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The Honourable GEORGE J. FUREY,
Speaker

CONTENTS

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

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THE SENATE

Wednesday, December 2, 2020

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

Prayers.

SENATORS' STATEMENTS

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, I received a notice from the Leader of the Progressive Senate Group who requests, pursuant to rule 4-3(1), that the time provided for the consideration of Senators' Statements be extended today for the purpose of paying tribute to the Honourable Lillian Eva Dyck, who retired from the Senate on August 23, 2020.

I remind senators that pursuant to our rules, each senator will be allowed only three minutes and they may speak only once.

TRIBUTES

THE HONOURABLE LILLIAN EVA DYCK

Hon. Jane Cordy: Honourable senators, it has been a pleasure and a privilege to have worked with the former Senator Dyck during her time in the Senate. I have learned so much from her over the years; sometimes it was the things she said, and sometimes it was by her actions.

Lillian is a brilliant, hard-working woman who never backs down from a challenge, as we saw with her work on Bill S-3, An Act to amend the Indian Act (elimination of sex based inequities in registration), or on the day she stood in the Senate chamber to tell us of the harassment she received as Chair of the Aboriginal Peoples Committee on June 11, 2019, by several committee members. She spoke of the frustration that parliamentary privilege meant that nothing could be done about what had happened. Honourable senators, that took courage.

The former Senator Dyck was appointed to the Senate in 2005 by former Prime Minister Martin. She felt that she was being appointed because she was an Indigenous woman with a PhD, and there was no guarantee that if she declined the appointment that it would go to another Indigenous woman. On that basis, she decided to accept.

Last week, I spoke to former Senator Dyck and said, "Lillian, you have done incredible things in the Senate that have made a huge difference in the lives of so many. Of all the things you have done, what do you want people to remember most?"

She replied that it was the little things that were most important — the things that meant so much but that may not be remembered by everyone.

So I will tell you about some of the "little things" that former Senator Dyck has done. Honourable senators, October 4 is the Sisters in Spirit Vigil. It is a day to honour Indigenous women and girls who have been murdered or made missing. On October 4, 2017, Speaker Furey agreed, at Lillian's request, to have a moment of silence at the start of Senate proceedings. That moment was finally an acknowledgement by the Senate of what really happened to so many Indigenous women and their families. Three years later, as former Senator Dyck retold this to me, the emotion was very clear in her voice, because, indeed, it was an historic moment. So, Your Honour, thank you as well.

Former Senator Dyck also remembered one of our first-ever open caucuses when the topic was missing and murdered Indigenous women and girls. At the end of the meeting, Lillian led us in singing the "Strong Woman Song", which is sung in honour of Indigenous women and as a way to keep women strong. She admitted that it was her last public singing event.

Lillian was the first chair of Standing Senate Committee on Aboriginal Peoples to have a smudging for missing and murdered Indigenous women and girls at the committee. She was also the first senator and chair to ask Aboriginal youth to be witnesses at Aboriginal Peoples meetings. Later, Senate Communications invited Aboriginal youth to spend a day on the Hill to learn more about government and especially the Senate.

Lillian believes in the importance of getting Aboriginal youth involved and seeking their input, because it is their future we are talking about. This is why she has been involved with Youth Indigenize the Senate since 2016. We know that the fastest growing demographic in Canada is Aboriginal youth.

Honourable senators, Lillian Dyck is an incredible woman, and I have to say that her so-called "little things" are extremely important. She continues to work to stop systemic racism against Indigenous people, in particular racism against women. To the former Senator Dyck, my friend, you have made a difference. You will be missed. Thank you.

Hon. Senators: Hear, hear.

Hon. Patti LaBoucane-Benson: Honourable senators, good afternoon. What an honour it is to pay tribute to the former senator Lillian Eva Dyck on behalf of the Government Representative Office.

Lillian has many achievements. An accomplished neurochemist and academic, she brought evidence-based, rigorous scientific training to the review of legislation. As a woman with *nehiyaw* — Cree — and Chinese heritage who grew up on the Prairies and had to fight for her place in most spaces, Lillian brought that tenacity, determination and intelligence to her work for Indigenous women's rights in the Senate. She would work with anyone in this chamber or in the other place to achieve her goals.

Many of us are grateful for Lillian's work in the chamber on Bill S-3, her unwavering support of the National Inquiry into Missing and Murdered Indigenous Women and Girls, and her work to expose systemic racism and challenge people in positions of authority to take action.

Former Senator Dyck was the chair of the Standing Senate Committee on Aboriginal Peoples, and some of us referred to her as our *okimaw iskwew*, which is a *nehiyaw* word for "woman leader." During her tenure as chair, the committee completed the first phase of an important study on First Nations, Métis and Inuit peoples in Canada.

Lillian ran a tight ship and worked well with members from all groups to carefully review and amend the Indigenous Languages Act and An Act respecting First Nations, Inuit and Métis children, youth and families, among others. When the committee proceedings became contentious, former Senator Dyck chaired the meeting with grace and diplomacy.

Honourable senators, as there are many of us who want to pay tribute to former Senator Dyck, I will keep my comments short. However, I do want to share a story.

Lillian graciously agreed to be my Senate sponsor in 2018. She was both kind and welcoming, but also very clear at our first meeting. She said to me, "I am glad you're here. There is a lot of work to be done, and I'm not going to be here much longer." This was the first of many long conversations with Lillian about the work of a senator and how we can improve the lives of Indigenous peoples.

This spring, our conversations turned to COVID-19 and the unique challenges Indigenous people were experiencing. Upon hearing about a group of First Nations communities in Saskatchewan that desperately needed support and felt hopeless in the face of the pandemic, Lillian contacted and acknowledged the concerns brought forward by the leadership, then quickly advised the government of the difficulties these communities were facing. She then followed up to ensure they applied for the funds to support the public health response in Indigenous communities. This is but one of the many examples of Lillian's advocacy and her desire to use her position as senator to remove barriers and resolve issues that people face.

• (1410)

However, as steadfast and determined as she was in her work in chamber, Lillian was also known to sit quietly at the Oscar Peterson piano statue after a Senate sitting to just listen to the music, to enjoy Saskatoon berry picking in the hot Saskatchewan sun and to spend many hours at parks near her home bird watching.

Kinanâskomitin, Lillian, you've been an excellent *okima iskwew* for me and many new senators. You've earned a joyful and relaxing retirement, and a high bird count. We will miss you. *Hiy hiy*.

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, on August 24, the former senator Lillian Eva Dyck retired after 15 years of service in the Senate, where she represented, with great dedication and passion, the people of

her beloved province, Saskatchewan. She was appointed to the upper chamber on the recommendation of The Right Honourable Paul Martin as the first female First Nations senator. She is a member of the Cree Gordon First Nation, and she was also the first Canadian-born senator of Chinese descent.

I wish to recognize former Senator Dyck as an accomplished woman of influence and acknowledge her strength and hard work on issues she believed in. Today I wish to commend her for that hard work. She fought with strength and tenacity, especially on causes that were near and dear to her. It is without a shadow of a doubt that she was a powerful and vigorous voice for Indigenous communities in this chamber. One should never criticize those who fight hard for causes they believe in or causes that they deem harmful.

These words of praise may surprise some of you, but I truly consider the former Senator Dyck a friend. We clearly had different opinions, and rarely were we on the same side of a debate. We had many vigorous disagreements over the years, but that does not take away from the fact that I have fond memories of some of those exchanges.

There are few senators who have worked as hard and tirelessly as she has, especially as a critic of government bills when the Conservatives were in power or as a supporter of legislation she felt was right: issues such as UNDRIP or the disproportionate Indigenous populations in prisons come to mind.

Honourable senators, I wish to share a childhood memory with you, but first let me confess that I was not always an angel in school, which I know you'll find hard to believe. As a matter of fact, I was often in trouble with my teachers. One teacher in particular would frequently wag her index finger at me from side to side in disapproval. Truth be told, this teacher was also my aunt.

Honourable senators, this same image comes to mind when I think of former Senator Dyck, as we would also wave our index fingers in disapproval across the aisle at each other, but she always did this with a beaming smile. Although former Senator Dyck and I didn't often see eye to eye, I respected her and I will miss her as a worthy adversary.

On behalf of the opposition in the Senate, I wish the former senator Lillian Dyck a happy retirement. Senator Dyck, I hope you are watching as I wag my finger at you once more, knowing that you are probably doing the same thing to me right now. Thank you, senators.

Hon. Mobina S. B. Jaffer: Honourable senators, it is my absolute honour to rise today on behalf of the Independent Senators Group to pay tribute to the former senator Lillian Dyck. In everything the senator did, she was a trailblazer. As a leader, former Senator Dyck laid the foundation for others to walk a path of success after her. As a young girl, former Senator Dyck learned of the shameful legacy of residential schools through the experiences of her own mother.

This first-hand knowledge and experience fuelled former Senator Dyck's tireless advocacy alongside and on behalf of First Nations, Inuit, Métis and non-status Indigenous peoples in Canada. Additionally, because of her family's challenges associated with being Chinese, she understood the lived realities of both vulnerable groups.

The first woman First Nations senator was a driving force behind Bill S-3, which ensured that Indigenous women would not lose their status simply for marrying a non-Indigenous man. Prior to her appointment, former Senator Dyck was also one of the first Indigenous women to ever pursue a path in the academic realm of neuroscience, earning her PhD in biological psychiatry.

Senator Lillian, I learned a lot from you, I laughed a lot with you and I will sincerely miss you in this place. I have lost a dear colleague, but I will always have you as a mentor and a friend.

Honourable senators, I will share with you the many lessons I learned from former Senator Dyck. The former Senator Dyck is extremely courageous and she always stood, sometimes alone, for the rights of the most vulnerable, particularly Indigenous peoples. The most important lesson I learned from former Senator Dyck is to never be afraid to stand on your own for your values and beliefs.

I am sure, honourable senators, you will all agree that our country is stronger because of her staunch and unyielding leadership. Thank you.

Hon. Terry M. Mercer: Honourable senators, it is my honour to celebrate the career of our former colleague Lillian Dyck. Her beloved province of Saskatchewan and the Cree Gordon First Nation shared her with us for 15 years, and what a pleasure it is to have had her here.

The first female Indigenous senator and the first Canadian-born senator of Chinese descent, the former Senator Dyck was a trailblazer in everything she did. She worked as a neuroscientist prior to coming to the Senate and, once here, she made her mark immediately, especially through her work on protecting and advocating for Indigenous women and girls. While she didn't start out as a member of the former Liberal caucus those many years ago, she eventually saw the light and joined that group with us, where she always provided good advice, always was a team player and always was a good friend.

I have learned so much about your journey and your culture, and I'm grateful we were able to work together for so many years. Lillian, congratulations on your stellar career, both in and out of the Senate. We will miss you and look forward to seeing what you will do next. Happy retirement.

Hon. Dennis Glen Patterson: Honourable senators, I rise to fondly pay tribute to the former senator Lillian Dyck, who retired from the Senate quietly this past summer. I was privileged to have served on the Standing Senate Committee on Aboriginal Peoples with her since my appointment in 2009. I didn't always line up with Lillian ideologically as a Conservative senator, but we worked hard to focus on the interests of Indigenous peoples and tried not to let partisan politics interfere, although that was not always avoidable. I firmly believe that with Lillian's

leadership and commitment throughout the years, our committee made great strides on tackling challenging and long-standing injustices and grievances.

• (1420)

Of the many successful campaigns former Senator Dyck led, I am struck by one notable victory. Lillian, as chair, and I, as critic, worked together to ensure the passage of an amendment to Bill S-3, an act that amended the rules around First Nation registration to completely remove sexual discrimination and the 1951 cut-off. Remember our rallying cry, "6(1)(a) all the way"? I know that this was a personal and professional triumph for former Senator Dyck, and I salute her tireless efforts to ensure that it was done.

Lillian also began an annual event called Youth Indigenize the Senate that focuses on Indigenous youth and doing a smudging in the Senate for the first time. We celebrated approving a number of modern treaties and held a drum dance in the Senate foyer to celebrate the Déjîné Final Self-Government Agreement.

I have fond memories of our journeys to remote locations during our epic studies with regard to on-reserve housing and later in Inuit Nunangat. I remember landing in a Twin Otter on floats at remote Ahousaht; short takeoffs and landings in remote Anishinaabe communities in northern Ontario; flying for hours in another Twin Otter from Kuujuaq, Nunavik, to Nain, Labrador, only to be turned back by fog on final approach and to have to fly all the way back; and being the last airplane to leave in blizzard weather in Iqaluit just before a winter storm shut down the airport for days.

This travel, amongst some septuagenarian senators, was not for the faint of heart, but Lillian cared to do that important work in a credible and effective way.

Thank you for your service, Lillian.

Hon. Patricia Bovey: Honourable senators, one of the perks of being appointed to the Senate of Canada was to work alongside the Honourable Dr. Lillian Dyck and most recently as her colleague in the Progressive Senate Group. What an honest visionary and stalwart defender of principle and humanity she is.

As a prairie senator, it was clear to me that the substance of her academic and Senate careers was significant, but the manner in which she delivered her strong principles and the voices of the prairies, Canada's First Nations peoples and Canadians of multiple diversities was truly inspirational.

I will never forget the first committee meeting I attended as a new senator. It was the Standing Senate Committee on Aboriginal Peoples, chaired by former Senator Dyck, when Bill S-3, An Act to Amend the Indian Act, was a topic of discussion. Senator, your warm welcome was much appreciated and the role you played as chair was memorable. I thank you.

I have rarely stayed in Ottawa over weekends, but I'm so pleased I stayed for one weekend in particular. Lillian, you know the weekend I mean. It was several years ago when the National Arts Centre was celebrating Indigenous arts and culture and presented that wonderful performance of the play *Café Daughter*, depicting your life. It was a real highlight. Learning of the mountains you had to scale given your duel heritage as an Indigenous Canadian and one of Chinese roots, not to mention the sudden change in your youthful life with the passing of your mother and the subsequent discrimination you suffered at school, was truly moving.

Your academic determination was not lost on any of us. Few will ever attain your stature as a full professor at the University of Saskatchewan's Department of Psychiatry with a specialty as a neuropsychiatrist. Your study of Alzheimer's disease is so important, and I thank you on a personal level.

Your leadership as a role model for youth is admirable. I know that was extended particularly to Indigenous youth, but please know your message is just as impactful to non-Indigenous youth. Your approach is doing so much for the steps of "reconciliACTION," ensuring reconciliation. I thank you.

Lillian, I'm not going to repeat the heartfelt words from other colleagues about your many accomplishments, but I do wish you all the best and every success in your next steps serving Canadians, which I know you will do. In doing so, I thank you for all the contributions you have made as a senator in this chamber of sober second thought. Thank you.

Hon. Kim Pate: Honourable senators, I rise to join the chorus to express appreciation to former Senator Dyck for all she is and all she has contributed to this place. I also want to thank her for sponsoring me and providing such a warm welcome and fantastic mentorship, not just to me but to so many others here and in the academy and community.

I had the privilege of knowing and working with the former Senator Dyck before my appointment thanks to her leadership in Saskatchewan regarding issues pertaining to violence against Indigenous women and girls.

It was a privilege to meet Lillian, her gentle giant of a son and dear beloved dog when I was at the University of Saskatchewan. Since then, I have enjoyed the profound pleasure of presenting at and attending conferences or meetings together, collaborating on issues pertaining to women's and Indigenous equality, walking and picking berries along the river in the "Paris of the Prairies" or joining her to take in *Café Daughter*, the incredible play Senator Bovey just mentioned, based on former Senator Dyck's amazing life.

And what a life it has been. Before her appointment, former senator, Dr. Dyck, was a neurochemistry professor and research scientist at the University of Saskatchewan. A member of the Gordon First Nation in Saskatchewan, she is a beacon of hope for Indigenous peoples and other racialized women, having blazed so many trails and established so many firsts. She is Canada's first woman First Nations and Canadian-born Chinese senator, not to mention the first and, as far as I know, the only NDP senator.

When our colleague was appointed to the Canadian Senate in 2005, she identified four priorities for herself: reducing violence against Indigenous women, improving post-secondary education, fighting discrimination against Chinese Canadians and supporting women in science. She refused to be silenced, and frequently and courageously led us into challenging and vital discussions, studies, inquiries and legislative reform.

Thank you, Senator Cordy, for mentioning Lillian's singing of the Strong Women's Song, a song written and performed in honour of Indigenous women who died in the Prison for Women in Kingston. It has been a great privilege for so many to learn and benefit from Lillian's passion and perseverance.

Thank you, *kinanâskomitin*, for all that you have given of yourself in the service of so many. So many more look forward to being the privileged and grateful recipients of your continued guidance and friendship as you write the future chapters of your life. Thank you, *meegwetch*.

Hon. Marty Klyne: Honourable senators, I rise today to pay tribute to a parliamentarian of distinction, a senator whose work and approach to carrying out her responsibilities and duties as a senator is held in high regard. I speak of my fellow Saskatchewanian, our colleague and a dear friend to many in these chambers, the Honourable Lillian Dyck.

Lillian Eva Quan Dyck was born in North Battleford, Saskatchewan in 1945. Having reached the Senate's mandated retirement age of 75, former Senator Dyck retired this past summer on her birthday, Monday, August 24, 2020, ending a 15-year term in the Senate of Canada faithfully representing Saskatchewan and guarding the interests of Canadians without voices in the Senate.

Lillian is an inspiration and a trailblazer. Yes, she was the first Indigenous woman and the first Canadian-born Chinese person to be appointed to the Senate, but that alone is not why she is referred to as a trailblazer. Instead, it has been her great work ethic that led her to the Senate.

She spent her youth in small towns in Alberta and Saskatchewan where her family ran a local Chinese café. Lillian left the family restaurant business to pursue a career in academia.

Let the trailblazing begin.

After earning a PhD in biological psychiatry at the University of Saskatchewan, Lillian worked at that same university as a researcher, becoming a full professor of neuropsychiatry and Associate Dean of the College of Graduate Studies & Research.

In 2005, while working at the University of Saskatchewan, she got the call, and former senator Lillian Dyck was appointed to the Senate by former prime minister Paul Martin.

Unable to establish the NDP caucus in the Senate, she sat as an independent until joining the Liberal caucus in 2009 and retires from the chamber as a member of the Progressive Senate Group.

Former Senator Dyck's goal of justice for Indigenous women is reflected in her introduction of Senate Bill S-215, a bill amending the Criminal Code to make violent acts against Indigenous women an aggravating factor in an offender's sentencing. Although the bill was defeated, she was successful in amending Bill C-5, providing the same effect sought in Bill S-215.

She had many achievements in the Senate. She was a hard-working advocate for families of missing and murdered Indigenous women and girls, promoting an inquiry into the atrocity. In June 2019, the National Inquiry released its report.

• (1430)

Some of her highly acknowledged and valued work includes Senate Bill S-3 in the Forty-second Parliament, which removed a gender-based bigotry within the Indian Act; an inequity aimed at First Nations women who married non-First Nations men, stripping the First Nations woman and her children of their status, and hence their treaty rights.

In August 2019, the final provisions of the bill were brought into force, correcting a historical wrong, and restoring the rights and identity of First Nations women as First Nations status women according to the Indian Act.

Colleagues, it is said a founding aspiration of the creation of the Senate was to have a parliamentary body made of individuals who are the best among us, to ensure minority voices are heard by government in the study and examination of proposed legislation.

Former senator Lillian Dyck is one of those individuals and dutifully served Canada for 15 years. Studious in her evaluation, humble in her demeanour, Lillian has exemplified a quietly bold leadership that is exemplary of model parliamentarians, demonstrating objectivity without bias or succumbing to political interference.

Saskatchewan Indigenous people and all Canadians were well served by Lillian in the Senate of Canada. We all owe her a debt of gratitude, though she would never ask that of us.

The strength of former Senator Dyck's character is personified in a story from my spouse, Charlene, who was flying from Regina to Ottawa via Saskatoon a year or so ago. She told me that when they stopped in Saskatoon to pick up more passengers, a lady boarded and looked like royalty, and she thought that lady might have been a senator. I acknowledged, saying, "That must have been Senator Lillian Dyck."

Thank you, former Senator Dyck. Your body of work and approach to doing Senate business says it all. Best wishes to you going forward, enjoying retirement and time well spent at home with family and friends. Thank you.

The Hon. the Speaker: Honourable senators, the time for tributes has expired.

[Translation]

CAMPUS SAINT-JEAN

Hon. Paula Simons: Campus Saint-Jean has been an integral part of Alberta and the Franco-Albertan community since it was founded in Edmonton by oblate missionaries. It is the only post-secondary francophone institution west of Winnipeg. It has trained generations of Franco-Albertans and generations of anglophones who wanted to become truly bilingual. Its campus is located in the heart of Edmonton's historic francophone neighbourhoods and enables students to become completely immersed in the French language and culture.

Campus Saint-Jean is also the alma mater of our dear colleague Senator Chantal Petitclerc. Today, Campus Saint-Jean needs \$20 million for building renovations. The university is therefore proposing to sell the land the campus is on and reinvest the money in French-language education on the main campus.

However, if this land is sold, it would be a devastating blow to Edmonton's dynamic francophone neighbourhood and the francophone cause in Canada. The amount of federal funding given to Campus Saint-Jean has remained unchanged since 2003. However, since then, the number of Albertans who reported speaking French as their mother tongue increased to 31%. Today, Alberta has the third biggest francophone population in Canada after Quebec and Ontario.

We need to find a way to save this unique and extraordinary institution. I would like the University of Alberta, the Government of Alberta, the federal government and Franco-Albertan communities to work together as a team to find a solution. I also hope that we will be able to continue to talk in the Senate about these very important issues concerning the future of French-language post-secondary institutions outside Quebec that protect the rights of francophones across Canada. Thank you, *hiy hiy*.

[English]

INTERNATIONAL DAY FOR THE ABOLITION OF SLAVERY

Hon. Bev Busson: Honourable senators, I rise today to mark the United Nations International Day for the Abolition of Slavery. When one hears the word "slavery," most Canadians think of historic slavery; the repugnant trafficking of humans, and more specifically, the sale of over 12 million Africans from the 16th to the 19th centuries. They were torn from their families and homes and sold throughout Europe and the New World as commodities. The aftershocks of that crime against humanity still

reverberate today, and we must recognize the resultant human pain and suffering. Unfortunately, this blight on humanity continues in parts of the world today.

But the concept of modern slavery sadly entails the same deprivation of basic human rights, the loss of freedom and control over one's own life, even today and even in Canada. This day focuses on the eradication of human trafficking, sexual exploitation, unacceptable child labour, forced marriage and that of all vulnerable people being exploited under the threat of violence and coercion.

The Hon. the Speaker: We are having some technical problems. May I suggest, with leave of the Senate, that we continue on, and if we get the technical issue resolved for Senator Busson we can let her finish her statement, and if not perhaps she could do it on another day. Anybody opposed to that idea please say no. On we move. Thank you.

ROUTINE PROCEEDINGS

TRANSPORT AND COMMUNICATIONS

REPORT PURSUANT TO RULE 12-26(2) TABLED

Hon. Michael L. MacDonald: Honourable senators, pursuant to rule 12-26(2) of the *Rules of the Senate*, I have the honour to table, in both official languages, the first report of the Standing Senate Committee on Transport and Communications, which deals with the expenses incurred by the committee during the First Session of the Forty-Second Parliament.

(For text of report, see today's Journals of the Senate, p. 211.)

AGRICULTURE AND FORESTRY

REPORT PURSUANT TO RULE 12-26(2) TABLED

Hon. Diane F. Griffin: Honourable senators, pursuant to rule 12-26(2) of the *Rules of the Senate*, I have the honour to table, in both official languages, the first report of the Standing Senate Committee on Agriculture and Forestry, which deals with the expenses incurred by the committee during the First Session of the Forty-Second Parliament.

(For text of report, see today's Journals of the Senate, p. 212.)

ADJOURNMENT

NOTICE OF MOTION

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

That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Monday, December 7, 2020, at 6 p.m.

• (1440)

DEPARTMENT OF PUBLIC WORKS AND GOVERNMENT SERVICES ACT

BILL TO AMEND—FIRST READING

Hon. Diane F. Griffin introduced Bill S-220, An Act to amend the Department of Public Works and Government Services Act (use of wood).

(Bill read first time.)

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

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

[Translation]

CANADA-EUROPE PARLIAMENTARY ASSOCIATION

FIRST PART, 2020 ORDINARY SESSION OF THE PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE,
JANUARY 27-31, 2020—
REPORT TABLED

Hon. Claude Carignan: Honourable senators, I have the honour to table, in both official languages, the report of the Canada-Europe Parliamentary Association concerning the First Part of the 2020 Ordinary Session of the Parliamentary Assembly of the Council of Europe, held in Strasbourg, France, from January 27 to 31, 2020.

MEETING OF THE STANDING COMMITTEE OF PARLIAMENTARIANS OF THE ARCTIC REGION, FEBRUARY 12-13, 2020—
REPORT TABLED

Hon. Claude Carignan: Honourable senators, I have the honour to table, in both official languages, the report of the Canada-Europe Parliamentary Association concerning the Meeting of the Standing Committee of Parliamentarians of the Arctic Region, held in Strasbourg, France, from February 12 to 13, 2020.

[English]

COMMONWEALTH PARLIAMENTARY ASSOCIATION

MEETING OF THE EXECUTIVE COMMITTEE (EXCO)
COORDINATING COMMITTEE, FEBRUARY 27-29, 2020—
REPORT TABLED

Hon. Yuen Pau Woo: Honourable senators, I have the honour to table, in both official languages, the report of the Commonwealth Parliamentary Association concerning the Meeting of the Executive Committee (EXCO) Coordinating Committee, held in London, United Kingdom, from February 27 to 29, 2020.

BILATERAL VISIT TO CARIBBEAN, JANUARY 18-24, 2020—
REPORT TABLED

Hon. Yuen Pau Woo: Honourable senators, I have the honour to table, in both official languages, the report of the Commonwealth Parliamentary Association concerning the Bilateral Visit to the Caribbean, held in Port of Spain, Trinidad and Tobago and Bridgetown, Barbados, from January 18 to 24, 2020.

MEETING OF THE EXECUTIVE COMMITTEE (EXCO)
COORDINATING COMMITTEE, JANUARY 18-19, 2020—
REPORT TABLED

Hon. Yuen Pau Woo: Honourable senators, I have the honour to table, in both official languages, the report of the Commonwealth Parliamentary Association concerning the Meeting of the Executive Committee (EXCO) Coordinating Committee, held in London, United Kingdom, from January 18 to 19, 2020.

WESTMINSTER SEMINAR ON EFFECTIVE PARLIAMENTS,
NOVEMBER 25-29, 2019—REPORT TABLED

Hon. Yuen Pau Woo: Honourable senators, I have the honour to table, in both official languages, the report of the Commonwealth Parliamentary Association concerning the 2019 Westminster Seminar on Effective Parliaments, held in London, United Kingdom, from November 25 to 29, 2019.

COMMONWEALTH PARLIAMENTARY CONFERENCE,
SEPTEMBER 22-29, 2019—REPORT TABLED

Hon. Yuen Pau Woo: Honourable senators, I have the honour to table, in both official languages, the report of the Commonwealth Parliamentary Association concerning the Sixty-fourth Commonwealth Parliamentary Association, held in Kampala, Uganda, from September 22 to 29, 2019.

HUMAN RIGHTS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY
ISSUES RELATING TO INTERNATIONAL AND
NATIONAL HUMAN RIGHTS OBLIGATIONS

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

That the Standing Senate Committee on Human Rights be authorized to examine and monitor issues relating to human rights and, inter alia, to review the machinery of government dealing with Canada's international and national human rights obligations; and

That the committee submit its final report to the Senate no later than September 30, 2023.

QUESTION PERIOD

PUBLIC SAFETY

FIREARMS BUYBACK PROGRAM

Hon. Donald Neil Plett (Leader of the Opposition): My question is for the government leader in the Senate. Leader, the National Police Federation recently released a call to action related to gun violence and public safety in Canada. Among other things, the report concluded that the recent order-in-council prohibiting firearms, and the proposed buyback program by the federal government targeted at legal firearms owners, do not address the urgent threats to public safety. In fact, the call to action states:

... it diverts extremely important personnel, resources, and funding away from addressing the more immediate and growing threat of criminal use of illegal firearms.

Leader, what is your government's response to this report from the National Police Federation? And can you tell us: What is the current estimated cost of your government's planned buyback program related to its ban on certain formerly legal firearms?

The Hon. the Speaker: Senator Gold, before asking you to respond, I've just been informed that there is a lot of static on the Zoom calls and people are having trouble hearing. I will ask that we suspend for two minutes while they reboot the system. Is anyone opposed to that, honourable senators?

Hon. Senators: Agreed.

(The sitting of the Senate was suspended.)

(The sitting of the Senate was resumed.)

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. The government works closely with the police chiefs and departments across the country to ensure that Canadians are kept safe by their good, hard and dedicated work, and takes seriously their comments, input, and indeed criticisms.

• (1450)

But the Government of Canada takes the position that it remains committed and proud of the legislation it has introduced to help Canadians keep safe.

With regard to military-style assault weapons, these are designed to kill as many people as possible. The government has committed to its buy-back program, and I'm advised that the government intends to implement that buy-back program as soon as possible. It's currently considering a range of options and is working with the provinces and the territories and, indeed, looks forward to working with parliamentarians to make sure we get this right for law-abiding gun owners.

Senator Plett: I imagine the short suspension must have fogged your memory about my question. I think I asked you what the current government's planned buy-back program would cost. Let me ask that and a supplementary.

Leader, can your government assure firearm owners that they will receive fair market value for their firearms given your government's ban?

Senator Gold: Honourable senators, the government that I represent introduced a suite of measures to keep Canadians safe. We in the Senate passed such legislation. Thank you for reminding me of the other part of your question. I regret that I don't have that figure to provide. At such time as it is available, I'll report it to the chamber.

FINANCE

CANADA EMERGENCY BUSINESS ACCOUNT

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, my question is also for the government leader, and it concerns the government's promise to expand the Canada Emergency Business Account loans. On October 9, the government announced small businesses would be able to access an extra \$20,000 in loans, half of which would be forgivable if repaid by the end of 2022. This proposal was announced on the same day as the commercial rent program changes and the wage subsidy extension, which were both in Bill C-9.

Despite promising that a launch date and application process would be provided in the coming days, it was not until Monday's economic statement that small businesses learned they would be able to apply for the top-up at some point in December.

Leader, would you tell us why, the CEBA top-up loan, that was announced with the other two programs, was excluded from Bill C-9? Why were there such delays in rolling out the program? It said sometime in December, but do you have an exact date to give small-business owners some assurance that this indeed will

be happening? As you recall, Minister Morneau tweeted the day before another program was to start that there were delays. So would you give us assurance of a date for these top-up loans?

Hon. Marc Gold (Government Representative in the Senate): I thank the honourable senator for the question. I do understand the importance of these programs to small businesses across Canada. I was a small-business owner in an earlier life as well. Many of my friends have benefited from the support and look forward to continuing support.

I cannot give you a precise date because I don't know that. This chamber has gotten very used to programs being rolled out rather quickly. The truth is, as experienced parliamentarians know, good programs normally, outside crisis times, take longer to develop. I'm sure that the government is working diligently to provide the support to small businesses upon which our economy depends.

Senator Martin: Thank you. I appreciate the importance of being very thorough, but we have waited; the delays have been evident. But there were mistakes even with the delays. All these small businesses deserve our support. I also want to know why owners of new businesses that don't meet the criteria for federal support still have no access to wage subsidy or the commercial rent support, despite the fact that many of them are currently under lockdown restrictions through no fault of their own.

Leader, why are these new small businesses not deserving of support in the economic statement that was announced by the minister?

Senator Gold: Thank you for your question. As we become increasingly aware, there is no perfect way to provide the kind of support that this government has provided with the help of all parties in the other place and in this chamber without lessons being learned. These are lessons that we need to learn to make sure that any gaps that emerge can be addressed. Indeed, the government remains committed and has demonstrated by its actions that it is responsive to input from stakeholders and businesses and that, in fact, is exemplified in the adjustments to the programs that we have debated in this chamber. They will continue to be responsive to those legitimate concerns of Canadians and Canadian businesses.

COVID-19 PANDEMIC—FUNDING FOR FRONT-LINE WORKERS

Hon. Paula Simons: Honourable senators, my question is for the Government Representative in the Senate. In May, you will recall the federal government announced a \$4 billion plan to provide salary top-ups to front line essential workers doing difficult, dangerous, pandemic-related labour. That was \$3 billion in federal dollars and \$1 billion in matching funds from the provinces.

To date, the Province of Ontario, which was promised \$1.1 billion under this plan, has received every penny. British Columbia, which was promised \$401 million, has received 93% of its allotted funding, a total of \$371 million. Manitoba, which was promised \$117 million, has received 77% of its promised funding; that's \$90 million so far.

In fact, every province and territory has received the majority of its promised funding except Alberta. Albertans were promised roughly \$348 million and have so far received only \$12 million. That's only 3.45%. Can you explain to us why Alberta's front-line workers have not received their extra pay? What steps is your government taking to ensure that Alberta's essential workers do in fact receive their fair share?

Hon. Marc Gold (Government Representative in the Senate): Senator, thank you for the question. It's disturbing to hear that those in Alberta who are doing such important work and putting themselves and their families at risk are lagging behind in terms of the support that is provided by the federal government through their provincial government and directly to them.

I don't have the answer to that. I won't even presume to speculate on the negotiations or discussions that necessarily form part of these fiscal transfers and arrangements. I'll certainly make inquiries and report back to the chamber.

Senator Simons: I wanted to ask the Government Representative, given some of the challenges that we're seeing in Albertans receiving pandemic support from the federal government, is the federal government willing to consider a different model that might allow Albertans to receive the same kind of support that other Canadians across the country are pleased to be able to accept?

Senator Gold: Senator, thank you for your question but, to the best of my knowledge, there aren't different programs for different provinces. The federal government support that has been made available to Canadians and the support that's made available through provinces and territories to the residents of those provinces and territories is fair and balanced across this large country.

I can only answer as I did before, that whatever differences or disparities may apply that are independent of local circumstances, population, requests from provinces and the like, are matters which I will be happy to look into.

JUSTICE

CANADA HEALTH ACT

Hon. Kim Pate: Honourable senators, my question is for the Government Representative in the Senate. Jean Truchon sought and was granted medical assistance in dying by a Quebec court when he was institutionalized because adequate care and support could no longer be provided to him in his apartment. Contrary to the quality of life and independence that he wanted, he faced a lifetime in the type of setting where, as COVID-19 has reminded us, lack of funding, resources and supports mean that too many have been abandoned to neglect and indignity.

Constitutional law experts remind us that the Supreme Court of Canada's *Fraser* decision has clarified that the Charter right to substantive equality requires a contextual analysis of choice. The voluntariness of a choice cannot be used to shield a law like Bill C-7 from constitutional challenge if choices are themselves shaped by systemic inequality.

People are seeking death as a result of suffering that is not inevitable but rather is the result of systemic policy failures to equally fund, support and ensure dignity and adequate access to such resources as long-term care, palliative care, home care, mental health care, housing and income supports.

• (1500)

Will the government commit to: one, seeking an extension of the suspension of invalidity of the *Truchon* decision; two, referring this matter to the Supreme Court of Canada to allow for further consideration of Bill C-7 in light of *Fraser*, with fulsome consultation with disability groups about building the factual record for the court; and three, in order to ensure Bill C-7 does not create the right to die without first creating the right to live, amending the Canada Health Act to include national standards to require the provision of equitable access to such services?

Hon. Marc Gold (Government Representative in the Senate): Senator Pate, thank you for your question and your commentary. You raise important issues about the subject matter that our committee here is seized with and, indeed, about issues of great concern.

I'm going to answer your questions specifically and directly, but I would like to preface it by saying that the issues you raise — from the point of view of this government and the government I'm proud to represent — are the proper subject of debate in this chamber. That's what we are here for, what each and every one of us was summoned here for, to apply our best, critical reason to legislation and important public policy issues that are brought before us. I look forward to the debate when we get the bill, which is still being debated in the House of Commons. The government looks forward to the contribution the Senate can make to improving this legislation and making sure it works for the benefit of all Canadians.

To your specific questions. With regard to seeking an extension, as you would well know, the decision whether or not to seek an extension lies with the Minister of Justice in his or her capacity as Attorney General. As I said, that is a matter that is within his purview. It is not the intention of the government to refer the question to the Supreme Court of Canada. The position of this government is that Bill C-7 — the response, as you correctly point out, to the *Truchon* decision — is a bill that is the product of significant consultation with stakeholders, including those who represent persons with disabilities and others.

It is the position of this government that not only is this a good bill, a reasonable bill, a fair bill, but it is a constitutional bill. I look forward to engaging with colleagues in the Senate when we do have the opportunity to debate this bill.

If I may further say with regard to your third question, it is precisely because we have not yet received this bill, we have not yet debated this bill, we have not yet considered amendments that senators may wish to bring to improve the bill that I cannot, and the government is not, committing to amending the Canada Health Act along the lines you suggest. We are here in the Senate for the purpose of debating and improving legislation. The Government of Canada is looking forward to this debate and the suggestions that each and every senator may bring to improve the bill. It will consider seriously any amendments that will improve this bill.

Not to proceed would be to abdicate our constitutional responsibility on an issue we have not yet even received. And not to proceed with Bill C-7 is to condemn Canadians, not only in Quebec but elsewhere, to continue to suffer and be denied their constitutional rights because we in the Senate are not discharging our constitutional obligation to consider this bill and try to make it as good as it can be.

AGRICULTURE AND AGRI-FOOD

ADVANCE PAYMENTS PROGRAM

Hon. Robert Black: Honourable senators, my question is for the Government Representative in the Senate. Senator Gold, as I'm sure you're aware, the federal government's Advance Payments Program — also known as APP — is a loan guarantee program that provides agricultural producers with easy access to low-interest cash advances. Honourable colleagues, programs such as the APP are critical, not only while we continue to navigate the ongoing COVID-19 pandemic, but to ensure that producers have the marketing flexibility to sell their products based on market conditions rather than the need for cash to meet their immediate financial needs and obligations.

At present, the Government of Canada pays the interest on the first \$100,000 of funds accessed by agricultural producers under the APP. I recently met with the Canadian Cattlemen's Association, and they highlighted this cap limits the way in which producers can effectively market their product.

My question today, Senator Gold, is this: Is the federal government considering increasing the interest-free portion available under the APP from \$100,000 to \$500,000? This increase would provide added liquidity and flexibility for producers such as those in the cattle, hog and poultry industries to market their commodities at the best time and at the best price. Thank you.

Hon. Marc Gold (Government Representative in the Senate): Senator, thank you for your question. You described the program well: easy access to low-interest cash advances. Indeed, in 2019, the government increased the limit, as senators would be aware, to help producers manage their cash flow, increasing the

limit from \$400,000 to \$1 million. As of early September of this year, the APP has issued over \$1.8 billion of advances for 2020, an increase of \$100 million over the previous year.

As to your specific question, I am not aware of any planned increase to the limit.

HEALTH

COVID-19 VACCINE

Hon. Judith G. Seidman: Honourable senators, my question is for the Leader of the Government in the Senate. Earlier today, the Medicines and Healthcare products Regulatory Agency in the United Kingdom gave approval to the Pfizer vaccine for COVID-19. The development and approval of this vaccine is a remarkable achievement, and I extend sincere congratulations to all involved.

Next week, people in the U.K. will begin receiving vaccinations, starting with health care workers and long-term care residents and staff.

Senator Gold, when does the Government of Canada expect that our country's health care workers and the residents and staff of long-term care homes will begin receiving approved vaccines for COVID-19?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. This is something top of mind for Canadians and, indeed, something upon which this government is engaged on a daily basis. As the minister announced in the media yesterday, the government has been working for a long time now on plans to procure adequate sources of vaccines and to work out the appropriate distribution plans with the provinces and territories, so that Canadians can have the benefit of those vaccines in a timely fashion.

I will not repeat what I have said earlier in the chamber of the success that this government has had in securing agreements with seven companies to obtain vaccines, many of which are proving to be very promising. Nor should I need repeat to this chamber the challenge that Canada faces, having lost its manufacturing capacity over the years, therefore having to rely upon vaccines produced elsewhere in the world. The fact remains, however, that the Government of Canada is working on and has developed its distribution plan. It is working with the vaccine producers.

The next step is approval by Health Canada to make sure the vaccines meet Canadian standards. The minister stated yesterday — I believe on "Power & Politics" but I'm sure on other platforms as well — that the next step, immediately upon approval, is that the vaccines will arrive according to the contractual arrangements to which they are subject. The government is actively negotiating with the producers so that Canadians can have the benefit of vaccines as soon as possible.

Senator Seidman: You mentioned distribution. A month ago, Canada's National Advisory Committee on Immunization provided preliminary guidance on target groups for early vaccinations.

Yesterday, “Global News” reported that upon learning Canada would receive fewer doses than expected in the first round, the advisory committee felt it “had no choice” but to recommend a ranked system, with people living in long-term care, assisted living, retirement homes and chronic care hospitals receiving the first vaccinations, along with those who take care of them.

Leader, the Prime Minister and premiers have spoken in recent days about the need to ensure consistency across Canada in terms of which populations receive the first COVID-19 vaccinations. When will Canadians learn what the order of distribution will be?

Senator Gold: Again, thank you for the question. The responsibility of the federal government, which it has and is discharging, is to acquire the vaccines and to get them into Canada once approved by Health Canada.

• (1510)

It is also the responsibility of the federal government to work with the provinces and territories to ensure that the vaccines, as they become available in Canada, are distributed appropriately and equitably. To that end, the government has secured the assistance of military personnel and logistical equipment to make sure that the vaccines that are now on stream can be transported safely.

At the end of the day, however, it is the responsibility and duty of the provinces and territories to make those decisions as to priorities for their residents. The Government of Canada will continue to work with them to ensure that there is shared information, but also respect for the respected jurisdictions that apply.

CANADIAN RADIO-TELEVISION AND TELECOMMUNICATIONS COMMISSION

CANADIAN BROADCASTING CORPORATION

Hon. Leo Housakos: My question is for the government representative and their leader in the Senate.

Senator Gold, we’ve seen over the last five years how the Trudeau government has showered the CBC with historic highs in terms of funding, and yet we saw today in a report by *Blacklock’s Reporter* that the CBC has set a records this year for a historic low in ad revenue, as well as a historic low in terms of viewership.

Certainly you will agree, Senator Gold, that the CBC is producing programming that Canadian taxpayers are not watching and don’t want. Yet at the same time, the Trudeau government is siphoning billions of dollars out of the pockets of taxpayers and showering it onto that corporation. I think in the spirit of transparency my question is very simple. It has been a very long time since there’s been a parliamentary review of the Broadcasting Act and the CBC English operations. Will you agree and the government agree that it’s high time, and critical in the spirit of transparency, to call a parliamentary inquiry and a review of CBC operations, even the Broadcasting Act? If the government doesn’t do it, why not?

[Senator Seidman]

Hon. Marc Gold (Government Representative in the Senate): The Government of Canada takes seriously its responsibilities to the citizens of Canada to provide and support a national broadcasting system. That’s why the CBC continues to benefit from the support of Canadians.

We’ve heard in this chamber criticism when the CBC cuts back. It’s a little bit like *Goldilocks and the Three Bears*; a little bit too hot or a bit too cold.

The Government of Canada is engaged, as all governments are, in the challenge of the changing media landscape and changed environment for more traditional broadcasters.

I’ll certainly take your suggestion and raise it with the government and report back.

Senator Housakos: Senator Gold, I think we all agree that the role of government is to fill voids and not take taxpayers’ money and put it into make-work projects that clearly — when you look at the ratings and the ad revenue — Canadian taxpayers and the Canadian public don’t take to.

Senator Gold, at the start of this pandemic, the CBC briefly cut out its local news programming because of what they called the lack of resources. They cut local broadcasting right in the middle of the last five years, when they received historic highs in funding. This goes against the heart of their mandate and their licensing mandate. All we got back from the CRTC, when complaints were filed about this local broadcasting being slashed down, was silence and very little action on the part of the CRTC, and they themselves have been negligent, with what amounts to just a slap on the wrist to the CBC.

Senator Gold, wouldn’t you agree that a parliamentary study is well overdue, both in terms of the Broadcasting Act and the CBC’s role, and if the government doesn’t do it, why aren’t they doing it?

Senator Gold: As the honourable senator knows, I am a fan of parliamentary reviews. I have proposed one to this chamber. Indeed, others are in active discussion with my leadership colleagues.

Again, senator, thank you for your question. I cannot answer the specific question, nor do I, with respect, agree with you. I will certainly make inquiries and be happy to report back.

[Translation]

JUSTICE

HUMAN TRAFFICKING LEGISLATION

Hon. Julie Miville-Dechéne: My question is for the Government Representative in the Senate. Today is the International Day for the Abolition of Slavery.

Modern slavery, as you know, includes sex trafficking. Because we received no answer from the Prime Minister in the spring, 20 MPs and senators have written a new letter to Minister Lametti asking why the Criminal Code provisions are not being

applied to pornographic sites, such as Pornhub, where, sadly, videos of child pornography and non-consensual sexual acts can be found. These abuses have received worldwide attention. What is the Canadian government doing, given that MindGeek, which runs Pornhub, is headquartered in Montreal?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question and your commitment to this important issue. The government, of which I am the representative, is determined to fight against any form of sexual exploitation of vulnerable persons and children because it is imperative that they are protected against any abuse. As you know, there are provisions in the Criminal Code and existing federal laws on the mandatory declaration and conservation of data on potential child pornography offences. The government is committed to ensuring that our criminal justice system respects victims and makes offenders accountable.

Senator Miville-Dechêne: I thank you for this rather general commitment, Senator Gold. However, these pornographic sites are not being prosecuted. Do we have adequate laws? Do these laws need to be updated to ensure that the lives of children and women are not shattered in this way? Furthermore, why is amateur online pornography going unchecked while, in France, a pornographic site is under investigation for human trafficking? That is not happening here.

Senator Gold: Thank you again for your question. The government believes that our laws are adequate in this regard, but I do want to point out that our prosecutors across Canada are the ones responsible for prosecutions. There is a difference between our legislation and the decision a prosecutor may make to prosecute someone for an offence.

[English]

SENATOR'S STATEMENT

INTERNATIONAL DAY FOR THE ABOLITION OF SLAVERY

Leave having been given to revert to Senators' Statements:

Hon. Bev Busson: Honourable senators, I rise today to mark the United Nations International Day for the Abolition of Slavery. When one hears the word "slavery," most Canadians think of historic slavery; the repugnant trafficking of humans, and more specifically, the sale of over 12 million Africans from the 16th to 19th centuries. They were torn from their families and homes and sold throughout Europe and the New World as commodities. The aftershocks of that crime against humanity still reverberate today, and we must recognize the resultant human pain and suffering.

Unfortunately, this blight on humanity continues in parts of the world today, but the concept of modern slavery sadly entails the same deprivation of basic human rights, loss of freedom and control of one's own life, even today and even in Canada. This day focuses on eradicating human trafficking, sexual

exploitation, unacceptable child labour, and forced marriage for all vulnerable people being exploited under the threat of violence or coercion.

Our colleague, Senator Julie Miville-Dechêne, has confronted head-on important aspects of modern slavery in Bill S-216.

[Translation]

She spoke so eloquently about this topic in this chamber, and I applaud her initiative.

• (1520)

[English]

Human trafficking and sexual exploitation of women and children who make up over 90% of the victims is the major focus of this form of barbarism. The United Nations estimates that there are 4.8 million people in forced sexual exploitation. This is an astonishing number, and many victims are Canadian. Organized crime figures, including the Hells Angels, control this lucrative market. I personally have come face to face with this ugly reality which exists in the shadows of our nation, victimizing many, including vulnerable young girls.

This is a human tragedy that feeds on poverty, sexism, racism, wage inequality, lack of education and fear. Police forces across the country, in partnership with the RCMP Human Trafficking National Coordination Center, work to protect the victims as well as search out and prosecute the exploiters both nationally and internationally. It is disturbing and difficult to see the damage caused, and this crime is also incredibly difficult to prosecute due to the raw vulnerability of those affected.

I ask that we in the Senate use every opportunity to support Canada's National Strategy to Combat Human Trafficking in all possible ways. I commend the men and women of our police services who work tirelessly on these crimes. It is gruelling and emotionally scarring work.

Thank you. *Meegwetch.*

ORDERS OF THE DAY

CHEMICAL WEAPONS CONVENTION IMPLEMENTATION ACT

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Coyle, seconded by the Honourable Senator Ringuette, for the second reading of Bill S-2, An Act to amend the Chemical Weapons Convention Implementation Act.

Hon. Salma Ataullahjan: Honourable colleagues, I rise today to speak on Bill S-2, An Act to amend the Chemical Weapons Convention Implementation Act.

With this bill, the government proposes to amend the act to add four new categories of controlled chemicals banned by the Organisation for the Prohibition of Chemical Weapons. This bill would add nerve agents of the Novichok group to the list of banned chemicals.

When the bill's sponsor, Senator Coyle, spoke to the proposed legislation, she noted the proposed amendments will come into line with those presented last year to the Chemical Weapons Convention.

Those amendments to the convention were proposed based on a joint Canadian, Dutch and American initiative to ban this new category of controlled chemicals.

Senator Coyle noted the principal reason this initiative was made by Canada and our American and Dutch allies was to respond to the use of this class of chemicals in an attack on several individuals in Salisbury, United Kingdom.

Russian operatives were implicated in that attack and the class of chemicals alleged to have been used are produced in the Russian Federation.

I do not believe that anyone in this chamber or, indeed, within the Parliament of Canada will object to the legislation that we have before us.

In her remarks, Senator Coyle described in some detail the history of the Chemical Weapons Convention and, in general, the revulsion which most countries in the international community have had towards the use of chemical weapons.

Over the years, there has been debate about the scope of the convention and over what chemicals should be included within it. However, the general importance of the convention itself has not been disputed. Indeed, 193 states declare that they adhere to the convention, including China and Russia.

The Organisation for the Prohibition of Chemical Weapons itself confirmed in 2017 that Russia had destroyed 39,967 metric tons of chemical weapons.

Evidently, the Novichok class of chemicals was not included in that destruction because they were not covered under the agreement. Therefore, I think we can all agree that the provisions as used in this legislation should be enacted.

However, I do believe that we need to be realistic about what this enactment will achieve. That realism might then point us to more concrete action, since this bill by itself will not solve the issue.

The government has argued that this legislation points to the fact:

... that Canada is taking a strong stance for a safer world by controlling dangerous chemicals under the Chemical Weapons Convention Implementation Act.

Again, I certainly agree that this legislation is expressive of an important sentiment. However, by itself, this measure is probably unlikely to prevent a single similar attack.

As Senator Coyle noted in her speech just recently, a Russian opposition leader was allegedly subjected to a very similar attack to the one that occurred in the U.K. in 2018.

This suggests that adherence to these provisions is unlikely by states that simply choose not to abide by them. Moreover, a ban in Canada itself is entirely symbolic.

The chemicals that we are discussing in this legislation are evidently not produced in Canada. Senator Coyle stated in her remarks that the measure included in the legislation "... imposes no new burdens upon Canada, Canadian citizens or Canadian industry."

In other words, this legislation does not cost us anything. That might be good news, but it also suggests that we should not be overly optimistic about our achievements.

This class of chemical weapons is produced in Russia, and, as of today, Russia has no intention of changing its practices. In fact, while Russia initially grudgingly supported these amendments to the convention, they are no longer in agreement.

It is unclear to me how the proposed ban will impact what Russia or other countries choose to do. In general, what concerns me in relation to this legislation is how the government is proposing to enforce the broader objectives related to the legislation.

I hope that the Senate committee that plans to examine this legislation will be able to ask for specifics from the government on that matter. Virtue signalling through domestic legislation is all well and good, but I would presume that every senator wants tangible results that actually prevent future attacks.

Therefore, what I am most interested in learning from the ministers and officials are the practical measures that Canada will pursue to prevent similar attacks. For instance, how do we plan to engage our allies on this matter in the years ahead? How do we plan to convince other countries, most notably Russia, that such chemicals must be controlled? How far are we prepared to go to impose sanctions on countries that violate these provisions? Are we prepared to sacrifice other interests in order to achieve the objectives of the legislation that we have before us today?

It is quite easy to declare that Canada is, as the government has claimed, taking a strong stance for a safer world. It is quite another thing to put in place a plan of action to make that happen.

Therefore, I support this legislation in principle. However, questions do remain and I would hope these will be addressed at committee and subsequently in the other place. Thank you.

[Translation]

Hon. Marilou McPhedran: Good afternoon, *tansi*. As a senator from Manitoba, I recognize that I live on Treaty 1 territory, the traditional territory of the Anishinabe, Cree, Oji-Cree, Dakota and Dene and the Métis Nation homeland. Furthermore, because we have the privilege today of being in the Senate of Canada in Ottawa, on Parliament Hill, I recognize that we are gathered here today on the unceded territory of the Algonquin Anishinabeg people.

[English]

Honourable colleagues, I rise today to support Bill S-2, An Act to amend the Chemical Weapons Convention Implementation Act, and I thank Senator Coyle for her leadership of this bill as well as her long-standing leadership on peace-building in venues ranging from local to global.

As we have just heard so well described by Senator Ataullahjan, this bill's critic, the amendments in this bill are simple but crucial because they update Canada's Chemical Weapons Convention Implementation Act by removing the old list of prohibited chemicals from the act, thereby enabling Canada to follow the current list maintained by the Organisation for the Prohibition of Chemical Weapons, known in short form as the OPCW, established by Article VIII of the international Chemical Weapons Convention as the implementing body of the convention. We can be proud that Canada was one of the first countries to sign on and to ratify the Chemical Weapons Convention, which seeks to eradicate chemical weapons and prevent their re-emergence in conflict.

• (1530)

Weapons of mass destruction are nuclear, biological or chemical in nature. Their nefarious role has been and continues to cause insurmountable suffering, mass destruction and death to social and physical environments, ruining lives, communities, countries. Chemical weapons consist of liquids and gases that choke their victims, poison their blood, blister their skin or disrupt their nervous system.

After the world wars of the 20th century, nation states came together to ban these insidious weapons, but it was not until 1997 that the international Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, commonly known as the Chemical Weapons Convention, came into force with the mission to make our world free of chemical weapons; a world in which chemistry would be used only for peace, progress and prosperity of all humankind. However, we know that with economic and technological development come discoveries that can be far more dangerous than useful to the world.

The OPCW maintains a list of toxic chemicals readily available on their website to keep up with chemical development and prevent unfortunate mishaps. Their advanced list can serve as the bedrock for our chemical weapons convention act, bringing

us in alignment with current international law and ensuring that Canadians can continue to benefit from chemistry, without endangering lives because legislation lags behind development.

Dear colleagues, by supporting Bill S-2, we can revise our legislation to avoid any miscommunication around the acceptability of obtaining, using or storing certain toxic chemicals. As we have heard in more detail, it was only two years ago that nerve agents were used in attacks that are attributed to Russia. A milder version of the attack in England was used against the opposition leader Alexei Navalny of Russia. Professor Gary Stephens, a pharmacology expert at the University of Reading, has explained that one of the main reasons these agents are developed is because their component parts are not on the banned list.

Let us remember, the only thing prohibiting nations from using chlorine gas, a choking agent, or mustard gas, a blistering agent, is that list of prohibited chemicals. But the truth of the matter is that a list of prohibited chemicals and our collective commitment not to cause mass suffering are the only things protecting us all. That is why, dear colleagues, it is of the utmost importance that we make the amendments stated in Bill S-2, and follow the prevailing list of prohibited chemicals maintained and updated by the Organisation for the Prohibition of Chemical Weapons. In doing so, we renew our commitment to chemical disarmament and hopefully prevent even the smallest mistake involving dangerous chemicals on Canadian soil.

In adopting Bill S-2, we strengthen our stand against chemical weapons. Today I wish to take this opportunity to expand our vision of threats lurking beyond chemical weapons, and urge upon you the compelling logic of also turning our minds to taking a stand against the proliferation of nuclear weapons by prohibiting them, as we are prepared to do in this bill with its listing of prohibited chemical weapons.

The Peace Tower across the street from us is a centrepiece of Parliament. It's dedicated to all Canadians killed during wartime and it is dedicated to the peace that they died or suffered to achieve. It's a symbol of our principles and high aspirations as Canadians. Allowing the proliferation of chemical or nuclear weapons is a mockery of those aspirations. Nuclear weapons are quite simply the most dangerous weapons on earth. One can kill millions and destroy everything that humans need to live.

As we close out 2020, we know it has been a year like no other, and there may be some irony in the fact that this has also been a year of major milestones, including the seventy-fifth anniversary of founding our system of global governance — the United Nations — from which these treaties emanate. However, there is another seventy-fifth anniversary that is less acknowledged, perhaps due to unconscious collective shame, because 75 years ago the first nuclear bombs were unleashed on the people of Hiroshima and Nagasaki, accelerating the official ending of World War II.

This solemn anniversary is not only a remembrance of a tragic past event but also a reminder of an ever-present threat that we have failed to address effectively. When we face it, the truth is fearmongering, uninformed decision making and mistakes made

by unhinged or irresponsible leaders can lead us all to nuclear destruction. Disarmament is the best protection against this grave danger to humanity.

No matter what the challenge at hand, a nuclear massacre will never be considered heroic or just. Standing by as nuclear weapons proliferate indicates a lack of leadership — a lack of responsibility to the human race. That is not who we are as Canadians.

Canada has sometimes been a progressive force on nuclear non-proliferation, and I speak particularly of the years in which former prime minister Pierre Trudeau travelled the world negotiating with leaders, including within NATO itself, on taking a different approach to nuclear weapons and not accepting them as inevitable.

We have been missing. Literally, Canada was not in the room in the development of the new United Nations Treaty on the Prohibition of Nuclear Weapons as it was developed at UN Headquarters in the summer of 2017. Some argue that we already have the international Treaty on the Non-Proliferation of Nuclear Weapons, so why this new treaty on the prohibition of nuclear weapons? Note the difference in titles. “Non-proliferation” in the existing treaty as it compared to “prohibition” in the new treaty; it is the logical step that we must be taking to realize a nuclear-free world.

In closing, colleagues, we all know that war is a monster on its own, made more horrific and nihilistic by chemical and nuclear weapons. Allowing chemical and nuclear weapons means

accepting the inevitable destruction of life on this planet. Weapons of mass destruction, whether they be chemical or nuclear, can never be justified. In being silent and unengaged, how can Canada live up of our international reputation as a human rights defender, with commitment and expertise on arms control?

Honourable senators, please join me in supporting Bill S-2 and in advocating for Canada to sign and ratify the Treaty on the Prohibition of Nuclear Weapons. They are inextricably entwined for protection of humankind and our mother earth.

Thank you, *meegwetch*.

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

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

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

(On motion of Senator Coyle, bill referred to the Standing Senate Committee on Foreign Affairs and International Trade.)

(At 3:40 p.m., pursuant to the order adopted by the Senate on October 27, 2020, the Senate adjourned until 2 p.m. tomorrow.)

CONTENTS

Wednesday, December 2, 2020

	PAGE		PAGE
SENATORS' STATEMENTS		Meeting of the Executive Committee (EXCO) Coordinating Committee, January 18-19, 2020—Report Tabled	
Business of the Senate	504	Hon. Yuen Pau Woo	510
Tributes		Westminster Seminar on Effective Parliaments, November 25-29, 2019—Report Tabled	
The Honourable Lillian Eva Dyck	504	Hon. Yuen Pau Woo	510
Hon. Jane Cordy	504	Commonwealth Parliamentary Conference, September 22-29, 2019—Report Tabled	
Hon. Patti LaBoucane-Benson	504	Hon. Yuen Pau Woo	510
Hon. Donald Neil Plett	505	Human Rights	
Hon. Mobina S. B. Jaffer	505	Notice of Motion to Authorize Committee to Study Issues Relating to International and National Human Rights Obligations	
Hon. Terry M. Mercer	506	Hon. Salma Ataullahjan	
Hon. Dennis Glen Patterson	506	510	
Hon. Patricia Bovey	506	<hr/>	
Hon. Kim Pate	507	QUESTION PERIOD	
Hon. Marty Klyne	507	Public Safety	
Campus Saint-Jean		Firearms Buyback Program	
Hon. Paula Simons	508	Hon. Donald Neil Plett	
International Day for the Abolition of Slavery		510	
Hon. Bev Busson	508	Hon. Marc Gold	
<hr/>		511	
ROUTINE PROCEEDINGS		Finance	
Transport and Communications		Canada Emergency Business Account	
Report Pursuant to Rule 12-26(2) Tabled		Hon. Yonah Martin	
Hon. Michael L. MacDonald	509	511	
Agriculture and Forestry		Hon. Marc Gold	
Report Pursuant to Rule 12-26(2) Tabled		511	
Hon. Diane F. Griffin	509	COVID-19 Pandemic—Funding for Front-Line Workers	
Adjournment		Hon. Paula Simons	
Notice of Motion		511	
Hon. Raymonde Gagné	509	Hon. Marc Gold	
Department of Public Works and Government Services Act (Bill S-220)		512	
Bill to Amend—First Reading		Hon. Marc Gold	
Hon. Diane F. Griffin	509	512	
Canada-Europe Parliamentary Association		Justice	
First Part, 2020 Ordinary Session of the Parliamentary Assembly of the Council of Europe, January 27-31, 2020—Report Tabled		Canada Health Act	
Hon. Claude Carignan	509	Hon. Kim Pate	
Meeting of the Standing Committee of Parliamentarians of the Arctic Region, February 12-13, 2020—Report Tabled		512	
Hon. Claude Carignan	509	Hon. Marc Gold	
Commonwealth Parliamentary Association		512	
Meeting of the Executive Committee (EXCO) Coordinating Committee, February 27-29, 2020—Report Tabled		Agriculture and Agri-Food	
Hon. Yuen Pau Woo	510	Advance Payments Program	
Bilateral Visit to Caribbean, January 18-24, 2020—Report Tabled		Hon. Robert Black	
Hon. Yuen Pau Woo	510	513	
		Hon. Marc Gold	
		513	
		Health	
		COVID-19 Vaccine	
		Hon. Judith G. Seidman	
		513	
		Hon. Marc Gold	
		513	
		Canadian Radio-television and Telecommunications Commission	
		Canadian Broadcasting Corporation	
		Hon. Leo Housakos	
		514	
		Hon. Marc Gold	
		514	

CONTENTS

Wednesday, December 2, 2020

PAGE

PAGE

Justice

Human Trafficking Legislation

Hon. Julie Miville-Dechéne 514

Hon. Marc Gold 515

SENATOR'S STATEMENT

International Day for the Abolition of Slavery

Hon. Bev Busson 515

ORDERS OF THE DAY

Chemical Weapons Convention Implementation Act (Bill S-2)

Bill to Amend—Second Reading

Hon. Salma Ataullahjan. 516

Hon. Marilou McPhedran. 517