of my colleagues on the committee and appreciate their thoughtful consideration of this regrettable matter.

This has been a very difficult and humbling process for me.

I received a lot of thoughtful correspondence from individuals who were upset by the way I expressed myself during the convoy protests in 2022. My comments and language were insensitive, and I sincerely apologize to those I offended as well as to those I disappointed, including my friends, family and my peers in this chamber.

The way I expressed myself is not who I am, and that has weighed heavily on me. It has weighed heavily on me for the nearly two years of this inquiry process, a process which I could have handled more appropriately. I assure you I understand that.

I have never been the subject of an inquiry or even privy to one. I was eager to move on, yet felt embarrassed, isolated and frustrated by the process. But I could have handled it better. That is entirely on me. I never intended to intentionally frustrate the process, and I certainly do not condone any attempt to frustrate the process.

I recognize that the process we have in place is there for a reason: to maintain public confidence and trust in the integrity of senators and this institution. A lack of cooperation undermines this important process. I fell short of this obligation, which is not acceptable. I understand that and I sincerely apologize.

Colleagues, I am very privileged to serve in this chamber and privileged to serve Canadians and my province. I am proud of the valuable work we do. But I understand that the privilege of serving in this chamber means being held to the highest of standards, and I know I failed to meet those standards. I failed to meet my own standards.

I assure you I have learned great lessons from this humbling experience. I believe I received a fair hearing from the Ethics Committee and was fairly judged by the committee.

I will be better going forward. Thank you.

Hon. Dennis Glen Patterson: Your Honour, I understand there has been agreement to deal with this issue today. I would like to speak to the matter.

The Hon. the Speaker: On debate?

Senator D. Patterson: On debate, yes.

Honourable senators, I do wish to speak on the Senate Committee on Ethics and Conflict of Interest report and recommendations on the matter concerning Senator Michael L. MacDonald.

First, I want to make it clear that, in speaking to this report, I intend no criticism of the Senate Ethics Committee. They have a solemn and serious duty, essentially judging their peers, which I know is not an easy task. Having served on that committee in the past, I'm well aware of these challenges.

However, I do wish to make some comments to the committee's report, as I believe it's my right to do so. I would have preferred to have had more time to prepare my notes, but I respect that it's the will of the chamber to deal with this today.

It is, indeed, a long time since last February, when all this arose during the tumultuous weeks of the so-called "Freedom Convoy."

• (1500)

Here are the facts as I understand them.

First of all, Senator MacDonald was approached by a person who wished to speak with him with a camera on a tripod in the background. This happened on the street.

He asked that the conversation not be recorded, and he was told it would not be recorded. This did not happen. The video recording was, in fact, made. Furthermore, it was posted on social media and immediately went viral. Senator MacDonald's request and understanding was that this would be a private conversation.

I think it's fair to say it's no secret that he had been drinking with friends, not at a parliamentary function, and no doubt had good reason to request and not want the video to be recorded.

Having been assured this would be a private conversation, and not recorded, Senator MacDonald made some remarks, which we have heard again today, and for which this is the second time that he's apologized to this chamber and in public. The first time was at the very first opportunity following this regrettable instance. In fact, let me elaborate on that briefly.

This all happened at a time when the Senate was allowing participation in Senate sessions by Zoom in connection with the COVID pandemic. After the video went viral and was widely shared not only on social media but also with major media outlets and, in many instances, not including the taped version where Senator MacDonald made a clear request that the conversation not be recorded, Senator MacDonald immediately returned to Ottawa to make his apology personally in the Senate at the very first opportunity when the Senate next sat.

When this happened, he was not travelling on parliamentary business in Canada or internationally. He'd been out with friends having social drinks.

Why do I mention this? Well, I believe there's a legal question we should consider here, and I refer to a July 2015 inquiry report of the Standing Committee on Ethics and Conflict of Interest for Senators when they issued directive 2015-02 pursuant to their authority under subsection 37(2) of the code to issue general directives concerning the interpretation, application and administration of the code.

Among other things, the directive stated that the rules of general conduct set out in section 7.1 of the code are:

. . . applicable to all conduct of a Senator, whether directly related to parliamentary duties and functions or not, which would be contrary to the highest standards of dignity inherent to the position of Senator and/or would reflect adversely on the position of Senator or the institution of the Senate.

That was exactly what the honourable chair of the committee, Senator Seidman, said in introducing this report, which is on our Order Paper today in this chamber.

The inquiry report went on to examine this question in greater detail. While not a question related to parliamentary privilege, I want to emphasize, I feel that it is necessary that I raise a point that both the Senate Ethics Officer, or SEO, and the Senate

committee appear to have overlooked in reaching the conclusion that section 7.1 applies to the conduct of a senator which is not ". . . directly related to parliamentary duties and functions . . ."

The central question is whether section 7 of the code covers matters outside the scope of a senator's duties and functions.

I want to draw to your attention, honourable senators, that the arguments set out in the inquiry report, in my view, overlook one detail in the Parliament of Canada Act, section 20.5, which states:

The Senate Ethics Officer shall perform the duties and functions assigned by the Senate —

— and I want to emphasize this —

— for governing the conduct of members of the Senate when carrying out the duties and functions of their office as members of the Senate."

The important legal question at issue here is whether what seemed to me clear provisions of the Parliament of Canada Act allow the Senate to extend the duties and functions of the SEO and the committee beyond the conduct of senators when carrying out their duties and functions as senators. Is it possible that the SEO and the committee erred in applying the provisions of the code to this behaviour of Senator MacDonald?

I believe, respectfully, that it is quite a big stretch in this case — and I'm talking about the facts of this case — to suggest that this conduct in question of a senator accosted on the street when coming home from a private event with friends could be described as a situation where Senator MacDonald was carrying out duties and functions of his office as a senator, especially where he explicitly asked that the conversation be private.

I also have another problem with the Senate seeking to apply the code to this speech in this situation. The other legal question is whether this interpretation of the Senate ethics code — this directive — could be a violation of Charter section 2(b). Senate legal advisers could, of course, point out that parliamentary privilege is not subject to the Charter because of the Supreme Court's decision in its *New Brunswick Broadcasting Co.* and *Vaid* decisions.

I would point out in this connection what the Supreme Court of Canada said in *Vaid* at paragraph 29-12:

Courts are apt to look more closely at cases in which claims to privilege have an impact on persons outside the legislative assembly than at those which involve matters entirely internal to the legislature . . .

Senator MacDonald's speech was made outside and not during a proceeding and, arguably, not while he was not carrying out the duties and functions of his office as a senator. Surely, becoming a senator does not mean having fewer constitutional rights than an ordinary citizen.

Finally, I want to refer to the recommendation in this report that the Senate should censure Senator MacDonald.

This is a serious sanction, which I suggest should not be approved lightly. We're making a precedent if we accept that recommendation today — another precedent. I say not to take it lightly because the ordinary meaning of “censure” is an expression of formal disapproval, or, from the Oxford dictionary, “An expression of severe disapproval of someone or something in a formal statement.” It has also been described as a stern rebuke.

In my time in the Senate, which is admittedly only 14-some years, there has been one recommendation of censure approved by the Senate, and I was a member of the Ethics Committee when that recommendation was made and adopted by the Senate.

In that case, it was not the conduct of the senator that was censured. It was the failure of the senator in question to cooperate with the SEO's attempts to investigate the matter complained of. This amounted to delay and a failure to be forthcoming with information, which was found to border on deception.

In the case of this matter, I do not see a clear issue of Senator MacDonald having not cooperated fully with the SEO as is required by the code. Senator MacDonald promptly met with the SEO as required. He did not agree to the remediation measures recommended by the SEO, which led to the committee making its recommendations today. But not agreeing to the remediation recommendations of the SEO is quite different than not cooperating with the SEO's recommendations, which I believe is the reason that the censure recommendation was made and approved by the Senate in the previous case.

• (1510)

Senator MacDonald has now, today — and this is one of the recommendations of the committee — apologized twice. I want to say that I have had the privilege of travelling internationally with Senator MacDonald, and I believe he has conducted himself with the dignity and integrity that is required when any of us are travelling as ambassadors, especially outside our borders.

In concluding, honourable senators, I'd like to say that, “to err is human; to forgive, divine.” With the greatest of respect, I believe that Senator MacDonald has paid an enormous price in terms of the publicity that has been visited upon him by social media and by public media. I believe that he has apologized twice to the Senate, respectfully.

I wish to put these matters on the record and perhaps suggest that there are legal questions involved here that the committee may want to consider in a future case, if not in this case. For the reasons I have explained, I think the censure recommendation of the committee is excessive and that the apologies and public humiliation should suffice. For that reason, I will be voting against the adoption of this report. Thank you, honourable senators.

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

Hon. Senators: Question.

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

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

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

NATIONAL COUNCIL FOR RECONCILIATION BILL

THIRD READING

On the Order:

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

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

Hon. Senators: Question.

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

Hon. Senators: Agreed.

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

INVESTMENT CANADA ACT

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Gignac, seconded by the Honourable Senator Klyne, for the second reading of Bill C-34, An Act to amend the Investment Canada Act.

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, I rise today to speak in support of Bill C-34, An Act to amend the Investment Canada Act.

The Investment Canada Act provides for a national security review of every foreign investment into a Canadian business. Bill C-34 modernizes the framework for these national security reviews and would be the most significant update of the Investment Canada Act since 2009.

At the outset, I would like to underline that Bill C-34 is before us after having passed third reading in the other place unanimously. At the House of Commons Standing Committee on Industry and Technology, members worked collegially to adopt a handful of amendments reflecting the combined input of all

parties. The committee focused on ensuring that the amendments were balanced so as to protect Canada's national security without deterring beneficial foreign investment.

Now more than ever, we need to make sure that Canada is doing everything that it can to foster an innovative, healthy and growing economy, and that includes attracting beneficial foreign investment. Canada welcomes foreign investment and foreign trade because they encourage economic growth, innovation and employment opportunities for Canadians.

Our country is recognized as a great destination for investment, and it benefits all Canadians to make certain that the world knows everything that Canada brings to the table when they choose to invest here. While attracting beneficial foreign investment is good for the country, it is also important to address changing threats that can potentially arise from foreign investment.

In that respect, it is important to provide transparency in Canada's investment review process so as to provide greater certainty to investors. This transparency will allow businesses and investors to be confident that their investments will be reviewed in a fair manner and will allow them to plan their investments in such a way that they will always remain in compliance with Canadian law.

I believe that Canadians recognize the importance of keeping our economy robust and healthy, and that Canadians will continue to seek available investment opportunities. At the same time, with the shift in the geopolitical landscape, our country must remain agile by making certain that we can protect against any new or rising threats to our national security.

Colleagues, it is understood that economic security is also national security, and that is why Bill C-34 brings forward improvements by amending the Investment Canada Act so that the government can act more quickly should the need arise.

In his speech last week, the sponsor of Bill C-34, Senator Gignac, explained fully how this bill aims to ensure that the government has all the necessary tools to protect Canadian sectors. These would include emerging and sensitive technology, critical minerals, as well as Canadian intellectual property, personal data and infrastructure. He stated:

. . . the volume and complexity of foreign investment reviews are increasing, and this significant change provides a strong rationale for supporting the modernization of the Investment Canada Act.

I fully agree with my colleague, and I would like to give honourable senators some perspective on the amount of global interest there is in investing in Canada.

At the briefing for all senators last week, Mark Schaan, Senior Assistant Deputy Minister, Strategy and Innovation Policy Sector at Innovation, Science and Economic Development Canada stated that 1,005 national security reviews were conducted in 2022 and 1,200 were conducted the year before. Of course, a

much smaller number than those progressed to the most stringent level of national security review, but the numbers themselves do give us a glimpse into how attractive Canada is for investors.

In his remarks, Senator Gignac outlined the amendments to Bill C-34 that were put forward and approved by all parties in the other place. I need not repeat them here. Cooperation in the other place has ensured that this bill meets the approval of those who embrace economic foreign investment in Canada but who also recognize that the protection of our national security must remain paramount.

Again, the purpose and primary role of the Investment Canada Act is to encourage economic growth. The act, therefore, will only intervene in instances where an investment would be harmful to Canada's national security.

Colleagues, this is a strong and necessary bill. All parties have supported it in the other place. Canada will always continue to welcome direct foreign investment, but modernizing the framework of the Investment Canada Act will ensure the country's continued prosperity while giving us the ability to act decisively should investments threaten our national security. Therefore, colleagues, I look forward to the continued debate on Bill C-34. Thank you for your attention.

(On motion of Senator Martin, debate adjourned.)

• (1520)

ADJOURNMENT

MOTION ADOPTED

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of November 29, 2023, moved:

That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, December 5, 2023, at 2 p.m.

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

Hon. Senators: Agreed.

(Motion agreed to.)

GREENHOUSE GAS POLLUTION PRICING ACT

BILL TO AMEND—THIRD READING—MOTION IN AMENDMENT—
VOTE DEFERRED

On the Order:

Resuming debate on the motion of the Honourable Senator Wells, seconded by the Honourable Senator Batters, for the third reading of Bill C-234, An Act to amend the Greenhouse Gas Pollution Pricing Act.

And on the motion in amendment of the Honourable Senator Dalphond, seconded by the Honourable Senator Cordy:

That Bill C-234 be not now read a third time, but that it be amended,

- (a) in clause 1,
 - (i) on page 1, by replacing lines 4 to 15 with the following:

“1 (1) Paragraph (c) of the definition *eligible farming machinery* in section 3 of the *Greenhouse Gas Pollution Pricing Act* is replaced by the”,
 - (ii) on page 2, by deleting lines 1 to 10;
- (b) in clause 2, on page 2, by replacing line 22 with the following:

“2 (1) Subsections 1(2.1) and (5) come”.

Hon. Jim Quinn: Honourable senators, I have just a few comments. I won't take a long time. We've had lots of discussion around Bill C-234, and I want to share some observations about all of the valuable debate we've had here, and I want to recognize all of the valuable work that was done by our committee. I think we really did our job in the sense of sober second thought.

We've heard different things during debate, and we've heard things that I don't necessarily agree with, for example, the anti-tax commentary, the partisanship commentary. We've also heard conflicting information. One senator would say this is what was said, and another senator would say this is the other fact.

When we look at Bill C-234, we have to agree that the fundamental issue is, in fact, climate change, and we have to keep that front and centre.

I happen to be a believer that climate change is real, and we need to do things to try and save the planet. That's why I'm a part of Senator Coyle's group of senators who are very focused on and concerned about the environment.

This morning, I heard a report on CBC Radio as I was coming to my office, and it was a reflection of the debate between the Prime Minister and the Leader of the Opposition. And that debate, of course, pitted them in opposite positions, but it did refer to a mushroom farm just outside of Ottawa. They had the farmer on for an interview. At the conclusion of his commentary, I thought, “That is a non-partisan farmer.” He acknowledged that not only the Prime Minister was correct in some of the observations that he'd been making during the debate, but the Leader of the Opposition was also correct in some of the aspects that he was referring to.

He also acknowledged that climate change for him as a farmer is real and that he has introduced different techniques, practices and procedures in his operation to help mitigate the impact on the climate, and he feels more can be done as we move to the right and as technologies becomes more available.

He also talked about what the requirements around climate change will cost him, taking his fuel bill from \$150,000 to \$475,000 to \$500,000, I think he said, by 2030. His concern was that he may have to change the size of his farm, that he may have to reduce it, but it was more around the price of food to consumers in Canada, particularly in the local marketplace that he supplies.

He brought a really balanced position forward. He acknowledged that as he continues with his business, he will continue to do everything he can to improve his operation. He was talking very personally, very locally.

As we consider this, we have to think about the amendments we've heard. I was asked by Senator Moncion at one point if I had enough information. At that point I said, “I think I have enough but not on the financial side.”

I wish I had more information on the amendments that have been proposed, because those amendments weren't necessarily fully addressed or fully included in the commentary provided throughout the debates. We really need to deal with the bill itself, and, for me, it's a bill about climate change, but it also has to be a debate or a consideration by all of us about balance.

We have to look at the farmers of our country who are under pressures. Farms are reducing. We talk about food security. We need to give them the opportunity to continue to provide food for not only Canadians but people around the world while we don't put unnecessary hardships that continue to accelerate the loss of farms.

We need to keep climate change as a reality but do so in a very balanced way. I don't think climate change is a question of us flipping a switch, and all emissions stop. We need a very well thought out, balanced approach to allow our climate to make the changes that will save our planet while we balance the requirements of our continuing as humanity.

I suggest and ask that we stand back from any partisan views we may have and truly be independent senators to think about the best position that takes into consideration the things that I have mentioned, including the farmers who feed our country and feed our world.

I just wanted to share those comments and observations going into our final stages of debate. Thank you.

The Hon. the Speaker: Senator Quinn, will you take a question?

Senator Quinn: Yes, I will take a question.

Hon. Pierrette Ringuette: Thank you, Senator Quinn, for taking the question and for standing up on debate.

Last weekend, I stayed in Ottawa, so Friday afternoon I went to Costco and bought a tray of Bergeron cheese. It was in a nice package, 800 grams, and it cost me \$12. The next afternoon I needed some Diet Pepsi, so I went to Walmart because it's two for \$4. While I was there, I passed in front of the cheese display, and it caught my attention because a similar tray of select cheese

from Bergeron, the brand, was 300 grams for \$15. At Costco, the cheese was \$12 for 800 grams, and at Walmart, even less than 50% of the same cheese I bought at Costco was \$15.

What part of carbon pricing is responsible for this disparity in price?

Senator Quinn: Thank you for your question, and thank you for doing comparison shopping.

The important issue I've raised is the question of climate change as it relates to farms. I didn't raise the pricing policies of retailers. I can take you to No Frills, and you might get it even more cheaply, but that's a retailer issue. It's not the issue I was addressing in relation to the operation of the farm and what not.

• (1530)

As my last comment, I am glad that you were able to go to Costco and to Walmart and to choose the products you want. My point is if we don't take a balanced approach, we will continue to see an increase in the numbers of people who don't enjoy the same benefit that you enjoyed because they don't have the resources to pay for those foods.

Hon. David M. Wells: Honourable senators, I'm speaking, of course, on Senator Dalphond's amendment.

After the debate earlier in the week, or maybe it was last week, some assertions were made about the drying season no longer happening or it being over. There were some discussions about the dollar figures expended on carbon tax. I'd like to talk about that. I didn't have to do much research on it because my inbox was flooded with notes from farmers. I will read a couple of them; they're not edited at all.

Before I do that, I want to thank Senator Quinn for his remarks. I'm in accord with everything he said on the financial side, which I'll talk about in a moment, but also on the bill itself. In all my discourse not just on that committee but on second reading and on the number of amendments we've had, I've tried to keep my discourse non-political. I've tried to not have it be about the carbon tax.

Senator Dasko asked me a question the other day when I spoke about that. She asked if this was really just about the carbon tax. I said no, and I've taken great pains to make this not about the carbon tax. For me, this is really about the farmers, the ranchers and the growers. I say those three words a lot because that's what it is to me. I don't say, "Axe the tax." I don't talk about the carbon tax in general. I recognize that it's a valid government policy. The government in power has that policy, and that's what we accept. I've taken great pains to take the merit side of the argument because if my arguments don't stand on merit, they don't stand at all.

I want to talk about some of the notes I received from actual farmers, from actual people who buy actual fuel and spend actual money on carbon tax. I asked them if I could use their names, and they said by all means.

So, John McDonnell of McDon O'Sie Farms in Perth County paid carbon tax in 2023 of \$2,281 on beet drying and \$26,400 on corn drying, totalling \$28,700 this year. Larry Cann of Meaford, Ontario, dried 500 tons of corn, spent \$850 in carbon tax.

Tota Farms in Burford, Ontario, is a ginseng farm. I don't know what the margins are like in ginseng, but I'm told they're incredibly thin margins. Carbon tax on the cost of drying ginseng root in 2022 was \$19,600. Of that, \$3,300 was carbon tax, 17%. That certainly would eat up the margin.

For Doug and Dave Johnston of Maplevue Farms in Perth County, their corn was a little wetter, probably about 30%. This is from a message they sent. It took more than they planned or budgeted to dry. They paid a total of \$7,746 in carbon tax and dried just over 2,000 tons of corn. Doug told me that the money would have helped pay the tuition of his son attending the University of Guelph.

As you perhaps know, colleagues, the University of Guelph is one of the top universities in the world in agriculture studies.

Melady Acres in Perth County, who farm in Huron and Perth Counties, put 2,900 tons through their dryer this fall, spending \$4,900 in carbon tax. These are actual dollars. It's money, and it's not small money. Tara Terpstra, a hog farmer from Huron County, says her on-farm propane costs for barn heating have increased by 21% just with the carbon tax. She will spend \$10,000 a year in additional production expenses.

I've got a few more, and I'll read them because they cared enough to send in their information.

Redwood Poultry of Mitchell, Ontario, is a young and new entrant to chicken farming. They have a quota, so they can't scale up and benefit from the possible cost decreases from scaling up. Each time they fill with propane, it's another \$256 in carbon tax. This is on top of the \$11,000 a year in total barn heating costs. That's 16% in carbon tax.

This one was sent to me but is clearly directed at the comments from Senator Moncion: "Still burning and turning here." This message was from Drew Spoelstra. About 75% of his drying was complete. They're about an hour west of Montreal.

Another ginseng grower from Scotland, Ontario, spent \$21,000 to dry ginseng root, of which \$4,900 in carbon tax. Colleagues, that's 23%. And there are more. Allegro Acres, near Ruthven, Ontario, has 30 acres of greenhouse vegetable production; they're paying nearly \$100,000 a year in carbon tax. This is not

small money, colleagues. JEM Farms in Kingsville, Ontario, paid \$449,000 for natural gas to heat 50 acres. Their carbon tax bill came to 24%, almost \$107,000.

Steve Brackenridge from Peterborough wrote:

Still drying here. We have over 1,600 tons of wet corn ahead of us and at least that much to come. Dropping off another 10,000 litres of propane tomorrow. That should get me to Saturday morning.

He told me he will spend, in one week alone, colleagues, \$4,300 in carbon tax. I don't know if farming is a lucrative business, but this makes it less lucrative and probably not lucrative at all.

Colleagues, I'd like to address some of the quotes that were given in earlier speeches by Senator Dalphond and Senator Woo, as well.

Senator Woo suggested that heat pumps are the solution for heating barns. Of course, we heard from William David Lubitz, Associate Professor at the School of Engineering at the University of Guelph. He's a renowned expert. He appeared at the Agriculture and Forestry Committee. Here's what he said. To use his words as an anchor for an argument against the carbon tax, I will give colleagues his full quote. Of course, Senator Woo mentioned heat pumps as the holy grail of grain drying. Professor Lubitz said:

We mentioned the heat pump technology; we are looking at that. Others are working on biomass and other things as well. One could argue some of these are close to being ready for small-scale, prototype, experimental use, but I think the big question is when will they be ready for large-scale deployment? I believe some of these will be ready within the eight-year window, but not in the next year or two. Our project will not reach that in the next year or two, but it has potential in the next six or eight years. . . .

Of course, colleagues, you know that the cap included in this bill is eight years. He goes on to say:

Similarly, I'm not aware of other technologies that are ready for that large-scale deployment in the next year or two. It takes a long time to go through those steps to roll out and scale up. This is large infrastructure that takes a long time to build, test and build again.

That's not opinion, colleagues. That's from a renowned expert.

Senator Dalphond, of course, in his speech had a number of selective quotes that, taken alone, would certainly be taken out of context. Let me give you just one. He quoted Chandra B. Singh, Senior Research Chair, Agricultural Engineering and Technology at Lethbridge College, suggesting that alternate technology is currently available.

Again, Senator Dalphond, the critic, anchored his argument to the comments of Dr. Singh at committee. What Dr. Singh actually said in his full passage is this:

Propane and natural gas are the only two practical fuel sources for grain drying in Western Canada. Federal carbon pricing, with its proposed annual increase to \$170 per tonne by 2030, will impact the farmers and, ultimately, the consumers who are already struggling with high food prices.

I strongly support Bill C-234 to amend the Greenhouse Gas Pollution Pricing Act. . . .

That, colleagues, was a quote from Dr. Chandra B. Singh. Of course, part of that was used by Senator Dalphond in his speech but certainly not all of it.

There was also a quote from MP Ben Lobb. I think Mr. Lobb was in the gallery when Senator Dalphond partially quoted him. He quoted MP Lobb, and MP Lobb and I appeared at the Agriculture Committee when this was first being studied. We presented it as the movers in both the other place and here in the Senate.

Senator Dalphond quoted MP Lobb as saying:

If you look at the heating of barns, it's moving lockstep with the innovations that are heating a home, a commercial building or an industrial building

• (1540)

Of course, the full quote from MP Lobb included:

We have to recognize that agriculture is one of the most innovative industries there is. It's absolutely one of the most innovative. . . .

Of course, colleagues, we know being innovative means increasing your efficiency and decreasing your costs.

He goes on to say:

If you have some of the grain drying businesses and innovators appear before committee, your jaw might hit the table because you'd be so amazed at what they're actually doing. One of the thoughts that should not come out of this meeting is that agriculture is not innovating, or grain drying technology is not innovating. If you look at the heating of barns, it's moving lockstep with the innovations that are heating a home, a commercial building or an industrial building

Of course, what MP Lobb said — and I spoke to him about this — is that the solutions are in development. They are not in use or ready for on-farm application. These innovations might still use propane and natural gas, but perhaps just less or more efficiently.

Finally, colleagues, Senator Dalphond mentioned a number of times that it's important for the market to see the price signal and that the price signal is really important. He was quite passionate about it. Senator Woo was as well. But they both seemed to lose that passion when I asked this question on his debate: What's the

price signal? What signal are you sending to the market on the question of price signal if diesel and gasoline are specifically exempted from the carbon price? They seemed to lose their enthusiasm for that argument.

Senator Dalphond's answer, of course, had nothing to do with the price signal. I have his quote here. He talked about how:

. . . it is time to stop emitting carbon dioxide, that it is time to stop emitting greenhouse gases and that the best way to do so, as every economist in the entire world knows, is to charge a carbon tax

He talked about his trip to Taiwan, which I didn't think had anything to do with the price signal that he referenced.

Colleagues, I could obviously talk more about the bill, and I may if people have questions. I'm happy to answer them. But I hope we're nearing the end of the debate, certainly on this amendment, though I do expect other amendments. That seems clear and that's a signal we've already received.

On the face of it, this is a good bill. When you dig into the simplicity of the bill, which removes the carbon tax or gives an exemption on the carbon tax for on-farm heating and cooling of barns and on-farm drying of grain, it seems only fair and reasonable that farmers, ranchers, growers and dryers of grain should be exempted — especially, colleagues, with respect to the transition fuels of natural gas and propane. Thank you.

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

Senator Wells: I will, Senator Woo.

Senator Woo: First of all, thank you for referring to my speech. It provides an opportunity for me to invite all colleagues to reread it and see if your characterization of it is accurate.

In the various submissions from hard-working farmers who wrote to you about the costs they've incurred, did they also tell you how much they got in rebates from the government because of a few charges that were paid, particularly the largest farmers, some of whom I think were reported about in your debate? Because they actually get more than the average. They may get more than what they have paid. Do you have the data from the same farmers who provided you the figures on carbon pricing?

Senator Wells: Thank you for your question, Senator Woo. I didn't hear from those farmers on the rebate, but I do know that the rebate is unfairly applied. We've already fully discussed that.

There is one farmer I did speak with. In fact, I visited his farm, and I mentioned this in an earlier intervention. It might have been in a speech or response. The rebate is not uniform, but I don't want to say unfairly so. It obviously follows some rule that includes a calculation. The rebate is given to even those farmers, ranchers and growers who have very little use for natural gas and propane. It's applied to all farming costs and has nothing to do specifically with fuel. You may know that. If you don't know that, please know it now.

The farmer I visited in Okotoks — I've mentioned him before — has a modest-sized chicken operation. Last quarter, he received \$47,000 in rebates. That's a lot of money. It's great he received that cheque for \$47,000. But he paid out in carbon tax, colleagues, over \$153,000.

An Hon. Senator: Question.

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

Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: No.

Some Hon. Senators: Yes.

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

Some Hon. Senators: Yea.

The Hon. the Speaker: All those opposed to the motion will please say "nay."

Some Hon. Senators: Nay.

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

And two honourable senators having risen:

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

[*Translation*]

Hon. Michèle Audette: Madam Speaker, the vote will be deferred to the next sitting of the Senate.

The Hon. the Speaker: Pursuant to rule 9-10(6), the vote is deferred until 5:30 p.m. on the next day the Senate sits, with the bells to ring at 5:15 p.m.

CRIMINAL CODE

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Ringuette, seconded by the Honourable Senator Ravalia, for the second reading of Bill S-239, An Act to amend the Criminal Code (criminal interest rate).

Hon. Bernadette Clement: Honourable senators, I ask for leave to reset the clock.

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

Hon. Senators: Agreed.

(Debate adjourned.)

• (1550)

[English]

NATIONAL FRAMEWORK ON ADVERTISING FOR SPORTS BETTING BILL

SECOND READING—DEBATE CONTINUED

On the Order:

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

Hon. Stan Kutcher: Honourable senators, I will continue from where I left off previously in support of Bill S-269, as brought forward by Senator Deacon from Ontario. I'll focus on the potential harms that this bill may be able to, in part, mitigate — the public health challenge of problematic gambling. I'll focus on the developmental cohort in which problematic gambling often begins, and that is young people.

Last winter, I was watching a National Hockey League, or NHL, game with some of my grandsons. In between the fragments of vigorous play, we were treated to a deluge of advertising for online sports betting. Indeed, it seemed that the amount of time provided for exhorting the virtues of online sports betting may have been close to equal to the amount of time provided for watching the entire game.

During one of the many commercials that promoted online gambling, one of my grandsons exclaimed that he wanted to place a bet so that he could win tons and tons of money. That led to a conversation about what gambling is, the odds of winning and losing, recreational enjoyment of making a wager and the catastrophic impacts on the lives of some people who become problem gamblers.

After we finished our chat, and following some considered contemplation, my grandson inquired, "Why would Auston Matthews say it was good if it was not good?"

Indeed, colleagues, that was a question that I could not answer without delving into the realm of speculation and the siren lure of lucre, so I simply said, "I don't know."

Colleagues, as children grow up, they need heroes. They take their inspiration from heroes. Their heroes are often celebrities, and these heroes become their role models. We can only hope that their heroes are living up to the faith that our young people are putting in them.

Senators, here I would like to clarify the difference between recreational wagering and problem gambling. Had my far-out seatmate Senator Boehm and I hung loose in our teens, we may have considered it gas to drop some bread on a wager on, for example, whether our principal wore a toupée or not. It would have been a bummer to lose, but that kind of teen innocence is not what I am speaking about here.

Gambling becomes a problem when it negatively affects a person's daily activities, mental and physical health and relationships, and impacts their academic or vocational pursuits. The research evidence — some of which was cited by Senator Deacon — alerts us to the fact that problem gambling has its origins in the decade following the onset of puberty.

While it onsets there, it often persists into adulthood, and its pernicious effects are seen both during these years and in the decades following the transition out of adolescence. We know that adolescents — as a group — may be at a higher risk of developing many different negative life-impacting behaviours, such as gambling. Indeed, according to Gambling, Gaming and Technology Use — formerly known as the Problem Gambling Institute of Ontario — young people aged 10 to 24 years old have higher rates of problem gambling than adults.

Problem gambling can create substantive negative impacts in young people, and it becomes established in this age group with its negative impacts continuing into their futures.

Who are these young people who are most at risk? Well, honourable senators, we have a pretty good idea of who they are. In a comprehensive, population-based study of over 2,500 teenagers — published in the *International Journal of Mental Health and Addiction* in 2022 — Edmond and colleagues found that problem gamblers at age 20 had a history of hyperactivity, conduct problems, being high sensation seeking and an external locus of control. They were more likely to have mothers who had problems with gambling, reported less parental supervision and had higher social media usage. Indeed, even for moderate-risk/problem gambling, it was associated with regular cigarette smoking, high levels of illicit drug use and the problematic use of alcohol.

Other research supports these findings, and the profile of the adolescent gambler shows a vulnerable population in which problem gambling is added to a host of other challenges. These include the personality traits of impulsivity and sensation seeking; psychological factors, such as low self-worth, depression and anxiety; and family factors, such as having a parent who is a problem gambler.

Just as all young people are not at equal risk for developing problem gambling, different types of gambling also impact the risk for developing problem gambling. Data from the Canadian Youth Gambling Survey showed that over 40% of adolescents in their sample had gambled in the past three months, and, concerningly, those young people who gambled online scored high in problem gambling severity compared to those engaged in land-based gambling. It's the online version that is the problematic one.

Consequently, colleagues, the profile that emerges is one of a teenager who is already at risk for a negative life trajectory becoming a target for online gambling advertising. By creating an environment that increases the exposure of all teenagers to messages that encourage online gambling, we are taking a toll on those who are struggling. It's the same as kicking someone who is already down.

However, these concerns become even more substantial if we turn the question around and ask, “What is problem gambling in adolescence associated with?” In other words, it’s not what factors increase the risk for problem gambling, but what does problem gambling increase the risk of for those youth who do gamble?

The scientific literature has spelled this out for us: Problem gambling in adolescence is associated with substance abuse problems; mental health problems; criminal activities; school difficulties, including truancy; financial problems; disrupted family relationships; and increased suicidal ideation and suicide attempts.

Now we turn to the following: What can we do about it? We know that young people are highly affected by peer pressure and celebrity role modelling. We know that what friends are doing impacts all of us — young people even more so. Although the science is robust on this understanding, all of us in this chamber who have ever parented a teenager, or who have ever been a teenager themselves, can attest to this reality from personal experience. Celebrities can have substantial impact on young people, both positive and negative.

When celebrities become role models for young people, groups of teens can engage together in friendship circles to emulate, aspire to be like, take advice from or even idolize a celebrity. When a celebrity endorses a product or activity, young people who look up to that celebrity can be influenced by those endorsements.

Additionally, a teen who is part of a peer group that gives adulation or respect to a celebrity will be more likely to participate in what that celebrity endorses than one whose peer group is not so inclined. Although there are a variety of characteristics that may make certain types of advertising impactful on youth, it is clear that young people are engaged by advertising that appeals to them, such as making activities seem trendy, fun, glamorous and exciting, or — to my colleague Senator Boehm in his adolescence — groovy.

The impact of lifestyle advertising on teenage behaviour is a good example of this. When celebrity or lifestyle advertising is consumed by teenagers, there can be significant impacts on their behaviour — positive or negative.

Online gambling advertising that uses celebrity or lifestyle advertising can have a negative impact on teens, including increasing the risk for developing problem gambling. Therefore, as a public health truism, limiting exposure to negative or toxic inputs can have a positive impact on health and mental health outcomes. Therefore, limiting teen access to online gambling advertisements — that use celebrity endorsement or lifestyle glamorization — should be used as a public health intervention to decrease the risk for the development of problem gambling.

Monaghan and colleagues at the University of Sydney in Australia — who have extensively studied the complex interaction between advertising and gambling behaviour in young people — are quite clear on this point, as they state, “. . . regulations are needed to ensure advertisements for gambling products do not target or unduly influence children and adolescents.”

Gambling advertising is not only an influence on entry into gambling for young people, but it can also be an influence in supporting their addiction once that pattern of behaviour has been established.

Colleagues, this bill is important, as it has the potential to be part of the solution to mitigating the prevalence and the negative impact of problem gambling in teenagers, and in adults as well. This public health problem will require other interventions. These will include — but not be limited to — education; early identification and treatment; and enforcement of legislation and regulations.

Honourable senators, we can help with this public health challenge, and it is imperative that we take this opportunity to do so. I am asking you to vote to send this bill to committee, where it can be critically studied so that its impact might be of benefit not only to those who we do not personally know, but to those who we know only too well.

• (1600)

Recently, I told two of my preteen grandkids that I was going to be speaking about problem gambling and teenagers, and I asked them if there was something that they would like me to say on their behalf. So, this is from Avery:

Kids, don’t gamble. You could lose or get money, but it is more likely that you will lose money. Your parents will get so annoyed.

And this is from Oliver: “Kids, it’s a bad addiction. You can lose all your money now and when you’re older.”

Sage advice.

I, for one, would appreciate not having Auston Matthews, Connor McDavid and Wayne Gretzky encouraging my grandchildren and their friends to gamble.

I end my speech today by appealing to all those celebrities who are heroes to our young people, asking them to exercise caution and their best judgment when it comes to which products and activities they endorse. They are very powerful moulders of young minds, and to quote Spider-Man’s Uncle Ben, “With great power comes great responsibility.”

Thank you. *Wela’liog*.

Some Hon. Senators: Hear, hear.

Hon. Bev Busson: Would Senator Kutcher take a question?

Senator Kutcher: Certainly.

Senator Busson: Senator Kutcher, given the upcoming NHL season and considering your informed and persuasive comments regarding the permanent effects that this kind of gambling has on youth, can you comment on the bill’s urgency and whether you believe this matter should catch the attention of the Senate in an urgent manner?

Senator Kutcher: Thank you for that question. I think this is an urgent matter whether the NHL is having a season or not because kids not only bet on the NHL. They bet on the NBA; they bet on anything and everything now online, and I think we should be seized with this. This is a bill that addresses a real issue in our society and one that, if we move it ahead quickly, we can actually make a step toward improving the lives of kids.

(On motion of Senator Martin, debate adjourned.)

NATIONAL THANADELTHUR DAY BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator McCallum, seconded by the Honourable Senator White, for the second reading of Bill S-274, An Act to establish National Thanadelthur Day.

Hon. Bernadette Clement: Honourable senators, I note that this item is at day 15. Therefore, with leave of the Senate and notwithstanding rule 4-15(3), on behalf of Senator McPhedran, I move adjournment of the debate for the balance of her time.

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

Hon. Senators: Agreed.

(Debate adjourned.)

FOOD AND DRUGS ACT

BILL TO AMEND—SECOND READING—DEBATE ADJOURNED

Hon. Donna Dasko moved second reading of Bill C-252, An Act to amend the Food and Drugs Act (prohibition of food and beverage marketing directed at children).

She said: Honourable senators, I rise today as the Senate sponsor for Bill C-252, An Act to amend the Food and Drugs Act (prohibition of food and beverage marketing directed at children), also known by its short title as the “Child Health Protection Act.”

I want to thank Member of Parliament Patricia Lattanzio of Saint-Léonard—Saint-Michel for her very hard work on this important bill and for shepherding it through the other place. I am pleased to take on the role of Senate sponsor.

Bill C-252 aims to support restrictions on the marketing and advertising of certain foods and beverages to children. We have a theme here today, Senator Kutcher.

It amends the Food and Drugs Act to prohibit the advertising of prescribed foods to children under 13 years of age, foods that contain more than prescribed levels of sugars, saturated fat or

sodium. These prescribed foods and levels will be determined by the accompanying regulations, which I will return to later in my comments.

The term “advertisement” is broadly defined in the Food and Drugs Act to include:

. . . any representation by any means whatever for the purpose of promoting directly or indirectly the sale or disposal of any food, drug, cosmetic or device . . .

This bill also includes a reference to a parliamentary review, to be conducted within five years, that will focus on determining whether there might be an increase in the advertising of foods directed to those between 13 and 18 years of age to determine if marketers might be increasing their efforts among this older cohort to compensate for the new limits among the younger cohort.

The legislative journey for Bill C-252 began on February 9, 2022, with first reading in the House. The bill was sent to Standing Committee on Health on September 28 of that year, where it was studied and went through clause-by-clause consideration from March to April of 2023. It completed third-reading vote in the House on October 25, and here we are today.

But, in fact, the legislative journey for this policy initiative actually began many years ago. Indeed, this is the fifth time that Parliament has considered such a bill.

Back in 1974 — yes, 1974 — Conservative MP James McGrath introduced Bill C-21 to amend the Broadcasting Act to prohibit advertising to children. This bill died on the Order Paper.

NDP MP Peter Julian introduced two bills, one in 2007 and the other in 2009, both to amend the Competition Act and the Food and Drugs Act. Both of his bills died on the Order Paper.

Colleagues, in this chamber, you may recall the most recent legislative initiative. Former senator Nancy Greene Raine brought before us a similar bill, Bill S-228, in 2016. It passed third reading here in September 2017, then went to the other place and came back to our chamber, with amendments, but the message and her bill died on the Order Paper when the 2019 election was called.

So I very much hope and believe that we can now bring this important policy initiative to a successful conclusion in this bill, Bill C-252. Surely, colleagues, its time has come.

Canadians are blessed with phenomenal food choices. I can't help but think back to my youth and how different the food environment was then. Growing up, when I was very young, my aunt and uncle owned a corner grocery store in St. Boniface, which is a community in Winnipeg. It's actually the home of our Speaker, Speaker Gagné.

The store was attached to their home, and my cousin and I would sneak into the store after hours, when it was closed. I was fascinated by the food choices that were available. The selection was more or less as follows: There was one type of bread; it was

white and sliced. There was one type of lettuce; it was pale green in colour. There was one type of mustard — that bright yellow stuff. There was one type of canned peas, greyish-green in colour, and so on and so on. This corner store served the food needs of an entire neighbourhood with no supermarkets around.

• (1610)

Today, we know there are endless types of bread, endless types of lettuce and endless types of mustard. Economic, technological and social change have provided us with a vast array of food products — domestic and imported, local, organic and natural options, sustainable choices, fast food and, best of all as far as I'm concerned, food items from every ethnic group on earth. Nobody would ever go back to the good old days or the bad old days. That being said, our progress has been achieved with serious downsides, particularly seen in the production and consumption of highly processed foods and those with high amounts of sodium, sugars and saturated fat, which have contributed to significant adverse effects on human health.

Nutritional science now provides us with a vast amount — a wealth — of information about the impact of food constituents, good and bad. According to Health Canada, on the topic of sodium:

... too much can lead to high blood pressure, an important risk factor for stroke and heart disease. Heart disease and stroke are the leading causes of death in Canada, after cancer.

It is estimated that over 30% of high blood pressure cases in Canada are due to high sodium intake. High dietary sodium has also been linked to an increased risk of osteoporosis, stomach cancer and severity of asthma.

When it comes to saturated fat, too much can cause cholesterol to build in one's arteries. According to the Heart and Stroke Foundation, "Saturated fat can raise bad ... cholesterol," which "... is a risk factor for heart disease and stroke. ..."

When it comes to sugar, the Heart and Stroke Foundation says that excess sugar consumption is associated with adverse health effects including "... heart disease, stroke, obesity, diabetes, high blood cholesterol, cancer and cavities."

Experts say that Canadian diets are now dominated by ultra-processed foods, which are high in salt, sugars and saturated fats. Evidence has shown that diet-related diseases now kill Canadians in significant numbers. In 2019, dietary risk factors contributed to an estimated 36,000 deaths, according to the Heart and Stroke Foundation. Indeed, children and youth aged 2 to 18 get over half of their calories from ultra-processed foods. Survey data show that Canadian children have diets high in sodium, sugars and saturated fat. For example, 72% of children between the ages of 4 and 13 years eat too much sodium.

The Public Health Agency of Canada reported over a decade ago that the rate of childhood obesity in Canada had been increasing steadily over previous decades. During its 2016 study on the increasing incidence of obesity in Canada, our very own Standing Senate Committee on Social Affairs, Science and Technology heard experts testify that the number of obese

children in Canada had tripled since 1980 and that Canada ranked sixth among industrialized nations in respect of its percentage of children who are obese.

We know that overweight and obese children are at an increased risk of premature onset of chronic conditions and diseases such as high cholesterol, high blood pressure, sleep apnea, joint problems, Type 2 diabetes, heart disease, stroke and some cancers. Additionally, being overweight or obese impacts the mental health and well-being of children as well as other aspects of their lives. Losing weight and maintaining weight loss are difficult, and research shows that overweight or obese children are more likely to continue to be overweight or obese into adulthood.

The focus of Bill C-252 is advertising to children, so let me turn to that topic now. From the research literature, it is known that children are particularly vulnerable to the influence of advertising. Children under the age of 5 are generally not able to distinguish between advertising and programming, and most do not understand the selling purpose of advertising until they reach the age of 8 years old. By age 12, they understand that ads are designed to sell products, but they may not be aware of the persuasive intent of the advertisements. The more children are exposed to food advertising, the more likely they are to request or consume advertised foods.

According to a 2018 industry source quoted by the Heart and Stroke Foundation, it was estimated that each year in Canada, \$1.1 billion is spent advertising and marketing foods and beverages to kids, and it is widely acknowledged that this marketing has spread well beyond the traditional media to include online and other digital content.

Let's be clear about one thing. We are not talking about advertising health foods. Over 90% of food and beverage ads viewed by kids on television and online are for ultra-processed foods or foods containing high amounts of sugar, saturated fat or sodium. For example, a study looking at marketing to children on social media applications was conducted by the University of Ottawa's School of Epidemiology and Public Health and reported in 2018. It found that 72% of their sample of children and youth were exposed to food marketing while using their favourite social media applications. The most frequently promoted food categories were by far, first of all, fast foods, followed by sugar-sweetened beverages, candy, chocolates and snacks. A small percentage of that was actually even alcohol.

Last week, I was invited to speak to Grade 5 and 6 students at Palmer Rapids Public School in the Ontario community of Palmer Rapids about two hours west of Ottawa. I was asked by their teachers to speak about the great work of the Senate and what senators do. When I got to the part about working on legislation, I thought it would be interesting to use this bill as an example of what we do, considering these 10- and 11-year-old students would be directly affected by this bill. They seemed to find the topic very interesting.

I asked them if they could recall any food items they had seen advertised recently. Yes indeed they could remember food items they had seen advertised: Honey Nut Cheerios, Lucky Charms, McDonald's Chicken McNuggets, Fruit Loops, Fruit Roll-Ups,

Push Pops, McDonald's fries and many other names were mentioned. This was a focus group that I suddenly came upon at this school.

When I later checked the nutritional value of the items they mentioned by going online and visiting the supermarket over this past weekend, only one item out of the extensive list of foods that these children saw in ads fell within the proposed guidelines for low sugar, fat or sodium. Just one of all this list of things they mentioned to me fell within the proposed guidelines. Many of these items that the children mentioned to me were at least double or even triple the recommended amounts.

• (1620)

So these specific developments have generated significant support for protecting children from these advertising and marketing activities, and thus, support for restrictions from organizations including the Heart & Stroke Foundation, the Canadian Cancer Society, the Canadian Medical Association, the College of Family Physicians of Canada, Food Secure Canada, Diabetes Canada, the Canadian Dental Association, the Alberta Policy Coalition for Chronic Disease Prevention, BC Alliance for Healthy Living, Collectif Vital, the Childhood Healthy Living Foundation and others.

The Stop Marketing to Kids Coalition, which includes a number of these organizations, stated in 2022, in support of Bill C-252, that:

Industry self-regulation has not worked . . . We need legislation to protect kids, support parents as they teach their children healthy habits, and ensure all companies must play by the same rules. We urge Parliament to move quickly to make this a reality.

The Standing Senate Committee on Social Affairs, Science and Technology, in its 2016 report on obesity that I mentioned, included as a recommendation that the government should ban the advertising of food and beverages to children. So, this chamber here is on record yet again — that is, in addition to former senator Nancy Greene Raine's bill — supporting this exact policy direction.

Canada is by no means unique in having these concerns; the issue has been widely recognized worldwide. For example, a 2021 UNICEF report argued that unhealthy food marketing to children constituted a violation of a number of children's rights as recognized in the Convention on the Rights of the Child, which includes children's right “. . . to the enjoyment of the highest attainable standard of health . . .”

The involvement of the World Health Organization, or WHO, is especially important here. In 2010, this organization called for global action to reduce marketing to children and put forward 12 recommendations to guide member states of the WHO. In July of this year, the organization updated its advice. Recognizing that they had earlier supported a range of policy options, they are now calling for something different: comprehensive and mandatory policies.

Why is this? It's because powerful evidence has emerged on the continuing impact of marketing and the poor results of voluntary approaches. As the WHO noted in a statement this past July:

Aggressive and pervasive marketing of foods and beverages high in fats, sugars and salt to children is responsible for unhealthy dietary choices . . .

They further said that “Calls to responsible marketing practices have not had a meaningful impact. Governments should establish strong and comprehensive regulations.”

A number of jurisdictions have taken up mandatory initiatives to restrict advertising to children, including Mexico, Argentina and Chile. The United Kingdom and Spain are also in the process of developing their own regulations to prohibit the marketing of foods to children after witnessing first-hand that there were no positive outcomes from their existing self-regulatory industry codes.

But, colleagues, we don't have to travel internationally to understand mandatory initiatives. Let's go no farther than Quebec.

Yes, right here at home, and since 1980, Quebec has had legislation under their Consumer Protection Act that prohibits commercial advertising directed at children under the age of 13. Research studies — and I'm summarizing here — generally indicate reduced exposure of French-speaking children to ads on French child-oriented programs and stations.

A 2011 study also found that the ban was associated with a 13% reduction per week in the likelihood of French-speaking households with children to purchase fast food compared to Ontario.

Also, the Quebec law has survived serious court challenge. In a landmark 1989 decision, the Supreme Court of Canada held that the Quebec law that restricted advertising to children was valid and justified under section 1 of the Charter of Rights and Freedoms. Further, the court said:

The objective of regulating commercial advertising directed at children accords with a general goal of consumer protection legislation — to protect a group that is most vulnerable to commercial manipulation.

It continued, saying that:

Children are not as equipped as adults to evaluate the persuasive force of advertising. . . . children up to the age of thirteen are manipulated by commercial advertising . . .

Those are the words of our highest court.

So implementation of the provisions of Bill C-252 is expected to reduce children's exposure to food advertising in media to which they are highly exposed. Along with other initiatives, and over a longer term, it should reduce the risk of children developing obesity and diet-related chronic diseases.

Colleagues, during my career in the research industry, Health Canada was my client for many years, and I had the opportunity to lead many research projects and initiatives in areas that include tobacco control and the National Anti-Drug Strategy. I know first-hand, both from experience and observation, that a multipronged strategy is always needed to create positive change in behaviour and health outcomes. Increasing public awareness and knowledge, product labelling, restrictions on advertising and promotions and other initiatives are a key part of what is often called a “whole-of-society approach.”

Parents, health professions, schools, other levels of government and the media all have important roles to play as well.

Let me focus on parents for a moment. I remember when my children were young, and how challenging it was to drown out the marketing to children, which was and is everywhere for all kinds of foods and products. I did not live in Quebec. I was raising my children in downtown Toronto. They were exposed to all the marketing that was available to children during the years when they were young.

I think this bill will help parents significantly.

As former senator Nancy Greene Raine has said in respect of her Bill S-228:

It is up to parents to do the parenting. But we need to support parents in being able to do the right thing. Food and beverage companies will still be able to market their products — this legislation will simply prohibit them from bypassing parents and marketing directly to vulnerable children.

Parents, I think, appreciate this very much. That is why 85% of parents of children ages 4 to 18 in an Environics survey conducted for the Heart & Stroke Foundation supported restricting the marketing of unhealthy foods and beverages to children.

Now, in respect of this multipronged approach, we have seen government initiatives over the years coming from all governments — not just this one, but also previous federal and provincial governments. We have seen government initiatives with respect to healthy eating, including promoting nutrition information, product labelling, the prohibition of industrially produced trans fats, revisions over the years to Canada’s Food Guide, sodium reduction targets and others.

• (1630)

Restricting food advertising to children as a specific policy initiative has been a Minister of Health mandate commitment since 2015. After consultations between 2016 and 2019, this policy direction was confirmed in the Minister of Health’s mandate letter of 2021.

Health Canada is now proposing a targeted approach to restrictions, focusing on television and digital media first. It has acknowledged that children are also exposed to food advertising in other types of media and settings, as well as via techniques

such as brand advertising, food packaging and labelling and sports sponsorships. But those activities will be monitored going forward; they are not the subject of regulations today.

At the beginning of my comments, I mentioned regulations. Those regulations are coming. They will be introduced under the Food and Drugs Act to implement these types of restrictions. Consultations on the policy update were held earlier this year from April through June. The public will have an opportunity to provide comments on the regulatory proposal during the *Canada Gazette* public comment period, which is expected in the spring of next year.

The government supports Bill C-252. It has already been adopted by the other chamber, and if it’s adopted by this chamber, the regulations now being developed by Health Canada will likely serve as the supportive regulations to this legislation, and the final regulations will be adapted to this legislation. Therefore, Bill C-252 can influence the final regulations and the work at Health Canada on this policy.

Another way to describe this is that this bill will serve as the enabling legislation or a framework for action while regulation adds specific details.

Colleagues, there are many more interesting and relevant topics I could talk about here, but perhaps I will leave such other topics for the committee. I look forward to this bill going to committee, and I look forward to the committee’s examination of this bill.

Let’s recall that Bill S-228, this bill’s predecessor, had very extensive examination at our Senate Social Affairs Committee back in 2017. During that committee process, 23 witnesses were heard on Senator Nancy Greene Raine’s bill. Although that process was very thorough, I don’t feel we need to go back and go through that whole process. However, I hope we hear from the key experts when this bill goes to committee.

I was recently asked if this bill is going to take food off the shelves of our grocery stores. The answer is “no.” All of the food items I mentioned earlier that I was looking at in the supermarket this weekend — all those cereals, kids’ food and so on — will still be there, for better or worse. Therefore, all of those kid-oriented products will be available, but if this bill passes and if the regulations are implemented, they will no longer be advertised to kids.

In closing, colleagues, let me add that I recently had the pleasure of speaking with our former colleague Senator Nancy Greene Raine. She extends her greetings to everyone in this chamber. At age 80, she still skis every day, and remains dedicated to this policy initiative. She is enthusiastic about this bill and its prospects. As she said to me, “It’s needed now more than ever.”

Thank you, colleagues.

(On motion of Senator Martin, debate adjourned.)

FINANCIAL PROTECTION FOR FRESH FRUIT AND VEGETABLE FARMERS BILL

BILL TO AMEND—SECOND READING—DEBATE ADJOURNED

Hon. Michael L. MacDonald moved second reading of Bill C-280, An Act to amend the Bankruptcy and Insolvency Act and the Companies' Creditors Arrangement Act (deemed trust — perishable fruits and vegetables).

He said: Honourable senators, I am pleased to speak today as the Senate sponsor of Bill C-280, the financial protection for fresh fruit and vegetable farmers act. The bill before us, an initiative of the member of Parliament for York—Simcoe, Scot Davidson, arrives with near-unanimous support at third reading in the other place, passing by a margin of 315 to 1.

Colleagues, it's easy to take for granted our accessibility to food and proper nourishment. Most of us will simply visit our local supermarket weekly, fill our cart with our usual necessities and stock our refrigerators and pantries at home. We forget just how much we actually rely upon the producers of this food: the farmers. We rely upon them three times a day, every day.

Our farmers have always played an essential role in this country. In many ways, they are a cornerstone industry. They are an indispensable workforce. They feed our families and communities — rural and urban, big and small.

However, despite their essential role in supplying our families and communities with nutritious produce, fruit and vegetable farmers, in particular, are financially vulnerable due to the nature of their product. That is the issue Bill C-280 proposes to address.

Our current bankruptcy laws do not provide adequate financial protection for Canadian fresh fruit and vegetable farmers. Unlike other sectors, fruit and vegetable producers are particularly vulnerable because the provisions of the Bankruptcy and Insolvency Act and related legislation do not account for the unique nature and characteristics of the sector; in particular, it does not account for the fact that their product is quickly perishable.

In circumstances where a buyer of produce unexpectedly becomes insolvent and is unable to or fails to pay the suppliers, these farmers will most likely incur that loss without the ability to recuperate payment or their product. Currently, under existing laws, it is near impossible for our farmers to recoup the economic value associated with the product delivered. By the time insolvency proceedings have concluded, the produce in question has long since perished and can no longer be repossessed and resold.

Adding to the vulnerability of fruit and vegetable farmers, the sector has a lengthy typical payment term whereby it can take upwards of 30 days or more after the product is delivered to buyers before the supplier receives payment. In an industry that already has a small margin on returns, this leaves our fruit and

vegetable farmers particularly vulnerable to buyer insolvency, an occurrence that is unfortunately fairly common — more common than we realize.

For the most part, the sector consists of small- and medium-sized growers, many of which are family farms. Lacking the financial protections needed, the farmers are often unable to reinvest into their business in a sufficient manner, severely limiting the potential growth of the sector.

Another challenge facing our growers is the loss of protection under the U.S.'s Perishable Agricultural Commodities Act, or PACA, which provided preferential treatment and protection for Canadian companies that sell products to the United States. This protection was revoked for Canadian companies in 2014 due to a lack of reciprocal mechanisms in place in Canada, further exposing our fruit and vegetable farmers to increased financial risk.

Bill C-280 offers the financial protections this sector needs.

• (1640)

The legislation proposes establishing a limited deemed trust for produce sellers, which would give them priority access to the proceeds of sale, limited to only the inventory, accounts receivable and cash on hand derived from the sale of produce during the bankruptcy proceedings of an insolvent buyer.

By establishing a limited deemed trust and providing priority access, Bill C-280 ensures that Canada's bankruptcy laws recognize the unique challenges and demands of our fruit and vegetable farmers, and provides them with the financial protections warranted for the especially perishable nature of fresh produce and the lengthy typical payment term that currently exists in the industry.

As I stated, colleagues, Bill C-280 received pan-partisan support in the other place, passing nearly unanimously by a margin of 315 to 1. This is truly a non-partisan issue.

This is about providing this essential sector with the protections it needs by recognizing the unique nature of the industry and the current deficiencies of our bankruptcy laws. This is about ensuring the viability and growth of this sector and the Canadian farming business.

It is important to note as well that this legislation comes with no cost to the government or to the taxpayer. The government would not be required to carry any financial liability or backstop any losses.

Bill C-280 also has support from across the industry as well. In fact, they've been advocating for these provisions for years.

During consideration of this bill, the House of Commons Agriculture and Agri-Food Committee heard from stakeholders from across the industry.

Keith Currie, President of the Canadian Federation of Agriculture, offered the following:

While this bill would provide the much-needed financial support to our fresh fruit and vegetable sector, which supports nearly 250,000 jobs in this country, it is about much more than that. Bill C-280 is about preserving the fibre of local and rural farming communities, maintaining the integrity of our food supply chains and supporting Canada's domestic food security.

He continued:

. . . risk management is a big part of what we do. From the moment that seed goes in the ground or that calf is born, there is a risk that I won't see a crop at the end of the day or see that calf mature into a milker or head to market. However, unlike cash crop, livestock or supply-managed producers in Canada, fresh fruit and vegetable producers carry additional risks and costs that are unique to the production of perishable goods.

Mr. Currie outlined that the government has protections in place for other sectors, including, for example, the Canadian Grain Commission holding roughly \$1 billion of financial security from individual licence holders to pay grain sellers in case a grain buyer becomes insolvent. But no such financial security exists for the fruit and vegetable sector.

Offering the Canadian Federation of Agriculture's support to the legislation, Mr. Currie stated that Bill C-280 is ". . . a tailored solution to a clear gap in our risk management tool kit for Canadian producers."

The Fruit and Vegetable Growers of Canada, or FVGC, is also adamant in their support for the bill, and hopeful for its swift adoption. At the Agriculture and Agri-Food Committee, the association stated:

This legislation offers a framework that bolsters the stability of our industry and promotes fairness in business practices, ensuring the viability and growth of our sector for years to come.

FVGC sees this bill as a game-changer, providing our members with much-needed protections and possibly leading to greater market opportunities. . . .

A more robust and secure Canadian produce industry, backed by these protective measures, would help to address the growing concerns of Canadian food security and food sovereignty.

The association also explained why the finer details of the legislation are significant:

A key aspect of this legislation is that, once the proceeds from the sale of fresh produce are deemed to be held in trust for the supplier, they are not included in the company's property. This is significant, because it means these assets would be protected, and it does not take away from other creditors' ability to access their claims

Additionally, the definitions included in the legislation consider the realities of our industry. Acknowledging that the fruits and vegetables might be repackaged or transformed, and yet remain the beneficial property of the supplier, is an important detail.

Colleagues, this legislation will also potentially pave the way for reinstating the Perishable Agricultural Commodities Act, or PACA, protection in the U.S. for Canadian growers. As I had mentioned, PACA was revoked for Canadian growers nearly 10 years ago because of a lack of reciprocity in Canada. The reinstatement of protections under PACA for Canadian exporters would be welcomed enthusiastically by our growers, ensuring preferential treatment and a dispute resolution mechanism that had been crucial for Canadian companies that sell to the United States.

Patrice Bourgoin, General Manager of the Quebec Produce Growers Association, echoed this sentiment at committee, stating that Bill C-280 reflects the tried-and-true model in the United States, and that implementing this legislation would, indeed, pave the way for Canadian reinstatement under U.S. regulations.

The Quebec Produce Growers Association also explained how important it is to provide protection and stability to the supply chain by stating:

If one of the links has not received payment, it affects the entire system, right down to the family farm. . . .

Colleagues, Bill C-280 offers a solution by way of a safety net that the industry not only wants but needs.

Again, there is no burden to the government; there is no burden to the taxpayer.

This legislation would create a more predictable and stable market by providing the financial assurances our farmers deserve — financial assurances that will allow our farmers the opportunity to reinvest in their business, and that will ultimately result in a reduction of costs to Canadians, saving consumers an estimated 5% to 15% on their annual fresh fruit and vegetable purchases.

This bill is a game-changer for this sector, colleagues. I ask for your support in sending it to committee as soon as possible.

Thank you.

Hon. Yuen Pau Woo: Would the Honourable Senator MacDonald take a question?

Senator MacDonald: Certainly.

Senator Woo: Thank you, senator, for your comprehensive speech, which reminds us of the fragility of farming in this country, as well as the volatility that they have to deal with, particularly from — as you said — perishable items and input prices. The solution that you offer is part of a suite of risk management measures that can help farmers deal with this kind of volatility, including in other farming sectors, such as poultry, eggs and grain drying.

Would you also support further risk management measures to help deal with the real sources of volatility faced by farmers, including poultry farmers, egg farmers, grain farmers and so on?

Senator MacDonald: Senator Woo, I would have to see the details of what were being proposed, but it's certainly something that I could support in principle. Again, the devil is always in the details. I'd have to see what would be put on the table.

(On motion of Senator Clement, debate adjourned.)

DEPARTMENT OF FOREIGN AFFAIRS, TRADE AND DEVELOPMENT ACT

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Gerba, seconded by the Honourable Senator Klyne, for the second reading of Bill C-282, An Act to amend the Department of Foreign Affairs, Trade and Development Act (supply management).

Hon. Paula Simons: Honourable senators, one of my earliest memories from my first few months as a senator — back in 2018 — was a briefing that we received from senior members of the Canadian diplomatic team involved in the negotiation of the Canada-United States-Mexico Agreement, known on this side of the border as CUSMA. The briefing drove home to me how extraordinarily difficult it had been for Canada's trade negotiators to obtain any kind of workable deal with the Trump government, given the unpredictable, obstructionist and protectionist nature of the Trump regime.

CUSMA was signed on November 30, 2018 — five years ago today — and came into force in 2020. The deal is subject to review every six years, which means that our negotiators will soon be immersed in the difficult task of trying to obtain and keep the best possible outcome for Canadians, with no way to predict the outcome of the contentious and fateful 2024 American presidential election.

What we can say is this: It would be a grave tactical error to send out Canadian trade negotiators to deal with this historic moment with one hand tied behind their backs. Our negotiators are going to need every bargaining chip and every tool at their disposal to protect the economic and political interests of this country.

• (1650)

That is just one of the reasons I rise in the chamber today to oppose Bill C-282, An Act to amend the Department of Foreign Affairs, Trade and Development Act (supply management). This protectionist legislation would send Canada to the bargaining table at a distinct disadvantage by making three sectors of

Canada's agricultural economy off limits, denying the government its prerogative to get the best possible deal by making supply-managed goods sacrosanct.

Under the terms of Bill C-282, the Minister of Export Promotion, International Trade and Economic Development would be forbidden to make any commitment on behalf of the Government of Canada by international trade treaty or agreement that would have the effect of increasing the tariff rate quota applicable to dairy products, poultry or eggs or reducing the tariff applicable to those goods when they are imported in excess of the quota. The effect of this would be to make our dairy, poultry and egg sectors untouchable and supply management inalienable. It would not only hamstring and hamper the ability of our negotiators to get the best possible deal for Canadian exporters and importers at CUSMA, but it would undercut Canada's position as an international champion of free trade around the world and undermine our ability to fight protectionist policies that discriminate against us. This will hurt us not just in trade negotiations with the United States and Mexico, but with all our future negotiations and trade deals with Europe, Asia, Latin America and the Indo-Pacific.

In the words of the Canadian Agri-Food Trade Alliance:

Tying the hands of trade negotiators before negotiations even begin will result in less ambitious outcomes across the board as other countries will follow suit and exclude products or sectors from discussions where Canada has offensive interests. . . .

Then there is the issue of the precedent this sets within Canada. How long will it be until other economic sectors also ask to be excluded from trade talks, undermining the ability of this government or any future Canadian government to bargain holistically for the good of the whole nation and not to play favourites or court regional interests? If we send out this loud signal that protectionism isn't just acceptable but is desirable, we could erode the national and global consensus around free trade, which would be uniquely self-destructive for Canada.

Canada is a country with a huge export economy and a small population — 67.5% of our gross domestic product is reliant on trade. Free trade matters to us and to our future prosperity in the way it does to few other nations. We are the world's largest exporter of wood, aluminum, potassium fertilizer and canola seed and oil. Our top exports, meanwhile, are petroleum, cars, gold and wood, sold primarily to the United States, China, Japan, the United Kingdom and Mexico. In 2022, we exported about \$93 billion in agriculture and food products around the world.

In order to survive and thrive in a hard-nose international trade system, we need to be a clarion stalwart voice in favour of free trade, because if the world's economy becomes bogged down with a morass of tariff and non-tariff trade barriers, it will be particularly devastating for us as a trading nation. We frankly aren't a big enough economy or a big enough population to win a

global game of tit-for-tat. If we adopt protectionist policy in this part of our agricultural economy, we can expect retaliation and pushback in turn.

How can we fight, economically or politically, once we cede the moral high ground? It would be impossible for us to demand that others reduce their tariff barriers without looking either like hypocrites or like the most naive of neophytes. Adopting this bill could, in the short term, prompt many of our trading partners to respond with threats to refuse to extend or modernize existing trade agreements. In the long term, it would erode our international respect on the world stage. If we want to be leaders in places such as the World Trade Organization, we have to have clean hands when we are advocating for a free and rules-based trade system.

Allowing the creation of these bespoke exemptions for particular sectors, and via a private member's bill no less, would unalterably undermine our credibility on the world stage and the credibility of the government, too. Who, after all, is writing Canadian trade policy? Is it the elected government or a third-place political party which only cares about the interests of one province and not the interests of the country as a whole?

I speak today both as an Albertan and as Deputy Chair of the Standing Senate Committee on Agriculture and Forestry. For my own region of the country, we export not just petroleum but canola, wheat, pulses, beef, pork, oats and barley, among others. In 2022, according to provincial data, Alberta exported \$206 billion worth of goods to market. While energy exports were the largest proportion, we also exported \$16.2 billion worth of agricultural products. Alberta's four largest markets were the United States, Japan, China and South Korea, and Alberta exports were way up last year in all four markets, by 50% in the United States and by 343% in South Korea.

Tit-for-tat reprisal tariffs against agricultural products such as canola, wheat, beef or pork could be a body blow to the economy of Alberta and the entire Prairie West. We need to ask: Do we really want to pit agricultural sectors in this country against one another or regions and provinces against one another? We must not feed into the toxic discourse of Western alienation and Western separatism by creating the impression that we are sacrificing the interests of one half of the country to protect the other.

Honourable senators, at heart, this isn't an agricultural bill. It's a trade bill. It's not only agricultural products from my home province that might get caught in the crossfire. What might be the consequences of this bill on exports of automobiles from Ontario or seafood from Atlantic Canada or lentils from Saskatchewan or wood and wood pulp from British Columbia? Then consider this: What would be the long-term impacts for Quebec, which exports everything from aluminum and platinum to aircraft, turbojets and flight simulators? I'd argue it would be a poor bet for Quebec's economic future to put a sanitary cordon around three agricultural products, thus putting at risk the future of Quebec's other exports.

Let's not forget the value of the export market to our supply-managed goods. According to Statistics Canada, in 2022, Canada's dairy sector exported products ranging from milk to cheese to ice cream to whey protein worth \$506 million. About 60% of that went to the United States, with another 17% being exported to African markets. And we're on track for even better numbers this year. Between January and September of 2023, Canada exported some \$366 million worth of dairy products around the world, to everywhere from Australia to the Netherlands to Malaysia. This is good news, not bad news, for Canada's dairy producers. It would be wildly counterintuitive to risk losing access to those export markets by adopting a protectionist policy that might well make others retaliate in kind.

We export our poultry, too. According to data from the Observatory of Economic Complexity, or OEC, Canada exported \$226 million worth of poultry products in 2021. In August 2023 alone, Canada exported \$22 million worth of poultry products, and more than half of that was poultry produced in Quebec. The main export markets for Canadian poultry were the United States, Gabon, the Philippines, Mozambique and Guinea, with the Philippines being the fastest-growing market for Canadian poultry exports.

We should be fighting for access to those markets, not slamming the door on future trade opportunities. At a certain point, we have to trust in our expert, proven trade negotiators to get the best possible deal for Canada at every trade talk and have confidence that they won't sell out our poultry, egg and dairy producers.

Let's go back to CUSMA, which did create a few concessions in the dairy sector, but which largely protected Canadian production. Just last Friday, November 24, a three-person CUSMA trade tribunal rejected an American complaint that Canada was improperly limiting access to its dairy market. In a two-to-one decision, the panel denied the United States four different allegations against Canada. In other words, far from selling out Canada's dairy sector, the strategic concessions with CUSMA negotiators used as leverage have still largely protected supply management. But if we pass Bill C-282, we deny our negotiators the strategic agency to make such limited concessions and to leverage the best possible deal.

Finally, we come to the somewhat fraught issue of whether we have the right to oppose, amend or defeat a private member's bill. During the heated debate over Bill C-234, there were those who argued we had no right to defeat or even amend the bill because it had been passed by the majority of members of the House of Commons. That was and is a dangerous argument to make because, of course, some of the very same agricultural lobby groups and senators are now hoisted on their own petard for making that case. By the same token, some of the very same senators who tried to amend or defeat Bill C-234 will likely now argue that we cannot touch Bill C-282.

• (1700)

Well, my friends, while I do believe that a foolish consistency is the hobgoblin of little minds, I am proud to say that on this issue, at least, I am being wholly consistent.

Let me quote to you what I said in my speech about Bill C-234 a few weeks ago.

... it is not the job of the Senate to accept and pass private members' bills without study and possible revision. If anything, private members' bills require more thought and study, because they don't always receive such scrutiny in the other place where partisan politics can play more of a factor than they sometimes do here. Just because a private member's bill wins enough votes to pass in the other place doesn't mean we should rubberstamp it here. We should hold it up to at least as much study and scrutiny as any government bill.

Those words were true about Bill C-234, and they're every bit as true about Bill C-282. It is incumbent upon us as the upper house to hold bills like these up to strict scrutiny, precisely because we are appointed and not elected and thus freed of the need to do what is popular instead of what is right.

We are here on purpose to take the long view. We are here to consider the best interests of Canada: all of Canada. Now, we can certainly disagree sometimes about what those best interests are, but we can't hide behind some excuse that private members' bills are, themselves, sacrosanct.

It is our job to do our job: to study and debate this bill fully and fairly, to hear from witnesses, to bring our individual expertise to bear and to treat this as the serious foreign policy issue that it is.

Thank you, *hiy hiy*.

[*Translation*]

Hon. Amina Gerba: Would Senator Simons agree to a question?

Senator Simons: Yes.

Senator Gerba: Senator Simons, you said that Bill C-282 would tie our negotiators' hands in terms of signing trade agreements. However, as I mentioned in my speech at second reading, many countries protect some of their key sectors. Our American neighbours are doing that with sugar, using their Farm Bill. In your opinion, is it fair to say that, because of that desire to protect sectors, certain powers such as India — which protects its sugar — Japan and the United States have not been able to negotiate decent trade agreements?

That would be my first question.

Senator Simons: I understand your question, but it will be easier for me to answer in English.

[Senator Simons]

[*English*]

This is precisely the problem that I'm talking about. Canada suffers tremendously from the protectionism of other countries, but the way to fight that is with trade liberalization.

If we play the same game, we are too small an economy to win any kind of tête-à-tête back and forth, if we want to come to world trade negotiations with clean hands and say we don't like protectionism: protectionism is bad for the world economy; protectionism has been proven over the course of centuries to slow the progress of people's lives. Free trade has been a great way to raise living standards around the world. The last thing we want to do is take part in bad public policy.

The Hon. the Speaker pro tempore: Senator Simons, I have two other senators who would like to ask questions. Are you asking for five more minutes?

Senator Simons: If honourable senators would like me to ask for five more minutes, I will ask for five more minutes.

The Hon. the Speaker pro tempore: Is it agreed, honourable senators?

Some Hon. Senators: Yes.

Some Hon. Senators: No.

[*Translation*]

Hon. Jean-Guy Dagenais: May I ask a question, Madam Speaker?

The Hon. the Speaker pro tempore: Senator Dagenais, leave was not granted for additional minutes.

Senator Dagenais: Well, this seems like a new kind of democracy.

I won't raise a question of privilege over it since we've already lost enough time. For once, I had a question to ask, which doesn't happen very often, but I'm being prevented from asking it. I think that is a shame.

[*English*]

Hon. Yuen Pau Woo: Honourable senators, I am not on the scroll to debate today, but I thought I would join the debate now, in part because I was originally going to speak on Bill C-234 at third reading. I had my speech ready, but the vote has been deferred and I can't do it today. I can't do it next Tuesday either. I'm hoping I can speak the following Thursday and would ask you for your indulgence and give me that chance.

To show that I have good faith in using my time in this chamber, I am going to do somewhat of an extemporaneous speech on Bill C-282.

I want to tee off from Senator Simons's reportage on the CUSMA panel decision last week which she accurately described but, with respect to her, I'm going to give more colour to that decision.

You will recall from her speech that the three-person panel ruled in favour of Canada on the question of whether Canada is appropriately managing its tariff rate quotas, or TRQs. This is the system whereby, above a certain quantity of milk, cheese or poultry, a very high tariff kicks in.

Canada and the United States negotiated a way of managing TRQs that would allow for American suppliers of milk and cheese products within the quota to enter the country without paying very high tariffs. Canada did it in such a way that essentially allowed the processors in Canada to decide what could be brought in from the United States, excluding, in large part, the ability of retailers in Canada to make that decision.

You can see the strategic thinking behind that move, because it puts the processors — the supply managed farm sector — in control of what comes in, presumably so that there is less competition for them. That's my interpretation of why they have done that.

The Americans lost that argument; this is the second time they've lost the argument. It would appear that the decision, this time around, is decisive.

Senator Simons is correct in saying that this is, on the one hand, proof that our negotiators are looking after our supply management industries. They engineered wording in CUSMA to allow them to give the privilege of importing TRQs — below quota product — to processors to the exclusion of retailers. Shame on the Americans for not picking it up.

But do you think they are oblivious to this sleight of hand after the decision? Do you think they don't understand now that they were duped — that a fast one was pulled on them? Do you have any doubt that in 2025, when the mandatory review of CUSMA comes up, the first thing on the Americans' agenda — or high on their priority list — will be that they are going to renegotiate this provision? "You duped us. Congratulations. You won the first two rounds, but you're not going to win the third round."

The way in which they're going to do that, colleagues, is by referring to another deal that we signed which, in fact, doesn't have that clever wording. In fact, it has different wording allowing retailers to have control over below-quota allocations: and that, of course, is the Canada-European Union Comprehensive Economic and Trade Agreement, or CETA.

Many of us were here when we debated that legislation. There was fierce debate. I remember the processors arguing strongly against that clause, because they wanted to control the import of milk and cheese products from Europe.

• (1710)

However, in the end, in order to get CETA done — this is the key point — not in order to sell out supply-managed sectors, the government allowed for a limited number of retailers to bring in product directly.

In contrast, the other major deal we have negotiated in recent years, the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, or CPTPP, doesn't have the provision for retailers to import directly, and that's why we are in conflict with New Zealand over that very measure. Because CPTPP is an "open accession" agreement, in other words, any country can apply to join if they meet all of the conditions that other countries have signed onto, this is an ongoing process of negotiation both with potential new entrants as well as with the current membership of the CPTPP. Some of you will know that the United Kingdom is now a Pacific country because they joined CPTPP a few months ago, and we had to negotiate with them in order for that to happen.

My point is simply that both in the case of CUSMA, which has a mandatory review mechanism, and in the case of CPTPP, it is certain that we'll have to deal with this issue again of how we deal with TRQs on milk and dairy and other supply management issues in exchange for concessions that we seek in markets that we are negotiating with, such as the Philippines when it comes to milk or Indonesia when it comes to beef and so on and so forth.

Senator Simons' point about maintaining flexibility for negotiators is not hypothetical. It is real, and the great irony of our victory a few weeks ago over the United States is that it actually makes it a sure thing that it will be an issue for us.

Colleagues, this bill is not principally about the merits of supply management. I don't want to go too deeply into that question, but it is on public record that I don't get Christmas cards from the Dairy Farmers of Canada, and it is because my reading of supply management sectors is that while they do look after farmers in those sectors, it is at the expense of consumers, particularly poorer consumers. Studies have shown that supply-managed sectors lead to higher costs compared to international prices and that they are regressive. They hurt lower-income people more than they hurt the wealthy.

Removing some of the protections for supply management, but not dismantling them — for example, through CUSMA, CPTPP, CETA and maybe other trade agreements — in a limited way does reduce the market share of supply management farmers because there will be import competition, but it doesn't reduce the income because that is the nature of supply management. It doesn't necessarily reduce the income because the whole logic of supply management is income maintenance, and you maintain income by reducing supply. It's basic economics.

If you're going to get more product in, you want to reduce supply of the product you can control so prices will go up and you can maintain the incomes of the farmers who produce those products.

That system can work and continue to help farmers to stay in the business as long as they want to, in part because the consumption of dairy products is on the decline. This has been a trend for a number of decades now. We can like it or not like it.

That's normative, but the fact is there are many younger people who are shifting away from dairy-based to plant-based milk-type products, and that will allow for some transition of certain dairy farmers to consider their options in terms of the long-term future of their industry.

I will make one more point to build on Senator Simons' point on the question of exports. She is absolutely right that there are promising markets, particularly in Asia, for some of our supply-managed products. I'm thinking especially of eggs because we have a really fascinating diversity of egg products in our grocery stores. It's confusing sometimes when you go to the fridge and you look at the five or six permutations of free-range and omega and omega plus and brown and white and so on, but these are highly desirable options in fast-growing, middle-income countries that want to upgrade their dietary choices. Exports are very low in supply management sectors precisely because of supply management, precisely because there isn't enough supply to allow for exports. It, in fact, discourages the exports of those products, and there is really no reason to expect that the supply management industries themselves will seek to expand exports in a very major way unless some pressure, if I can put it that way, is placed on them.

We saw this in the wine industry after, first, the Canada-U.S. Free Trade Agreement in 1979 and then the NAFTA agreement in 1984. Some of you will remember infamous Canadian wine products like Baby Duck. Let's say that sommeliers did not recommend Canadian wine products in the 1980s and even the early 1990s. There were predictions of the demise of the industry. Many people were genuinely worried that we would no longer have winemakers in Canada, and it's true that many wineries did go under as a result of competition from American producers, but as we all know, that industry has turned around. Inefficient producers have gone out of business. More efficient producers have cropped up, literally, and we now have many wines to be proud of in my own province of B.C. and across the country as well.

I want to thank Senator Gerba for her passion in supporting this bill. She has worked extremely hard, and her heart is absolutely in the right place in supporting dairy farmers and others.

I cannot support this bill, even though I want us all to remember that this is not about dismantling supply management in any way. It is about encouraging a shift in competitiveness for our supply management sectors. It is about making sure we can support our other export industries in trade negotiations and providing the flexibility for our negotiators to do so.

[*Translation*]

Senator Gerba: Would Senator Woo take a question?

[*English*]

Senator Woo: Yes.

[Senator Woo]

[*Translation*]

Senator Gerba: Thank you, Senator Woo.

Senator Simons said herself in her speech that a lot of other products have been exported. Supply management has been in place for 51 years, and it has never prohibited or prevented the export of products. What's different is that supply-managed products aren't always exportable. I don't think it is entirely accurate to say that farmers can't access the market. Eggs and milk can't be frozen. Anyway, what do you think about the motions that were moved in the other place, seeking to protect certain products, and that were defeated every time?

Senator Woo: Thank you for the question, Senator Gerba.

[*English*]

You're right that there is not a lot of export, in part because the product we have is oriented to the domestic market, but that's exactly what supply management seeks to do. It seeks to contain and cater to the domestic market by ensuring that supply meets domestic demand. To the extent that there is some surplus that can be exported, the very nature of the system mitigates and militates against exports.

(On motion of Senator Martin, debate adjourned.)

• (1720)

NATIONAL STRATEGY FOR EYE CARE BILL

SECOND READING—DEBATE ADJOURNED

Hon. Mohamed-Iqbal Ravalia moved second reading of Bill C-284, An Act to establish a national strategy for eye care.

He said: Honourable senators, it is my pleasure today to speak to you as the sponsor of Bill C-284, An Act to establish a national strategy for eye care, and designate an age-related macular degeneration awareness month.

Our vision allows us to experience the beauty of our world, to connect with others and to navigate the complexities of daily life. However, for too many Canadians, vision care is a luxury. Access to essential vision care services remains a challenge, and it's one that we must address with both urgency and compassion.

Advances in technology and virtual care have opened pathways in this regard. Vision care is an integral part of a comprehensive health care system, and we should make it a priority to ensure that high-quality vision care is accessible for all.

In my clinical practice, I have witnessed the tragic sequelae of preventable ocular diseases in many instances purely on the basis of a lack of access or affordability. Vision impairment, whether through experiencing visual challenges or requiring assistance such as glasses, contacts or other aids, has touched the lives of virtually everyone either directly or through loved ones.

Before I begin, I want to express my gratitude to MP Judy Sgro, who has championed the efforts towards a strategy for vision care in the other place and has been a national advocate for people with age-related macular degeneration and various vision health issues.

I also applaud the careful thought and consideration of my members on the Standing Committee on Health in the other place. This past spring, members carefully studied this bill and helped maintain the federal and provincial jurisdictional limits on health care, professional training and guidelines. This bill passed with resounding unanimity, underscoring the collective recognition of the importance of vision care in our society.

We are presented with a unique opportunity to champion a cause that touches the lives of individuals, families and communities across our country.

The vision loss crisis in Canada requires a coordinated response, and this is what the national eye care strategy is all about. Over 8 million Canadians — or one in five — have an eye disease. There are 1.2 million Canadians who live with vision loss or blindness. There were over 1,200 deaths associated with vision loss in 2019 alone.

Meanwhile, 75% of vision loss cases can be prevented if patients are diagnosed early and have access to treatment.

Colleagues, the need for a national strategy is necessary to address the gaps and inconsistencies in access and delivery of vision care across the country. As we know, with our 10 provinces and 3 territories, it can feel like we sometimes have 13 separate health care silos or that we're living in 13 fiefdoms.

Basic eye examinations are not universally covered under provincial health care plans. Some provinces provide coverage for specific groups such as children, seniors or individuals with certain medical conditions. Many Canadians rely on private insurance plans to cover the costs of routine eye exams, glasses and contact lenses. But even with private insurance, there might still be out-of-pocket expenses for vision care, especially for individuals who have no coverage. The cost of eyeglasses, contact lenses and certain eye treatments can be a significant barrier for Canadians accessing the necessary care.

Accessibility also depends on where you live, with urban areas generally having better access to eye care facilities than rural or remote ones. Practically speaking, this can impact the ability of individuals to access preventative care and may contribute to delayed diagnosis and treatment of eye conditions. By detecting these early, the health care system can avoid the costs associated with advanced treatments and complications.

The challenges associated with the delivery of vision care services have been exacerbated by COVID with many Canadians missing regular eye appointments, surgeries and other treatment plans, increasing the risk of more complications.

Vision loss has a profound impact on individuals, their families and society, costing our economy an estimated \$32.9 billion a year. Of this cost, \$4.2 billion is attributed to reduced productivity in the workplace. Over half the cost — \$17.4 billion — is attributed to the reduced quality of life, which is primarily due to a loss of independence, especially in our aging demographic. Over \$983 million was spent last year across Canada on injections to treat macular degeneration.

Losing one's vision increases mental, financial and social hardship. It can lead to a loss of mobility, an inability to live independently, to drive, to read or to participate in physical activity. It can result in the loss of social interaction, which can often lead to loneliness, isolation and the mental sequelae thereof. A national strategy can promote cost-effective and efficient use of health care resources and dollars to help combat vision loss across the country.

The bill before us today is straightforward. It calls for the Minister of Health in consultation with representatives of provincial governments responsible for health, Indigenous groups and other relevant stakeholders, including health care researchers and practitioners, to develop a national strategy to support the prevention and treatment of eye disease as well as the vision rehabilitation plan to ensure better health care outcomes for all.

It outlines the strategy that encompasses preventive care, early detection, treatment and accessibility. The strategy would aim to raise awareness of the impact of vision loss and blindness, improve eye health care and support and foster innovative research to advance new therapies for vision loss and rehabilitation. The bill is also calling on enhanced access to eye health care for Indigenous people.

While there are benchmarks, including timelines, by design, it is not overly prescriptive in what the strategy should entail. The government must be allowed the flexibility to respect the consultative process of this legislation. This legislation would ensure a coordinated national strategy aimed at ensuring Canadians have access to vision care regardless of where they live.

It also recognizes Canadians' experiences and struggles with age-related macular degeneration through a designation of February as age-related macular degeneration awareness month.

Age-related macular degeneration is a condition that affects many Canadians over the age of 55 and is the leading cause of blindness among these Canadians. I know that many of us are in this demographic.

This condition affects the central vision, which is the most important part of an individual's eyesight. It is a progressive condition that leads to vision loss and may increase the risks of other health concerns such as anxiety, depression and progression to dementia.

As our population ages, we must be vigilant in promoting awareness around age-related macular degeneration, increasing accessibility to currently available treatments and supporting the necessary research for developing new treatments needed by many Canadians across our provinces and territories.

We have the opportunity to be one of the global leaders in the delivery of vision care. We can draw from strong examples in other nations for service delivery and accessibility in vision care. While we know that there is no one-size-fits-all model for the delivery of care across different countries, the strategy will examine existing strategies, frameworks and best practices, as well as lessons learned from other jurisdictions.

• (1730)

Honourable colleagues, a national strategy would address the wide inconsistencies in access to care; work to prevent and slow the progression of vision loss, where possible; help us tailor services to the needs of all Canadians in a culturally appropriate manner; and allow us to foster research and innovation to better inform policy-makers on this issue.

This bill is important to millions of Canadians and is long overdue. Let us acknowledge the tireless effort of health care professionals, advocacy groups and individuals who have championed this cause and called for federal leadership. Their commitment to the well-being of Canadians deserves our utmost respect and support.

Making eye health and vision care a health priority requires all of our support. Colleagues, we can work together to ensure that 1.5 million Canadians with sight loss are provided with the necessary supports and the opportunity to live productive, healthy lives. *Meegwetch*. Thank you.

Hon. Pat Duncan: Thank you very much for your remarks and introduction of this bill, Senator Ravalia. I have one short question and then a supplementary question.

To which committee do you envision this bill going?

Senator Ravalia: Thank you, Senator Duncan. I envision that this bill would likely go to the Social Affairs Committee.

Senator Duncan: Colleagues, I would note for the record that this is likely the third bill we've discussed this afternoon, and the Social Affairs Committee's task list is becoming quite large; there is a lot before it.

Following up on your comments about the fiefdoms that are the individual provincial health care systems and that we must ensure that Non-Insured Health Benefits are added to that list, it is actually 14, not 13, health care plans that exist in this country. There is quite a difference between what is paid for eye care through Non-Insured Health Benefits for Indigenous people than what is paid for others under health care plans.

I would suggest that when we do refer this bill, we should ensure that the Government of Canada is included in the responsibility for eye care accessibility.

[Senator Ravalia]

I have another question. Were the standards and licensing of those involved in optometry and in the delivery of eye care also part of the discussion around the framework for eye care legislation?

Senator Ravalia: Thank you for the two critical points that you've raised. The issue of Indigenous health was raised in the other place. It is a critical and impactful area that would be looked at in great detail. There is no doubt that it is not so much the reimbursement but the lack of access to care with respect to early screening for individuals living in remote and rural communities that causes significant harm — not only to our Indigenous communities but also to many of our rural constituents.

The second part of your question is very much a provincial jurisdictional issue. However, having served on Newfoundland and Labrador's optometry board, I know that there is fairly uniform acceptance across the country that there are base standards that have to be met in order to be a licensed optometrist. In terms of licensing requirements for those who have trained abroad, there are pathways to ensure that there is ready access.

I thank you for those questions.

(On motion of Senator Martin, debate adjourned.)

COPYRIGHT ACT

BILL TO AMEND—SECOND READING—DEBATE ADJOURNED

On Other Business, Commons Public Bills, Second Reading, Order No. 10:

Second reading of Bill C-294, An Act to amend the Copyright Act (interoperability).

Hon. Yonah Martin (Deputy Leader of the Opposition): With leave, I'd like to adjourn this item in my name.

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

Hon. Senators: Agreed.

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

**STUDY ON THE FEDERAL GOVERNMENT'S
RESPONSIBILITIES TO FIRST NATIONS,
INUIT AND MÉTIS PEOPLES**

FOURTEENTH REPORT OF INDIGENOUS PEOPLES COMMITTEE
AND REQUEST FOR GOVERNMENT RESPONSE ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Francis, seconded by the Honourable Senator Bellemare:

That the fourteenth report of the Standing Senate Committee on Indigenous Peoples, entitled *Honouring the Children Who Never Came Home: Truth, Education and Reconciliation*, deposited with the Clerk of the Senate on Wednesday, July 19, 2023, be adopted and that, pursuant to rule 12-23(1), the Senate request a complete and detailed response from the government, with the Minister of Crown-Indigenous Relations being identified as minister responsible for responding to the report, in consultation with the Minister of Indigenous Services Canada and the Minister of Canadian Heritage.

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

Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

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

SIXTH REPORT OF HUMAN RIGHTS COMMITTEE AND REQUEST
FOR GOVERNMENT ADOPTED

The Senate proceeded to consideration of the sixth report (interim) of the Standing Senate Committee on Human Rights, entitled *Combatting Hate: Islamophobia and its impact on Muslims in Canada*, deposited with the Clerk of the Senate on November 2, 2023.

Hon. Salma Atallahjan moved:

That the sixth report of the Standing Senate Committee on Human Rights, entitled *Combatting Hate: Islamophobia and its impact on Muslims in Canada*, deposited with the Clerk of the Senate on November 2, 2023, be adopted and that, pursuant to rule 12-23(1), the Senate request a complete and detailed response from the government, with the Minister of Diversity, Inclusion and Persons with Disabilities being identified as minister responsible for responding to the report, in consultation with the Deputy Prime Minister and Minister of Finance, the Minister of Canadian Heritage, the

Minister of National Revenue, the Minister of Justice and Attorney General of Canada, the Minister of Public Safety, Democratic Institutions and Intergovernmental Affairs, and the President of the Treasury Board.

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

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

**STUDY ON THE FEDERAL GOVERNMENT'S
CONSTITUTIONAL, TREATY, POLITICAL
AND LEGAL RESPONSIBILITIES TO FIRST NATIONS,
INUIT AND MÉTIS PEOPLES**

SIXTEENTH REPORT OF INDIGENOUS PEOPLES
COMMITTEE ADOPTED

The Senate proceeded to consideration of the sixteenth report (interim) of the Standing Senate Committee on Indigenous Peoples, entitled *Voices of Youth Indigenous Leaders 2023: Celebrating Leadership in Indigenous Education*, deposited with the Clerk of the Senate on November 15, 2023.

Hon. Brian Francis moved the adoption of the report.

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

Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

MOTION TO AUTHORIZE COMMITTEE TO STUDY NEGATIVE
IMPACT OF HEALTH DISINFORMATION AND
MISINFORMATION ON SOCIETY AND EFFECTIVE MEASURES TO
COUNTER THE IMPACT—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Kutcher, seconded by the Honourable Senator Cormier:

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to examine and report on the negative impact of health disinformation and misinformation on Canadian society and what effective measures can be implemented to counter this impact; and

That the committee submit its final report on this study to the Senate no later than May 31, 2024, and that the committee retain all powers necessary to publicize its findings for 180 days after the tabling of the final report.

Hon. F. Gigi Osler: Honourable senators, today I rise to speak to Motion No. 113 regarding the authorization of the Standing Senate Committee on Social Affairs, Science and Technology to examine and report on the negative impact of health disinformation and misinformation on Canadian society and what effective measures can be implemented to counter this impact.

• (1740)

Earlier this year, Senator Kutcher highlighted the harmful consequences of health misinformation and disinformation, particularly in the context of COVID-19 and vaccinations. Today, I wish to illustrate the transformative, positive impacts that evidence-based health information can have on our lives.

Health information can come from a variety of sources. Health care providers play a vital role in sharing information about symptoms, diagnoses and treatments. While access to health care is a problem across the country, Canadians can easily access health information online. In fact, the internet has revolutionized access to information that was previously available to health care professionals almost exclusively.

When I was a medical student, I remember going to the medical library at the University of Manitoba to look up articles in important journals so I could learn about new investigation and treatment modalities. Now, almost all that information can be found on the internet.

The presence of online health mis- and disinformation is not new. The *New England Journal of Medicine* is widely recognized as the gold standard for current research and best practices in medicine. In 2016, the journal cautioned about:

... the challenges and dangers that the new media have created. On the Internet, speed and simplicity often displace depth and quality, especially on complex subjects. Our privacy is increasingly vulnerable. Misinformation, misrepresentation, and piracy are common. There are health scams and even sham medical conferences and fake medical journals. . . .

Honourable colleagues, despite the challenges and dangers of online health mis- and disinformation, today I want to share with you how online information can empower people to improve their health, as well as a few strategies to improve online health literacy.

First, let's talk empowerment.

Obtaining information from online resources to mitigate information asymmetry is a vital component of patient empowerment. Access to accurate and evidence-based health information can empower people, resulting in positive outcomes such as enhanced self-efficacy, improved self-care and overall healthier well-being.

Well-informed individuals gain the confidence to actively collaborate with their health care providers and make informed decisions about their treatment options. A literature review on patient empowerment published in the National Library of Medicine indicated that well-informed individuals:

... develop a greater sense of self-efficacy regarding various disease and treatment-related behaviors, and express changes in life priorities and values

For example, in a study involving patients with Type 2 diabetes mellitus, perceptions of empowerment relatively influenced self-efficacy and self-care behaviours, consequently leading to improved outcomes.

Together, these findings highlight that access to one's own health information and to reliable advice fosters patient awareness, boosts their confidence to advocate for themselves, bolsters their sense of control and encourages active engagement in their treatment decisions. Empowerment stands as a valuable tool in managing health conditions and supporting prevention and early intervention.

When recognizing the growing importance of computer-based health information technology for overall health and well-being, it is crucial to take health literacy into consideration. The Centers for Disease Control and Prevention emphasize the impact of health literacy on everyone, especially when dealing with unfamiliar medical terms or when interpreting statistics and evaluating risks and benefits.

While scientific literature often contains a wealth of evidence-based information, it often includes terminology specific to researchers, scientists and health care providers, thus making it difficult to comprehend for the general public.

When addressing misinformation and disinformation by providing accurate information, it is essential that the information considers varying levels of health literacy.

So how to improve online health literacy?

In fall 2022, Harvard University's T.H. Chan School of Public Health shared lessons on how to counter health misinformation. The first lesson was to recognize the difference between misinformation and disinformation. They said:

Misinformation is information that is inaccurate or contrary to scientific consensus. Disinformation is a deliberate effort to knowingly circulate misinformation in order to gain money, power, or reputation. In cases of disinformation, the person disseminating falsehoods often stands to gain something, often a financial incentive.

A second lesson was that even seemingly scientifically accurate articles and health-focused technology can contain misinformation. While there are many trusted and credible scientific journals, there are some which are predatory, meaning they publish purely for monetary gain and don't engage in the peer-review process which frequently results in the publishing of inaccurate information.

These predatory journals can be difficult to distinguish from trusted and credible scientific publications; for example, in the field of anaesthesiology, there are twice as many predatory journals as there are legitimate scientific journals, so it is important to consult multiple legitimate sources to corroborate information and ensure its reliability.

A third lesson was that interventions against online health misinformation can be effective and can take many forms. One strategy is countering mis- or disinformation through building credibility and with factual alternatives presented in a non-judgmental manner. Another effective strategy is “prebunking,” or teaching people how they can be manipulated before they encounter online mis- or disinformation.

In closing, accurate and evidence-based health information brings a multitude of synergies that can benefit people, populations and the whole of society. Increased accessibility to health information can foster an environment that encourages self-care, enhances public health and takes us one step closer to achieving equal access to health care for all.

Thank you, *meegwetch*.

(On motion of Senator Martin, debate adjourned.)

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

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

Leave having been given to proceed to Motions, Order Nos. 155, 158 and 164:

Hon. Peter M. Boehm, pursuant to notice of November 7, 2023, moved:

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

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

Hon. Senators: Agreed.

(Motion agreed to.)

INDIGENOUS PEOPLES

COMMITTEE AUTHORIZED TO STUDY THE IMPLEMENTATION OF THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES ACT, 2021

Hon. Brian Francis, pursuant to notice of November 9, 2023, moved:

That the Standing Senate Committee on Indigenous Peoples be authorized to examine and report on the implementation of the *United Nations Declaration on the Rights of Indigenous Peoples Act*, 2021 by Canada and First Nations, Inuit and Metis peoples, including, but not limited to any of the priorities raised within the Government of Canada’s *United Nations Declaration on the Rights of Indigenous Peoples Act Action Plan*, 2023;

That the committee report to the Senate no later than October 30, 2025;

That the committee retain all powers necessary to publicize its findings for 180 days after the tabling of the final report; and

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

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

Hon. Senators: Agreed.

(Motion agreed to.)

[*Translation*]

TRANSPORT AND COMMUNICATIONS

COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT ON STUDY OF THE IMPACTS OF CLIMATE CHANGE ON CRITICAL INFRASTRUCTURE IN THE TRANSPORTATION AND COMMUNICATIONS SECTORS

Hon. Julie Miville-Dechêne, for Senator Housakos, pursuant to notice of November 23, 2023, moved:

That, notwithstanding the order of the Senate adopted on Thursday, February 10, 2022, the date for the final report of the Standing Senate Committee on Transport and Communications in relation to its study on the impacts of climate change on critical infrastructure in the transportation and communications sectors and the consequential impacts on their interdependencies be extended from November 30, 2023, to November 30, 2024.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[*English*]

Hon. Donald Neil Plett (Leader of the Opposition): There have been discussions and agreement amongst leaders that we would adjourn the Senate.

Honourable senators, with leave of the Senate, I move:

That the Senate do now adjourn.

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

Hon. Senators: Agreed.

(At 5:50 p.m., the Senate was continued until Tuesday, December 5, 2023, at 2 p.m.)

CONTENTS

Thursday, November 30, 2023

	PAGE		PAGE
SENATORS' STATEMENTS		QUESTION PERIOD	
The Honourable Margo Greenwood, O.C.		Canadian Heritage	
Congratulations on Election as a Fellow of the Royal Canadian Society of Canada		Canadian Human Rights Commission	
Hon. Bev Busson	4993	Hon. Donald Neil Plett	4997
		Hon. Marc Gold	4997
Social Media		Infrastructure and Communities	
Hon. Andrew Cardozo	4993	Homelessness Strategy	
		Hon. Yonah Martin 4997	
Visitor in the Gallery		Hon. Marc Gold 4997	
The Hon. the Speaker 4994		Health	
Canada-Kazakhstan Relations		Equality in Health Research	
Hon. Victor Oh 4994		Hon. Renée Dupuis 4998	
Visitors in the Gallery		Hon. Marc Gold 4998	
The Hon. the Speaker 4994		Environment and Climate Change	
ABLE2 Organization		Conference of the Parties	
Hon. Chantal Petitclerc 4994		Hon. Mary Coyle 4998	
16 Days of Activism against Gender-Based Violence		Hon. Marc Gold 4998	
Hon. Pierre-Hugues Boisvenu 4995		Employment and Social Development	
Visitor in the Gallery		National School Food Policy	
The Hon. the Speaker 4995		Hon. Sharon Burey 4998	
		Hon. Marc Gold 4999	
		Fisheries and Oceans	
		Fishing Vessel Safety	
		Hon. Brian Francis 4999	
		Hon. Marc Gold 4999	
		Justice	
		Youth Crime Prevention	
		Hon. Pierre-Hugues Boisvenu 4999	
		Hon. Marc Gold 5000	
		National Defence	
		Retention and Recruitment of Members	
		Hon. Donald Neil Plett 5000	
		Hon. Marc Gold 5000	
		Environment and Climate Change	
		Greenhouse Gas Pollution Pricing Act	
		Hon. Yuen Pau Woo 5000	
		Hon. Marc Gold 5000	
		Carbon Sequestration	
		Hon. Lucie Moncion 5001	
		Hon. Marc Gold 5001	
		Women and Gender Equality	
		National Action Plan to End Gender-Based Violence	
		Hon. Marilou McPhedran 5001	
		Hon. Marc Gold 5002	
ROUTINE PROCEEDINGS			
Study on 2023 Statutes Repeal Act			
Eighteenth Report of Legal and Constitutional Affairs Committee Tabled			
Hon. Brent Cotter	4995		
Bill to Amend the Interpretation Act and to Make Related Amendments to Other Acts (Bill S-13)			
Nineteenth Report of Legal and Constitutional Affairs Committee Presented			
Hon. Brent Cotter	4996		
Legal and Constitutional Affairs			
Budget—Twentieth Report of Committee Presented			
Hon. Brent Cotter	4996		
President of the Public Service Commission			
Notice of Motion to Approve Appointment			
Hon. Patti LaBoucane-Benson	4996		
Health of Animals Act (Bill C-275)			
Bill to Amend—First Reading			
	4996		

CONTENTS

Thursday, November 30, 2023

	PAGE		PAGE
ORDERS OF THE DAY			
Ethics and Conflict of Interest for Senators			
First Report of Committee Adopted		Hon. Amina Gerba	5020
Hon. Michael L. MacDonald	5002	Hon. Jean-Guy Dagenais	5020
Hon. Dennis Glen Patterson	5002	Hon. Yuen Pau Woo	5020
National Council for Reconciliation Bill (Bill C-29)			
Third Reading	5004		
Investment Canada Act (Bill C-34)			
Bill to Amend—Second Reading—Debate Continued			
Hon. Marc Gold	5004		
Adjournment			
Motion Adopted			
Hon. Patti LaBoucane-Benson	5005		
Greenhouse Gas Pollution Pricing Act (Bill C-234)			
Bill to Amend—Third Reading—Motion in Amendment— Vote Deferred			
Hon. Jim Quinn	5006		
Hon. Pierrette Ringuette	5006		
Hon. David M. Wells	5007		
Hon. Yuen Pau Woo	5009		
Hon. Michèle Audette	5009		
Criminal Code (Bill S-239)			
Bill to Amend—Second Reading—Debate Continued			
Hon. Bernadette Clement	5009		
National Framework on Advertising for Sports Betting Bill (Bill S-269)			
Second Reading—Debate Continued			
Hon. Stan Kutcher	5010		
Hon. Bev Busson	5011		
National Thanadelthur Day Bill (Bill S-274)			
Second Reading—Debate Continued			
Hon. Bernadette Clement	5012		
Food and Drugs Act (Bill C-252)			
Bill to Amend—Second Reading—Debate Adjourned			
Hon. Donna Dasko	5012		
Financial Protection for Fresh Fruit and Vegetable Farmers Bill (Bill C-280)			
Bill to Amend—Second Reading—Debate Adjourned			
Hon. Michael L. MacDonald	5016		
Hon. Yuen Pau Woo	5017		
Department of Foreign Affairs, Trade and Development Act (Bill C-282)			
Bill to Amend—Second Reading—Debate Continued			
Hon. Paula Simons	5018		
National Strategy for Eye Care Bill (Bill C-284)			
Second Reading—Debate Adjourned			
Hon. Mohamed-Iqbal Ravalia	5022		
Hon. Pat Duncan	5024		
Copyright Act (Bill C-294)			
Bill to Amend—Second Reading—Debate Adjourned			
Hon. Yonah Martin	5024		
Study on the Federal Government's Responsibilities to First Nations, Inuit and Métis Peoples			
Fourteenth Report of Indigenous Peoples Committee and Request for Government Response Adopted	5025		
Study on Issues Relating to Human Rights Generally			
Sixth Report of Human Rights Committee and Request for Government Adopted	5025		
Hon. Salma Ataullahjan	5025		
Study on the Federal Government's Constitutional, Treaty, Political and Legal Responsibilities to First Nations, Inuit and Métis Peoples			
Sixteenth Report of Indigenous Peoples Committee Adopted			
Hon. Brian Francis	5025		
Social Affairs, Science and Technology			
Motion to Authorize Committee to Study Negative Impact of Health Disinformation and Misinformation on Society and Effective Measures to Counter the Impact—Debate Continued	5025		
Foreign Affairs and International Trade			
Committee Authorized to Deposit Report on Study of the Canadian Foreign Service and Elements of the Foreign Policy Machinery within Global Affairs with Clerk During Adjournment of the Senate			
Hon. Peter M. Boehm	5027		
Indigenous Peoples			
Committee Authorized to Study the Implementation of the United Nations Declaration on the Rights of Indigenous Peoples Act, 2021			
Hon. Brian Francis	5027		
Transport and Communications			
Committee Authorized to Extend Date of Final Report on Study of the Impacts of Climate Change on Critical Infrastructure in the Transportation and Communications Sectors			
Hon. Julie Miville-Dechéne	5027		
Hon. Donald Neil Plett	5028		