



# DEBATES OF THE SENATE

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OFFICIAL REPORT  
(HANSARD)

Tuesday, March 10, 2026

The Honourable RENÉ CORMIER,  
Speaker pro tempore

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## THE SENATE

Tuesday, March 10, 2026

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

Prayers.

### SENATORS' STATEMENTS

#### OLYMPIC AND PARALYMPIC WINTER GAMES 2026

**Hon. Bernadette Clement:** Honourable senators, I am honoured to rise alongside my friend and colleague Senator Petitclerc to celebrate the Paralympics.

Today, as we went about our day in Ottawa, Paralympians from around the world competed in wheelchair curling, para ice hockey and para alpine skiing, to name a few. Wasn't that double-rock takeout by Jon Thurston incredible?

I love watching Canadians compete on the world stage. I love the pomp of the opening ceremonies, the intensity of competition, the joy and the heartbreak. It's the highs and the lows that keep me coming back — the tearful celebrations after years of hard work, grit and overcoming obstacles.

My pop, a Trinidadian immigrant with three children living in Montreal, never learned to love, or even like, winter. He told me he was amazed he could produce children who would strap wood sticks on their feet and happily hurl themselves down a hill of snow.

Pop may not have thought so, but he did conquer winter. He drove through storms to take my brother to cold hockey rinks for years so Joe could play Canada's sport. I'm grateful my pop stood at the bottom of ski hills, watching us with a smile. He opened a door for his kids, a door to skill, fun and a love of winter.

We were among the very few Black kids at those Laurentians ski hills.

Representation matters, and at these Paralympics it is very clear that we have work to do to ensure that Black Canadians with disabilities have the opportunity to participate in sport. Believe it or not, there are no Black Canadians at these Paralympics.

Last month, I was so proud to watch, for the very first time, three Black women on the ice during the Olympic hockey game — yes, American Laila Edwards and Canadians Sophie Jaques and Sarah Nurse. Watching them made me feel connected to Canada's game in a way that I have never experienced before. It made me feel like the game also belonged to me.

I do want to acknowledge and celebrate Canadian Paralympian Leo Sammarelli, a para nordic skier of Filipino heritage. I hope that, in four years, during the next Paralympics, I will be able to tell you about many more racialized and Black Canadian athletes at the games.

So how do we get there?

Shauna Bookal, president of the Inclusion in Canadian Sports Network, told me that equipment is expensive, trials and training often take place far from home, leadership isn't sufficiently diverse and there's a lack of exposure for families needing access and information. We have a lot of work to do.

Honourable senators, the lack of representation at these Paralympics feels like a missed opportunity to connect more kids with something exciting and competitive: activities that build skill and offer fun and love of winter.

[*Translation*]

I am very much looking forward to cheering on many other Black Canadians at the next Paralympic Games. In the meantime, I will support all of our athletes until March 15.

Thank you. *Nia:wen.*

#### FRANCOPHONIE MONTH

**Hon. Réjean Aucoin:** Honourable senators, for me, Francophonie Month is an opportunity to celebrate the French language and recognize the resilience of those who carry it in their hearts, day after day, across Canada, in francophone minority communities and in Quebec.

Even in an officially bilingual country like Canada, living in French is never guaranteed. It means making daily choices, defending schools, demanding services, creating French cultural spaces and passing our language and identity on to our children. It also means helping them feel as though they belong to this family that is united by the beautiful French language.

Today, I am deeply moved to rise as an Acadian. Although the deportation is a black mark on our history, the French language survived thanks to the resilience of our brave ancestors who refused to disappear.

For me, the Clare region, which is located along Baie Sainte-Marie in Nova Scotia, is a powerful example of that resilience. Who hasn't heard of the bands Grand Dérangement and Blou? If you aren't familiar with P'tit Belliveau, you need to check him out.

The Clare region, like many other Acadian regions in my province, such as Isle Madame, Argyle, Pomquet, Tor Bay and Chéticamp, continues to live in French, despite the many challenges it faces.

I'd like to take this opportunity to recognize an important celebration that is taking place in my community this week: Mi-Carême, the midpoint of Lent. During this week, locals dress up in masks and colourful costumes and go from house to house singing, dancing and teasing their hosts, who try to guess who they are.

Celebrating Francophonie Month means recognizing that linguistic duality is the lifeblood of our country. All month, French-language performances, films and plays will be put on in Ontario, Western Canada, Quebec and Acadia.

As senators, we also have a responsibility, in my view, to ensure that language rights are respected and strengthened, particularly in places where French is still vulnerable.

In closing, I'd like to note that, as part of the Francophonie Month celebrations, representatives from the Fédération des communautés francophones et acadienne du Canada will be mounting an exhibit in the Senate foyer on March 24 and 25. I encourage everyone to stop by and learn more about the reality of francophones in Canada.

Thank you. *Meegwetch.*

[English]

#### VISITOR IN THE GALLERY

**The Hon. the Speaker pro tempore:** Honourable senators, I wish to draw your attention to the presence in the gallery of Debra Ginther from Saskatoon. She is the guest of the Honourable Senator Muggli.

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

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

#### SUICIDE AWARENESS AND PREVENTION

**Hon. Tracy Muggli:** Honourable senators, today I rise to speak about an issue that touches every community across our country: suicide.

March is national Social Work Month, and I want to draw attention to the great work social workers do on this issue as well as important work under way in Saskatchewan. Suicide remains a serious public health concern in both Saskatchewan and Canada. Nationally, approximately 4,500 Canadians die by suicide each year, or 12 every day, making it one of the leading causes of death among young people and adults under 50.

• (1410)

In Saskatchewan, our suicide rate has historically been higher than the national average, reaching a record high in 2022 with 21 deaths per 1,000 people. In 2020, Saskatchewan began to take steps toward providing better resources to those struggling with thoughts of suicide, launching Pillars for Life: The Saskatchewan Suicide Prevention Plan. This is a coordinated strategy to help

address suicide across sectors and includes the voices of those with lived experience to help shape its implementation. This is how effective, compassionate policy is built.

Some of the initiatives under the plan include a new Suicide Prevention Grant Program for training and awareness activities, the Rapid Access Counselling for Suicide Loss Program and Roots of Hope, a community-led suicide prevention initiative in the northern communities of La Ronge, Meadow Lake, Buffalo Narrows, Prince Albert and North Battleford. Importantly, this work acknowledges that prevention must begin early.

Additionally, I want to recognize the partnership of the Saskatchewan Ministry of Education and the Saskatchewan Health Authority, who helped deliver the Mental Health Capacity Building program, a school-based initiative that promotes positive mental health in children and youth through prevention, early intervention and mental health education aimed at building resilience and reducing stigma. The Saskatchewan Health Authority has noted our own Senator Kutcher's work as a valuable resource in this program.

This year, the program expanded to six additional school divisions with plans to expand to all 27 divisions by 2028. Preliminary numbers show these programs are beginning to help, with a reduction in per capita suicide in both 2023 and 2024.

I want to extend my gratitude to the thousands of social workers in Saskatchewan and across Canada who carry out this work daily, and following International Women's Day, I want to acknowledge that many of them are women, including the Saskatchewan Health Authority's executive director and social worker Zoe Teed McKay, whose leadership makes this initiative possible.

Congratulations to my beloved Province of Saskatchewan for recognizing this epidemic with this meaningful delivery of support programs, and happy Social Work Month, especially to our colleague Senator Wanda Thomas Bernard.

Thank you. *Meegwetch. Marsee.*

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

#### VISITOR IN THE GALLERY

**The Hon. the Speaker pro tempore:** Honourable senators, I wish to draw your attention to the presence in the gallery of Sean Kennedy, President of Niagara College. He is the guest of the Honourable Senator Patterson.

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

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

[Translation]

### RIDEAU CANAL SKATEWAY

**Hon. Allister W. Surette:** Honourable senators, March 4 marked the official end of the fifty-sixth skating season on the Rideau Canal. The skateway was open for 56 days, one of the longest seasons in recent memory, and welcomed over one million skaters, according to the National Capital Commission.

I would like to take this opportunity to share an amazing experience I had during a visit with my family in February. We were able to skate the full length of the canal, nearly 7.8 kilometres, a number of times, and we enjoyed welcoming spaces sheltered by Christmas trees as we warmed ourselves around outdoor firepits. We savoured hot drinks and treats such as BeaverTails. It was a unique and extraordinary experience.

[English]

Since 2007, the Rideau Canal has been recognized as a UNESCO World Heritage Site, and in 2005, the skateway itself was recognized by *The Guinness Book of World Records* as the largest naturally frozen ice rink in the world. It winds its way through the heart of Ottawa and ends just steps away from our august Red Chamber.

Opening and maintaining the canal for skating is no easy feat. Every year in October, Parks Canada drains the canal to expose the bank, which allows the National Capital Commission, or NCC, to install facilities that are anchored to the ground. Next, the water level is allowed to rise again, and, with some cooperation from the weather, ice begins to form.

To accelerate the process, water from beneath the ice sheet is pumped to the surface and smoothed out by a specialized machine, called “The Froster.” Whenever snow falls, a small army of plows keeps the surface clear. For every one centimetre that falls, 125 tons of snow must be removed.

Although the warming climate has shortened the skating season somewhat in recent years, the NCC has adapted in a number of ways, including using lighter vehicles in order to get on the ice faster.

I would like to take this opportunity to recognize the NCC and everyone who has worked so hard this year to make the Rideau Canal Skateway such an amazing experience. It really is a world-class rink and one of Ottawa’s premier tourist destinations. I look forward to skating again next year. Thank you.

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

### VISITORS IN THE GALLERY

**The Hon. the Speaker pro tempore:** Honourable senators, I wish to draw your attention to the presence in the gallery of His Excellency Gline Clarke, High Commissioner for Barbados and Dean of the CARICOM Heads of Mission, Her Excellency Marsha Coore Lobban, High Commissioner for Jamaica, and Joanne Alfred, Acting High Commissioner, Trinidad and Tobago. They are the guests of the Honourable Senator Moodie.

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

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

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## ROUTINE PROCEEDINGS

### JUSTICE

CHARTER STATEMENT IN RELATION TO BILL S-6—  
DOCUMENT TABLED

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, I have the honour to table, in both official languages, a Charter Statement prepared by the Minister of Justice in relation to Bill S-6, A fourth Act to harmonize federal law with the civil law of Quebec and to amend certain Acts in order to ensure that each language version takes into account the common law and the civil law, pursuant to the *Department of Justice Act*, R.S.C. 1985, c. J-2, sbs. 4.2(1).

### COMMONWEALTH PARLIAMENTARY ASSOCIATION

PARLIAMENT OF JAMAICA POST-ELECTION SEMINAR,  
JANUARY 28-30, 2026—REPORT TABLED

**Hon. Rosemary Moodie:** Honourable senators, I have the honour to table, in both official languages, the report of the Commonwealth Parliamentary Association concerning the Parliament of Jamaica Post-Election Seminar, held in Kingston, Jamaica, from January 28 to 30, 2026.

### ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO EXTEND  
DATE OF FINAL REPORT ON STUDY OF NEWFOUNDLAND  
AND LABRADOR’S OFFSHORE PETROLEUM INDUSTRY

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

That, notwithstanding the order of the Senate adopted on Wednesday, October 8, 2025, the date for the final report of the Standing Senate Committee on Energy, the Environment and Natural Resources in relation to its study on Newfoundland and Labrador’s offshore petroleum industry be extended from March 31, 2026, to June 30, 2026; 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.

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## QUESTION PERIOD

### NATURAL RESOURCES

#### PIPELINE PROJECTS

**Hon. Leo Housakos (Leader of the Opposition):** Government leader, recent figures from the Vancouver Fraser Port Authority show that oil exports departing from the port have almost doubled in 2025. Exports of Canadian diluted bitumen to the Indo-Pacific increased by 95% over the past year, reflecting strong demand for Canadian energy, and the expanded capacity of the Trans Mountain pipeline is now running at over 90% capacity.

• (1420)

The Prime Minister has been in office now for almost a year, yet there has been no firm commitment to build a new pipeline connecting Alberta's oil to British Columbia's tidewater. Government leader, we need a firm date. When will the shovels go into the ground in order to expand our capacity to take our oil from Alberta to tidewater?

**Hon. Pierre Moreau (Government Representative in the Senate):** Thank you for the question, Senator Housakos. The government was elected to deliver bold nation-building projects that strengthen the economy, reinforce Canadian autonomy and advance Indigenous prosperity while contributing to clean growth and Canada's climate objective.

Canada and Alberta have agreed on a new framework to build a stronger, more sustainable, more competitive economy while continuing to lower emissions and protect our environment.

Since Canada has the opportunity to become an energy superpower, we will work with the Government of Alberta whenever there is a project on the table, and we will be submitting it to all the criteria that govern our major projects.

**Senator Housakos:** Government leader, I didn't hear a date, not even a time frame in your answer. My concern, and the concern of Canadians, as you can appreciate, is that Prime Minister Carney's cabinet is full of ministers who were in former Prime Minister Trudeau's cabinet who believed there was no business case for Canadian energy. Could it be that those same ministers have not bought into the Prime Minister's electoral commitments and that they still believe there is no case for Canadian energy? Do we have a commitment here that the Prime Minister, despite the advice of those cabinet ministers, will start putting shovels in the ground and build more pipelines?

**Senator Moreau:** In order to have a date, Senator Housakos, you first have to have a project on the table, and then you will have a date. There is one thing for sure: It is quite clear that the government is working hand in hand with the Alberta government to make sure that if there is a project, it will go forward and it will go forward according to Canada's commitment to have clean energy and reach our environmental objective by 2050.

## PUBLIC SAFETY

### ANTI-SEMITISM

**Hon. Leo Housakos (Leader of the Opposition):** Repeal Bill C-69 and get rid of the red tape; you will be surprised how many projects you'll get.

Government leader, hate crimes and politically motivated violence are running rampant in our communities. Just this past week, three synagogues in Toronto were struck by gunfire. Now even diplomatic buildings are being targeted, with the U.S. consulate in Toronto being shot at this morning. Senator Moreau, your government has a responsibility to protect Canadians, including Jewish Canadians, and it also has obligations under international law to ensure the safety of the diplomatic corps in Canada. On both counts, our government has failed.

Does your government recognize that its permissiveness towards hateful and discriminatory rhetoric at protests since 2024 and its failure to meaningfully address anti-Semitism in this country are putting lives at risk? Government leader, do you acknowledge things are getting out of hand?

**Hon. Pierre Moreau (Government Representative in the Senate):** Thank you for the question. It gives me the opportunity to be quite clear on this issue. First, the government is horrified by the reports of shots fired in Toronto, either at synagogues or at the consulate.

Minister Anandasangaree stood with this community over the weekend. Anti-Semitism has no place in Canada. No one should be afraid because of who they are or who they worship. The government has been engaging with members of the Jewish community from coast to coast, who are rightfully worried about the rise of anti-Semitism. The government has made a strong commitment to protect places of worship, schools and community centres by significantly increasing the budget of the Canada Community Security Program and with the combatting hate act, Bill C-9.

**Senator Housakos:** Government leader, for me, this isn't a partisan issue; this is a question of national unity and nation building. In the last decade, we have seen unprecedented attacks on Jewish people. We've seen attacks on Sikh Canadians. We've seen attacks on Hindu Canadians. We've seen Islamophobia reach levels we have never seen before. This has all been over the last 10 years under the watch of a government that keeps saying they are taking the issue seriously.

Now we're in a situation where the world is saying that when it comes to anti-Semitism, all eyes are on Canada. What, concretely, are we doing about it?

**Senator Moreau:** The government is taking concrete steps. Bill C-9 is one of those concrete steps. We are on the same page, Senator Housakos. Anti-Semitism has no place here in Canada. The government is quite clear on that issue. The Prime Minister is clear on that issue. I'm clear on that issue. We are increasing police budgets, we are increasing the capacity of the RCMP to intervene, and we are acting according to those values, that anti-Semitism has no place whatsoever in our country.

## INTERNATIONAL TRADE

### CANADA-UNITED STATES-MEXICO AGREEMENT

**Hon. Marty Klyne:** Senator Moreau, the mandatory review of CUSMA in 2026 could be a pivotal moment for the future of North American economic integration. At a time of rising global uncertainty and increasing protectionist pressures, it is essential that we actively engage the U.S. Congress and our North American partners to reinforce the shared prosperity created through this agreement and the positive potential that comes with the renewal of CUSMA.

CUSMA has strengthened supply chains, including through nearshoring, the relocation of production and supply chains to nearby partner countries such as Mexico and Canada and select overseas markets. We must drive home this message with the U.S. Congress that trade within North America supports millions of high-quality jobs, drives domestic growth and reinforces the largest and most stable free trade region in the world.

How is Canada engaging the U.S. Congress ahead of the 2026 review to ensure they fully recognize the mutual economic, strategic and security benefits of CUSMA?

**Hon. Pierre Moreau (Government Representative in the Senate):** Thank you, Senator Klyne, for the question. You already know that we have new leadership at the Canadian embassy in Washington, and the government is preparing for a CUSMA review. As you mentioned, more review is very important. It's not a renegotiation. When Minister LeBlanc was here in this very chamber, he explained the difference and the importance that CUSMA has for the Canadian economy, not only for the Canadian economy but for the Canadian and U.S. economies since we have such an integrated economic system with Mexico as well.

Negotiations are ongoing. It would be inappropriate to comment on specifics. What I can say is that the economic review represents an important moment for North American economic cooperation, and this includes Mexico and Canada. Of course, we are engaging to make sure that this review will be successful and that we have good results for Canada, Mexico and the United States at the same time.

**Senator Klyne:** There are some advanced tactics there, but beyond general engagement, does the Government of Canada have a targeted strategy to communicate directly to U.S. legislators how deeply their own states depend on trade with Canada—including state-by-state data on jobs, investment, and supply chains—so that members of Congress clearly understand that strengthening CUSMA is not only in Canada's interest but in the direct economic interests of their own constituents?

**Senator Moreau:** That's not only a good question; that's a good statement. I have to tell you that Canada has long emphasized the importance of engaging American lawmakers at every level. I know one thing: When I was a member of the Quebec National Assembly, not only the federal government but also all provinces were engaging with their counterparts at the state and federal levels to make sure that they understood perfectly that, with such integrated economies, both countries would benefit from a review—

**The Hon. the Speaker pro tempore:** Thank you, Senator Moreau.

## HEALTH

### ACCESS TO HEALTH CARE

**Hon. Yonah Martin (Deputy Leader of the Opposition):** Government leader, according to a recent report from the Fraser Institute, Canadians lost an average of \$3,000.43 in wages due to hours missed from work while waiting for medical treatment in 2025. This estimate, Senator Moreau, is conservative as it does not account for the additional costs incurred by family members who must care for loved ones while they wait for treatment. At a time when Canadians are already struggling to make ends meet, many are now seeing their livelihoods further diminished simply to receive often life-saving medical care. What tangible relief can your government offer Canadians who are losing much-needed income while waiting for their treatment?

**Hon. Pierre Moreau (Government Representative in the Senate):** Let me give you a few numbers for family doctor access, for example. This is directly related to the question you're asking.

• (1430)

Health care workers need support by getting more health workers into the system faster. The government, together with provinces and territories, is stepping up with close to \$200 billion in direct health care funding to transform the health care system. This is one concrete step we are putting forward to ensure that Canadians have access to health care.

Regarding affordability and the economic situation of families, I answer questions on a daily basis about what the government is doing going forward to make things more affordable for Canadians all across the country.

**Senator Martin:** There are over 1 million people without a family physician in B.C., and we actually have the longest medical wait times among the OECD countries with universal health care, so we are lagging behind all these countries. More than 1.3 million Canadians are waiting for a specialist consultation with an average wait time exceeding 13 weeks. This is completely unacceptable. Senator, what hope can you offer Canadians who are genuinely struggling and waiting for real relief and real leadership?

**Senator Moreau:** You know that health care is shared between the federal government and the provinces, and it's not for the federal government alone to solve every problem across Canada concerning health and access to medical attention, but the government is spending more than ever before to make sure that Canadians have access to health treatment.

As far as affordability is concerned, I told you many solutions that the government is putting forward —

**The Hon. the Speaker pro tempore:** Thank you, Senator Moreau.

## IMMIGRATION, REFUGEES AND CITIZENSHIP

### MEDIA AVAILABILITY OF MINISTER

**Hon. Yonah Martin (Deputy Leader of the Opposition):** Government leader, on another issue, according to a recent media report, your immigration minister now refuses to speak with independent media. A media accreditation notice from Immigration, Refugees and Citizenship Canada specified only journalists from outlets with a qualified Canadian journalism organization designation will be granted access to the department's media relations team — in other words, it's those who receive government funding. Canadians are already aware that Minister Diab avoids stakeholder engagement and parliamentary accountability. Can you shed some light on why she is now avoiding questions from independent media as well?

**Hon. Pierre Moreau (Government Representative in the Senate):** My understanding is that the Minister of Immigration, Refugees and Citizenship, like every other member of cabinet, is at Question Period in the House of Commons on a daily basis. If there are any questions that are to be addressed to her, I think that is the best place to do that.

My understanding is that journalists from every outlet look forward to seeing what happens at Question Period. They are able to ask their questions whenever they need to. My understanding is that she answers questions whenever questions are asked.

**Senator Martin:** She is answering questions from journalists from designated qualified Canadian journalism organizations, which are media outlets eligible for government subsidies. It seems like your government's idea of transparency and accountability is to speak only with media organizations that receive government funding. Is this what the government is doing?

**Senator Moreau:** It is not. Your understanding is not correct. The government is transparent. Members of the government are in the House of Commons every day to answer questions, and if journalists want to ask questions, they are allowed to do that.

[Translation]

## JUSTICE

### INDIAN ACT

**Hon. Michèle Audette:** I have a question for you, Senator Moreau. We recently learned that the Attorney General of Canada is requesting an extension in the *Nicholas* case currently under way in British Columbia regarding Bill S-2.

Given the tight deadlines in this pending court decision — as you know, Bill S-2 was passed unanimously in this chamber — can you explain why Canada is asking the court for an extension? Bills C-5, C-14 and C-15 demonstrate that there is a way to fast-track bills when it is urgent. Bill S-2 deserves to be treated with the same urgency. Thank you.

**Hon. Pierre Moreau (Government Representative in the Senate):** Thank you for the question, but I would correct your preamble. The Senate did not pass Bill S-2 unanimously. The bill was amended by the Senate — you should reread the speeches that were given at the time — and procedure required that the bill be sent back to the House of Commons.

As I understand it, the House of Commons has to decide whether or not it will move Bill S-2 forward, as suggested and amended by the Senate. Many interventions mentioned that there was a firm court deadline to meet, and incidentally, this was one of the reasons for passing Bill S-2 without amendments. The House, in its wisdom, decided otherwise. Court deadlines being what they are, the Attorney General has no alternative but to make sure he gets an extension in case Bill S-2 can't be passed by the deadline.

**Senator Audette:** Having been in the chamber at the time of the vote, I noticed that all the senators present passed the bill as amended. That's my understanding. This debate could happen outside the chamber. Could you ask the government, as its representative, why it's seeking an extension, when debates and studies on this subject are being conducted and Bill S-2 can't be passed in the other place?

**Senator Moreau:** I can ask the question, Senator Audette, but you keep saying that consultations have been taking place for 40 years. The government clearly indicated to you that consultations on the part concerning the second-generation cut-off were taking place and wrapped up in December. It's inaccurate to say that consultations, in the sense of the government's constitutional obligations, have been going on for 40 years. The reason the government is seeking an extension is very simple. It is to ensure that it won't be in contempt of court if Bill S-2 can't be passed before —

**The Hon. the Speaker pro tempore:** Thank you, Senator Moreau. Since I have no more names on my list, we will move on to the next item of business.

[English]

**ORDERS OF THE DAY**

**BUSINESS OF THE SENATE**

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, pursuant to rule 4-12(3), I would like to inform the Senate that as we proceed with Government Business, the Senate will address the items in the following order: Motion No. 57, followed by second reading of Bill C-15, followed by third reading of Bill C-12, followed by second reading of Bill C-14, followed by all remaining items in the order that they appear on the Order Paper.

**THE SENATE**

MOTION TO EXTEND SITTING ON WEDNESDAY, MARCH 11, 2026,  
AND AUTHORIZE COMMITTEES TO MEET DURING SITTING  
OF THE SENATE ADOPTED

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate),** pursuant to notice of March 9, 2026, moved:

That:

1. notwithstanding the order adopted by the Senate on June 4, 2025, the sitting of Wednesday, March 11, 2026, continue beyond 4 p.m., if Government Business is not completed, and be adjourned at the later of the completion of Government Business or 4 p.m.;
2. notwithstanding the provisions of paragraph one of this order, the sitting not continue beyond the ordinary time of adjournment provided in the Rules; and
3. committees of the Senate scheduled to meet on that day be authorized to do so after 4 p.m. for the purpose of considering Government Business or if a Minister of the Crown is appearing, even though the Senate may then be sitting, with rule 12-18(1) being suspended in relation thereto.

**The Hon. the Speaker pro tempore:** All those in favour of the motion will please say “yea.”

**Some Hon. Senators:** Yea.

**The Hon. the Speaker pro tempore:** All those opposed to the motion will please say “nay.”

**Some Hon. Senators:** Nay.

**The Hon. the Speaker pro tempore:** In my opinion the “nays” have it.

*And two honourable senators having risen:*

• (1440)

**The Hon. the Speaker pro tempore:** I see two senators rising. Do we have an agreement on the length of the bell?

**Some Hon. Senators:** Fifteen minutes.

**The Hon. the Speaker pro tempore:** Fifteen minutes. Is leave granted?

**Hon. Senators:** Agreed.

**The Hon. the Speaker pro tempore:** The vote will take place at 2:55 p.m. Call in the senators.

• (1450)

Honourable senators, just to be clear about what we are voting on, Senator LaBoucane-Benson proposed a motion, and I will read the beginning of that motion so we understand what it is:

. . . notwithstanding the order adopted by the Senate on June 4, 2025, the sitting of Wednesday, March 11, 2026, continue beyond 4 p.m., if Government Business is not completed . . .

That is the motion that Senator LaBoucane-Benson put on the floor.

Senator Kingston proposed the adjournment of debate on that motion until the next sitting of the Senate, so the question is as follows: It was moved by the Honourable Senator Kingston, seconded by the Honourable Senator Moncion, that further debate be adjourned until the next sitting of the Senate.

Motion negated on the following division:

**YEAS  
THE HONOURABLE SENATORS**

Arnold	Moncion
Arnot	Moodie
Audette	Petitclerc
Clement	Senior
Dalphond	Simons
Kingston	Woo—13
McBean	

NAYS  
THE HONOURABLE SENATORS

Adler	MacAdam
Al Zaibak	MacDonald
Ataullahjan	Manning
Aucoin	Marshall
Batters	Martin
Black	McNair
Boehm	Miville-Dechêne
Boudreau	Mohamed
Burey	Moreau
Busson	Muggli
Carignan	Osler
Coyle	Oudar
Cuzner	Patterson
Deacon ( <i>Nova Scotia</i> )	Petten
Dean	Prosper
Dhillon	Pupatello
Downe	Ravalia
Forest	Robinson
Francis	Ross
Fridhandler	Saint-Germain
Gerba	Smith
Gignac	Sorensen
Greenwood	Surette
Harder	Tannas
Hay	Varone
Hébert	Wallin
Henkel	Wells ( <i>Alberta</i> )
Housakos	Wells ( <i>Newfoundland and Labrador</i> )
Klyne	White
Kutcher	Wilson
LaBoucane-Benson	Youance
Lewis	Yussuff—65
Loffreda	

ABSTENTION  
THE HONOURABLE SENATOR

Galvez—1

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

• (1500)

**BUDGET 2025 IMPLEMENTATION BILL, NO. 1**

SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Pupatello, seconded by the Honourable Senator Petten, for the second reading of Bill C-15, An Act to implement certain provisions of the budget tabled in Parliament on November 4, 2025.

**Hon. Rosa Galvez:** Honourable senators, I rise today to speak to Bill C-15, An Act to implement certain provisions of the budget tabled in Parliament on November 4, 2025.

[*Translation*]

I will begin by stating the obvious. At 600 pages long, Bill C-15 once again illustrates a recurring challenge: the overuse of omnibus bills.

Over the years, governments of various political stripes have recognized the problems posed by such bills. Stephen Harper argued that Parliament should not be called upon to pass legislation where a number of unrelated measures are bundled together in a single bill.

Justin Trudeau pledged that his government would avoid the practice of introducing large omnibus bills that make parliamentary scrutiny more difficult. These commitments reflected a fundamental democratic principle: Legislation should be structured in such a way as to allow Parliament to review it properly.

However, Bill C-15 contains provisions that go well beyond simply implementing the budget. When diverse, complex measures are grouped together in a single bill, the Senate faces a practical dilemma. Our committees must attempt to examine multiple areas of public policy — budgetary policy, regulatory reform, environmental protection, competition rights, and many others — within very tight time frames. This structure limits the depth of the review that Canadians expect from our chamber of sober second thought.

If Parliament wants genuine accountability, legislation must allow for clear scrutiny, clear debate, and clear responsibility for the policy objectives it implements.

[*English*]

For these same reasons, I can only cover a few points. I choose to focus on issues regarding the socio-environmental polycrisis unfolding before us and its impact on the proposed government budget spending.

In Budget 2025, the government promised a “generational shift.” It declared that climate action is not just a moral obligation but an economic necessity. It also committed to “. . . make capital investments a national priority to build Canada Strong.” These, dear colleagues, are very ambitious promises.

As legislators, we know that budgets are not judged by their rhetoric; they are judged by their architecture and their potential to attain measurable objectives.

As I mentioned in a previous speech regarding the budget, there are major changes in the way the budget is presented. Some raise concerns.

Despite the use of old and new formulas, many newly proposed mechanisms risk weakening transparency and accountability at the very moment when Canadians expect more of both. The Parliamentary Budget Officer, or PBO, confirmed this concern.

Canada faces enormous challenges: climate instability, global economic disruption, rising inequality and geopolitical uncertainty.

Meeting this moment requires — yes — modern fiscal policy that recognizes that economic prosperity, social well-being and ecological stability are not competing objectives. They are interdependent. A modern budget must, therefore, do more than stimulate growth. It must strengthen the foundations of prosperity itself, measured by modern indicators that are more adequate than the GDP.

GDP growth alone does not capture the real drivers of prosperity. The GDP measures the flow of money through an economy: what is spent, produced and rebuilt. However, it does not tell us whether that activity improves the well-being of people or the health of the systems that sustain life.

In fact, the GDP can grow in many circumstances that reflect profound human tragedy.

Let me give you an example. Since the beginning of the war following the Russian invasion of Ukraine, certain sectors of Ukraine’s economy have shown increases in measured GDP driven by military production, international aid flows and reconstruction spending. Yet no one would suggest that war represents genuine prosperity.

• (1510)

The exact same phenomenon occurs after extreme weather events. We rebuild homes, roads and infrastructure, increasing economic activity and, therefore, GDP, even though society is merely recovering from these losses.

This illustrates a fundamental limitation of GDP: It measures economic activity, not economic progress, and it cannot distinguish between expenditures that build well-being and those that simply repair damage. If we rely solely on GDP as our compass, we risk mistaking the costs of crises for signs of prosperity.

Despite our high-level decision-making status as a G7 nation, we remain uninformed about the state of the planet and mostly unaware that humanity has transgressed seven of the nine planetary boundaries identified by scientists. The ecological systems that support life — and the economy of every nation on Earth — are under increasing stress. This is not an abstract environmental issue. It is an economic risk that is materializing at high speed in Canada. There were \$9.1 billion in insured losses due to extreme weather events in 2024; our wildfire suppression costs alone exceeded \$1 billion annually; and in Ontario alone, air pollution has been estimated to cost over \$500 million per year in direct health costs and \$374 million annually in lost productivity. Yet we say we care about productivity and competitiveness.

In this budget, we see a growing tendency to reframe subsidies as investments. This shift in language may appear technical, but it has more significant implications. An investment implies that public funds generate measurable returns for society, whether in economic productivity, environmental resilience or social well-being. A subsidy, by contrast, is public support provided to sustain an activity that may not be economically viable on its own.

When subsidies are relabelled as investments without transparent evaluation of their returns, two risks arise. First, Parliament’s ability to assess fiscal choices is weakened. Second, Canadians may believe their tax dollars are financing the future when they may instead be prolonging dependence on the past.

Fiscal transparency requires that we distinguish clearly between supporting emerging solutions — through innovation, creativity, productivity and competitiveness — and prolonging the legacy of sunset systems because if everything becomes an investment, then nothing is truly evaluated as one.

Problems arise when we modernize budgets without modernizing the metrics. I’m looking to my dear Senator Marshall.

Budget 2025 also introduces changes to how the government presents fiscal operations. While modernization is, of course, welcome — who doesn’t like modernity? — the current framework risks obscuring the fundamental question: What outcomes are we actually financing?

Many leading economists are moving towards well-being budgets, climate-aligned fiscal frameworks and natural-capital accounting. Healthy ecosystems, resilient infrastructure, social equity and climate stability are not peripheral concerns but economic assets. If our fiscal framework fails to measure them, it misallocates capital on a national scale.

Canada has the capacity to lead in this area, but leadership, colleagues, requires clarity, not ambiguity.

Bill C-15 has weakened provisions designed to address greenwashing. In 2024, Parliament took important steps to protect Canadians from misleading environmental claims. The Competition Bureau was clear: Greenwashing harms competition because it misleads consumers and distorts markets.

When Canadians spend more on products that claim environmental benefits that do not exist, they lose money and confidence in the market. Walking back this protection risks sending the wrong signal at the wrong time. Bill C-15 rolls back last year's amendment, which requires ". . . adequate and proper substantiation in accordance with internationally recognized methodology . . . ." What was wrong with that? Now, by removing ". . . in accordance with international and recognized methodology . . ." the new provision is broader and vaguer, increasing the risk of differing interpretations by courts. We are not doing our job and are letting judges solve these issues.

Perhaps the most serious concern in Bill C-15 lies in Part 5, Division 5, which amends the Red Tape Reduction Act. These provisions introduce what the government calls legislative sandboxes. Yes, we heard that, in principle, regulatory experimentation can be valuable. Yes, in principle, they can encourage innovation. But which innovation — artificial intelligence, renewable energy or the past sunset sectors? That's the problem. I'm well placed to know that innovation often requires testing new ideas, but the mechanism proposed here goes far beyond targeted experimentation. It will allow ministers to exempt individuals, companies or even government entities from the application of federal laws and regulations with only a limited list of exclusions.

More than 100 legal scholars, human rights experts, labour leaders and civil society organizations have warned Parliament that these provisions risk concentrating extraordinary discretionary power in the executive branch.

The other chamber has adopted amendments presented by the opposition parties introducing certain guardrails. Fundamental laws, including the Canada Labour Code and the Canadian Environmental Protection Act, are not clearly protected.

Regulatory flexibility must never come at the expense of democratic accountability or fundamental protections for workers, communities and the environment. The new requirement for a 30-day consultation period is a step in the right direction, but the legislation does not clearly define who must be consulted. Who should be consulted — local communities, Indigenous governments, workers, environmental health experts or those who may bear the consequences of regulatory exemptions?

All must have a seat at the table. Consultation cannot be symbolic. It must be meaningful, inclusive and transparent. This point raises another high litigation risk.

Bill C-15 reflects a broader strategic hesitation around the global energy transition. As I mentioned before, in 2025, global investment in the energy transition reached \$2.3 trillion. Canada was at the bottom of the list of countries where these funds landed. Yet we have our Prime Minister going south, east and

west for money to be invested in Canada. I wish he could also ask our pension plans, banks and insurance companies to believe in Canadians.

Yet with Venezuelan and Iranian regime change — driven by U.S. action — and its impact on oil and gas prices, we all know that energy security has become a strategic priority across the world. Countries are racing to attract investment in renewable energy, storage technologies, clean manufacturing and resilient infrastructure.

Canada should be leading this race. We have extraordinary advantages: abundant renewable resources, excellent institutions and a highly skilled workforce. Yet our policy signals remain inconsistent, hesitant and sometimes contradictory or confusing. The investment tax credits in Bill C-15 are modest when compared with the scale of transformation under way globally.

**The Hon. the Speaker pro tempore:** I'm sorry to interrupt, Senator Galvez. The time allocated for your speech has expired. Are you asking for five more minutes?

**Senator Galvez:** Yes, please.

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

**Hon. Senators:** Agreed.

• (1520)

[*Translation*]

**Senator Galvez:** Our role is not simply to approve or reject bills. Our role is to highlight risks, strengthen accountability and protect the public interest.

[*English*]

Moving forward, this chamber can still ensure accountability in several ways. We can demand transparent reporting on the use and outcomes of legislative sandboxes, require clear evaluation criteria for public investments and subsidies, strengthen the oversight of tax credits and fiscal instruments, and ensure that consultation processes include those most affected by regulatory exemptions.

In short, we must ensure that the promises made in Budget 2025 are measured, monitored and, ultimately, delivered.

At this defining moment, we must choose whether our fiscal policies will prepare Canada for the future or simply extend the patterns of the past. Our future is bright, but it will only be bright if we finance it wisely, govern it transparently and build it sustainably.

Thank you, *meegwetch*.

**Hon. Elizabeth Marshall:** Honourable senators, I rise to speak to Bill C-15.

Bill C-15 outlines an ambitious agenda for the government. In fact, the government tells us that its new budget initiatives will cost \$20 billion in this fiscal year, \$22 billion next year and \$48 billion the following three years.

New budgets are not cheap.

These costs will contribute to a record-setting \$78-billion budget deficit for this year, the highest deficit ever recorded by a Canadian government, with the exception of the pandemic years. It's a significant increase from last year's deficit of \$36 billion. Not only is there a significant increase in the deficit for this year, but future deficits are decreasing only very slightly. There is no pathway to a balanced budget.

Equally concerning is the government's inability to stick to their spending forecasts, as spending keeps being revised upward.

While Budget 2025 promises fiscal restraint, history has shown us that the government fails to deliver on its fiscal commitments. Each projection for spending over the past several years was increased when the subsequent fiscal plan was released. Budget 2022 estimated that spending for this year would be \$493 billion. In Budget 2023, the government increased it to \$522 billion and then to \$551 billion in Budget 2024. Now, it is \$581 billion in Budget 2025.

Deficit projections have also increased with each budget. Budget 2022 projected an \$18-billion deficit for this year, rising to \$26 billion the following year, increasing again to \$39 billion the next year, and now, in Budget 2025, it has increased to \$78 billion.

Budget 2025 was released on November 4, and, since that date, there have been several announcements and initiatives, the costs of which have not been included in the \$78-billion deficit. While the cost of the tax cut provided in Bill C-4 appears to have been included in the \$78-billion deficit, other initiatives — such as Bill C-19, the Canada Groceries and Essentials Benefit Act, and the newly announced electric vehicle subsidies — do not appear to have been included in the calculation of the \$78-billion deficit. Both of these initiatives will increase the deficit by \$3 billion and \$1 billion, respectively, this year unless initiatives already included in the deficit do not materialize.

Other initiatives, such as the increase in military spending, will further increase the deficit. Last month, the Parliamentary Budget Officer released a report that indicates that the government's commitment to meet the NATO 5% commitment by 2035 will require significant spending and borrowing. He estimates that the impact on the deficit is expected to be \$3 billion next year, increasing to \$63 billion by 2035.

And there are other costs that may affect the deficit. Build Canada Homes and the other new entities to be created as part of the Defence Industrial Strategy will all have an impact on the government's deficit.

Given these additional costs, it appears that the fiscal projections provided for guidance by the government in Budget 2025 are not credible yet again.

Unfortunately, the government has not provided any regular updates to its fiscal plans since the budget was released in November. Other financial documents, such as the estimates documents and the monthly publication *The Fiscal Monitor*, do not provide a complete picture of the government's finances. In fact, some documents that had been provided, such as the reconciliation of the estimates documents to estimated expenditures as per the budget, were not provided in Supplementary Estimates (B) nor in Supplementary Estimates (C) for this year.

While the government forecasted in November a \$78-billion deficit for this year, Minister Champagne, when asked in the Senate last week what the revised deficit is for this year, did not — or maybe could not — provide a response.

It is now March, and the fiscal year-end is a few days away. Does the government not know what its deficit is for this year? We are so close to year-end. A government that has control of its fiscal house should have an idea what its deficit is.

One of the key elements of the budget was a new financial presentation that divides all spending into either operational or capital. The government says it will balance the operating budget in three years and shrink the deficit-to-GDP ratio over the next few years. These two commitments, it said, would be the government's new fiscal anchors.

However, the Parliamentary Budget Officer says that the government's definition of capital spending is overly broad and that, according to his definition, the operating budget will not be balanced over the next few years.

With respect to the second newly established fiscal anchor, the Parliamentary Budget Officer says there is only a very slight chance — 7.5% — that the deficit-to-GDP ratio will decline every year between 2026 and 2030.

These issues have yet to play out, and we shall see what the government says in its spring fiscal update and its audited financial statements.

That brings me to Division 38 of Part 5 of this bill, which is proposing an increase in Canada's debt ceiling to \$2.541 trillion. Under the parliamentary authority framework enacted in 2017, parliamentary authority to borrow is granted through the Borrowing Authority Act and through Part IV of the Financial Administration Act. These pieces of legislation allow the minister to borrow money up to a maximum amount approved by Parliament. We refer to this maximum amount as the "debt ceiling." That's what the government is asking the approval of Parliament to increase.

The Financial Administration Act also allows the minister to borrow in excess of this amount under limited circumstances for specific purposes, such as a natural disaster.

Last October, the government announced it was implementing a new way of budgeting called the “capital budgeting framework,” which would make capital investments a national priority. The new framework would be applied to the federal budget, and the budget would be split between capital spending and day-to-day spending. There has been much discussion and criticism of the government’s proposed capital budgeting framework. However, regardless of how the government splits its expenditures or its deficit — we call it “splitting dice” in accounting — the increasing debt will indicate the true extent of government borrowing.

The extent of the government’s debt can be measured in two ways. The first is the debt ceiling, which has been approved by Parliament. It increases in intervals, usually in periods of three years. The other number is the actual debt, which increases as the government spends.

The initial debt ceiling was established in 2017 at \$1.1 trillion, giving the government the authority to borrow up to this amount. Four years later, in 2021, it was increased to \$1.8 trillion. Three years later, in 2024, it was increased to \$2.1 trillion. And now, less than two years later, the government in this bill is proposing to increase it to \$2.5 trillion.

• (1530)

Just to put these numbers in context, in June 2024, the debt ceiling was approved at \$2.1 trillion for a three-year period up to March 31, 2027. But just 18 months later, in November 2025, in the new budget, the government is asking Parliament to approve another increase of \$415 billion in the debt ceiling, which would raise it to \$2.5 trillion.

The government estimates that total debt by March 2027 would have exceeded the approved ceiling established in 2024 had there not been a contingency amount included in the ceiling.

In June 2024, the government had estimated that total debt as of March 2027 would be \$2 trillion, but 18 months later, the government estimated that the debt on that same date has now increased by \$68 billion. And the government’s debt ceiling has increased to \$1.4 trillion, more than doubling over an eight-year period.

The debt of enterprise Crown corporations is also expected to increase significantly, from \$376 billion as of March 2026 to \$518 billion as of March 2029, increasing its debt by a third. The government says that this increase reflects the projected financing needs of enterprise Crown corporations. We shall probably hear more about this in the spring fiscal update.

Actual debt shows the same increasing trend line. The government’s debt 10 years ago was \$918 billion; by 2019, it was at \$1 trillion; by 2022, \$1.5 trillion; and then to \$1.8 trillion by 2025. We shall soon have the actual debt numbers for 2026, and I know it will be \$2 trillion. Over a seven-year period, Canada’s actual debt has doubled.

The increase in Canada’s debt is astonishing. By continuing to borrow, it raises the issue of generational fairness.

The increase in the government’s debt has also resulted in increased debt-servicing costs for the government, which will crowd out spending on more economically and socially productive programs. Ten years ago, debt-servicing costs were \$21 billion. This year, they are expected to be \$55 billion, increasing to \$71 billion in 2028-29 and \$76 billion in 2029-30. The problem with these estimates is that the government’s projections are unreliable, and history has shown that debt-servicing costs are almost always higher than the estimates.

A review of estimated debt-servicing costs for this year, 2025-26, over the past five years will indicate that Budget 2021 estimated \$39 billion. Then it went to \$46 billion in Budget 2023 and now \$55 billion this year.

To put this \$55 billion in context, the government expects to collect \$54 billion from the goods and services tax this year, the same amount it is estimated to spend on debt-servicing costs, but next year, the amount to be collected in GST will not be sufficient to pay our forecasted debt-servicing cost.

David Dodge, a former governor of the Bank of Canada and a former Deputy Minister of Finance, authored a paper in 2020 in which he discussed the cost of increasing debt. He suggested that one of Canada’s fiscal anchors should tie the cost of debt-service charges to annual government revenues. Specifically, he recommended that debt-servicing costs not exceed 10% of annual government revenues.

At the time of his paper, Budget 2021 estimated that debt-servicing costs for this fiscal year would be 9% of government revenues, below the 10% limit. Unfortunately — but not surprisingly — Budget 2025, released in November, indicates that public debt-servicing charges for last year were 10.5% of government revenues and are now expected to be 11% of government revenues in this fiscal year. For 2028-29 and 2029-30, the government is projecting public debt-servicing costs to be over 12% and 13%, respectively, of government revenues. Honourable senators, we are going in the wrong direction.

To conclude, the government is spending record amounts of money and assuming record amounts of debt to protect and transform our industries, strengthen our economy and empower Canadians. Let’s hope we aren’t disappointed. Thank you.

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

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

**Hon. Senators:** Question.

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

**Some Hon. Senators:** Agreed.

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

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

REFERRED TO COMMITTEE

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

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

### STRENGTHENING CANADA'S IMMIGRATION SYSTEM AND BORDERS BILL

THIRD READING—DEBATE

**Hon. Tony Dean** moved third reading of Bill C-12, An Act respecting certain measures relating to the security of Canada's borders and the integrity of the Canadian immigration system and respecting other related security measures.

He said: Honourable senators, I rise today to speak at third reading in support of Bill C-12, the strengthening Canada's immigration system and borders act, a bill designed to enhance the security of our country while preserving the integrity, fairness and sustainability of Canada's immigration system.

I want to begin by thanking, on behalf of all of us here, Senator Rosemary Moodie, Chair of the Standing Committee on Social Affairs, Science and Technology; Senator Hassan Yussuff, the Chair of our National Security, Defence and Veterans Affairs Committee; and all members of those committees for their extensive scrutiny and thoughtful consideration of Bill C-12.

Each committee met four times, in long meetings, listening carefully to testimony from stakeholders, experts, and officials and engaged seriously with both information and the concerns addressed by external witnesses.

And I want to thank those witnesses — 35 at the Social Affairs, Science and Technology Committee and close to 30 at the National Security, Defence and Veterans Affairs Committee — who appeared before the committee to share their comments, concerns and suggestions in relation to Bill C-12. Several of the expert witnesses, concerned about the bill's proposals, also appeared before the House of Commons Citizenship and Immigration Committee.

Colleagues, as I briefly summarize the bill, I am going to start with those parts not dealing with immigration and asylum, which, I think it is fair to say, were not contentious in relation to the other parts. I will then move to Parts 5, 6, 7 and 8 of the bill, around which there has been a lot of discussion.

Bill C-12 supports the broader border plan launched by the government last December, which introduced meaningful operational and policy changes. Legislative authority is now required to fully implement that plan and to equip law enforcement agencies with modern tools to respond to evolving security challenges.

Part 1 of the bill proposes amendments to the Customs Act aimed at, among other things, preventing drug trafficking, weapons smuggling and auto theft. It will require certain port operators and facility owners to provide, equip and maintain

infrastructure necessary for the Canada Border Services Agency to carry out its mandate, with a greater focus on the examination and seizure of contraband goods destined for export.

These changes would allow CBSA officers to conduct inspections in locations where export goods are reported, loaded, unloaded or stored, closing important enforcement gaps, which is an important step in reducing auto theft and the unlawful shipment of stolen vehicles abroad.

While the Canadian Border Service Agency, the CBSA, currently has the legal authority to examine both inbound and outbound goods, the operational framework is not aligned. For inbound shipments, ports and bridge authorities are required to provide appropriate facilities to enable CBSA inspections. No equivalent obligation exists for outbound goods leaving Canada for the U.S., which limits the capacity to conduct export examinations.

• (1540)

Bill C-12 would ensure that the CBSA has the necessary infrastructure to carry out both inbound and outbound inspections effectively, strengthening border enforcement in a more balanced and integrated manner. One area of concern raised was the impact of infrastructure costs on operators of international bridges and tunnels who operate on a not-for-profit basis and for whom cost increases would be directly borne by users of those facilities.

Part 2 of Bill C-12 would amend the Controlled Drugs and Substances Act to empower the Minister of Health to rapidly control precursor chemicals used in the production of illicit drugs, with a focus on fentanyl and its precursor components. This would enable law enforcement and border agencies to act quickly to prevent illegal importation while maintaining strict oversight of legitimate uses in commercial and industrial sectors. Accelerated scheduling through a revised regulatory structure would provide Health Canada, supported by Public Safety Canada, with the authority to identify and act quickly in the face of dangerous precursors, which are rapidly changing.

Colleagues, we are mindful of the devastation fentanyl has had on our communities. Over 55,000 Canadians from every community have been impacted by the fentanyl crisis. Each night, more than 20 families go to bed having lost their loved ones.

Also, in light of the increasingly complex nature of the production and movement of new classes of dangerous drugs and precursors, Part 3 of the bill would amend the Controlled Drugs and Substances Act and the Cannabis Act to allow the Governor in Council, on the recommendation of the Minister of Public Safety and Emergency Preparedness, to make regulations exempting members of law enforcement from the application of any provision of the Criminal Code that creates drug-related inchoate offences when they are undertaking lawful investigations, such as posing as a potential buyer of fentanyl on the dark web without fear of charges or otherwise compromising the investigation's integrity.

Part 4 of the bill would amend the Oceans Act to add security activities to the range of services already provided by the Canadian Coast Guard, thus allowing the Coast Guard to conduct security patrols and collect, analyze and share information and intelligence for security purposes. In concert with this, a change would see the Coast Guard reporting directly to the Minister of Defence.

Parts 9 and 10 of the act are designed to strengthen Canada's anti-money laundering and anti-terrorist financing regime, including through stronger penalties. Criminal organizations rely on financial resources to operate. By restricting their access to funds and significantly increasing penalties and raising monetary fines by 40 times, the bill aims to deliver meaningful financial consequences for businesses that enable or ignore money laundering activities. They will no longer see it as "the cost of doing business."

Part 10 improves regulatory coordination by adding the director of the Financial Transactions and Reports Analysis Centre of Canada, or FINTRAC, to the Financial Institutions Supervisory Committee, thus enabling the exchange of supervisory information. These measures support high standards of compliance and effective oversight.

This includes the establishment of a joint operational intelligence cell to enhance information sharing among law enforcement and security partners, improving efforts to combat organized crime, money laundering and drug trafficking.

The government has also launched an integrated money laundering intelligence partnership with major Canadian banks to better leverage financial intelligence in the fight against fentanyl trafficking and other criminal activity. The bill complements related initiatives, including appointing a fentanyl czar to coordinate efforts between Canada and the United States, designating seven transnational organized crime groups as terrorist entities under the Criminal Code. These organizations present serious threats to both Canada and its allies, and it is in the public interest to use every available tool to counter them.

Colleagues, I now move on to the sections of the bill associated with Canada's immigration and refugee systems, which are found in Parts 6, 7 and 8 of Bill C-12. As we consider these four parts of the bill at third reading, a primary question is this: Do we have the tools to keep Canada's immigration and asylum systems working effectively under sustained pressure while maintaining the safeguards and due process Canadians expect?

The context for this bill is not abstract.

Global displacement is persistent, pressures on asylum systems are real, and migration patterns can shift quickly. At the same time, Canadians expect an immigration and asylum system that is fair, predictable and well managed, one that protects people who face real risk, supports the public interest and maintains confidence in the rule of law.

That confidence depends on two things being true at once. First, Canada must remain a country that offers protection to those who need it consistent with our legal and international obligations.

Second, the system must be able to function under pressure — credibly and in a timely way — so that decisions are fair, and the approach is sustainable over time.

Bill C-12 is designed to support that balance. It doesn't change Canada's commitment to protection; it doesn't remove due process; and it doesn't change the fairness of decision making. It updates targeted tools to help the system keep working as pressures evolve — a system that exemplifies why these updates matter, a system with a current backlog of 300,000 asylum claims.

Canada's asylum system relies on credibility and timeliness. When claims accumulate faster than they can be processed, delays grow and uncertainty intensifies for claimants, communities and the institutions responsible for delivering protection. When timelines stretch, decision makers spend more time managing inventories than moving forward the cases that are ready for a decision. That slows the system for everyone and makes it harder to respond when pressures shift.

Over time, a system weighed down by delay risks undermining fairness for those who genuinely need protection. It can also create incentives for misuse, and that undermines confidence in the system as a whole.

Bill C-12 is an effort to respond to these pressures with targeted integrity measures that will keep the system workable while maintaining safeguards so that protection remains available where risk exists.

A large majority of members of Parliament — 327 of them, to be exact — agreed with this. I believe that a large majority of Canadians would agree too, or I wouldn't be standing here in front of you as the sponsor of this bill, as much as I like a challenge.

Part 5 through Part 8 of Bill C-12 were referred to the Standing Senate Committee on Social Affairs, Science and Technology for detailed consideration of immigration, asylum, information sharing and processing reforms. Throughout the hearings, colleagues, there was no disagreement about the pressures on Canada's refugee and immigration system. The differences lay in how to address them.

Government witnesses stressed the need for clarity, efficiency and fairness in processing, principles that Bill C-12 supports by modernizing how claims and documents are handled and by reinforcing procedural integrity. Critics raised concerns about aspects of proposed changes to refugee claim processing, pointing to potential negative impacts on claimants. These perspectives are important, and Bill C-12 proponents, including myself, take them seriously.

I'm going to start with information sharing in Part 5.

Bill C-12 would increase information sharing within Immigration, Refugees and Citizenship Canada and with federal, provincial and territorial partners. Information is being shared right now, colleagues, although it is often resource intensive and handled on a case-by-case basis, which can delay action and increase the risk that inconsistencies, such as conflicting details across applications, go undetected. The bill would allow relevant information to be shared more efficiently across Immigration, Refugees and Citizenship Canada, or IRCC, programs and with federal, provincial and territorial partners who rely on accurate identity and status data to administer their own programs.

• (1550)

The amendments include a prohibition against onward sharing by provincial or territorial government partners to foreign entities, except with the written consent of IRCC and where this would happen in a way that complies with Canada's international obligations in respect of mistreatment, as defined in the Avoiding Complicity in Mistreatment by Foreign Entities Act.

Strengthened information sharing would improve the integrity of IRCC and provincial, territorial and federal partner programs. It would enable greater cooperation with federal partners on border matters and set the stage for client service innovations within IRCC by reducing the need to repeatedly request the same personal information from clients across business lines in the spirit of "tell us once." It would enhance client privacy by ensuring that there is greater transparency and consistency when personal information is shared between IRCC and domestic partners.

The proposed immigration measures would also improve how an applicant's information is shared within government and with provinces and territories, ensuring it is done in a secure and transparent manner while strengthening privacy protections. Written agreements will clearly define what information can be shared, how it can be used and the strict time limits on its disclosure to foreign entities.

These changes, colleagues, would reduce duplication for applicants by limiting the need to resubmit information already provided, improve decision-making efficiency and strengthen program integrity by enabling earlier detection of any potential fraud.

All information sharing will be governed by clear written agreements that strictly define what may be shared, for what purpose and with whom. The amendments apply only to domestic information sharing and do not grant additional enforcement powers to other organizations.

IRCC will continue to uphold rigorous privacy and security standards, ensuring full compliance with the Privacy Act and the Canadian Charter of Rights and Freedoms. Protecting the personal information of applicants, particularly vulnerable individuals, remains a fundamental priority.

On November 20, 2025, the honourable Philippe Dufresne, the Privacy Commissioner of Canada, appeared before the House of Commons Standing Committee on Public Safety and National Security, stating that he had previously made reference to Bill C-12 and noted, ". . . it contains important positive safeguards with respect to information-sharing agreements for disclosures outside Immigration, Refugees and Citizenship Canada."

Here is what Mr. Dufresne said:

Specifically, Bill C-12 requires written information-sharing agreements for when the Minister of Immigration discloses specified immigration-related personal information outside the department.

The bill [specifies] that such agreements must include the elements of personal information that may be disclosed, the purpose of the disclosure, [the] limits on secondary use and . . . [onward] transfer of [personal] information, as well as any other relevant details.

The bill further provides for the issuance of regulations by the government with respect to the disclosure of information, and I would expect my office to be consulted in the drafting of these regulations. . . .

Colleagues, given the ubiquity of digitization and its rapid and secure transmission, count me among those caught off guard by hearing that these key elements of client information are not being shared between departments already. It should be, where this will enhance system probity, efficiency and improved client service.

Privacy Commissioner Dufresne believes the safeguards being built into this will be sufficient to protect privacy. We should take him at his word.

Colleagues, Part 6 of Bill C-12 deals with key reforms that will modernize the asylum system and strengthen migration integrity. The changes aim to streamline processing, reduce delays and ensure that Canada continues to protect those who genuinely need support.

These reforms will simplify and standardize the online asylum application process for both port of entry claims and inland claims. They will refer only "schedule ready" files to the Immigration and Refugee Board of Canada, or IRB, to accelerate decisions. They will ensure that claims are adjudicated by the IRB only when the claimant is physically in Canada, remove inactive cases to reduce backlog and enable same-day removal orders for withdrawn claims to speed up voluntary departures. It will support vulnerable clients, including minors, by assigning designated representatives to guide them through immigration or border processes.

Part 7 deals with document cancellation proposals. The bill introduces targeted new authorities that will allow the government to cancel, suspend, amend or pause the issuance of certain immigration documents in exceptional circumstances if deemed in the public interest, with “public interest” being defined in proposed section 87.3001 on page 30 of the bill as addressing matters such as “administrative errors, fraud, public health, public safety or national security.”

The proposed new authorities would not apply to asylum claims. Experience from the COVID-19 pandemic and other large-scale emergencies has exposed gaps in our existing legislative framework. At present, Canada lacks sufficiently agile tools to respond to urgent or unforeseen events that may compromise border security or disrupt the orderly management of migration.

The bill would address these shortcomings by equipping IRCC staff with the mechanisms needed to respond decisively when circumstances demand it.

The government is of the view that these tools are essential for responding to significant challenges and crises while maintaining fairness and due process. This includes the ability to stop accepting new applications for documents such as work or study permits where necessary to respond to urgent risks, including large-scale fraud schemes or other serious misconduct.

These measures are designed to give the government the flexibility to act swiftly in the face of emerging crises, such as pandemics, major cyberattacks or situations where a significant number of similar documents are flagged for review.

By enabling timely intervention, the bill seeks to preserve the integrity, credibility and proper functioning of Canada’s immigration system, ensuring it remains accessible to those who rely on it.

We have heard that current authorities and systems require that suspicious applications only be set aside for closer review one at a time, which can essentially stall an effective response, especially if those applications number in the thousands.

Important public accountability and review measures would attach to these new proposed authorities, which could not be exercised at the sole discretion of the Minister of Immigration, Refugees and Citizenship. Rather, any action to suspend, amend or halt immigration documents or applications would require approval by the Governor-in-Council through an order-in-council issued where it is determined that intervention is in the public interest.

Any use of these mass authorities must be supported by an explanation of why the order is in the public interest, who will be impacted and how they will be impacted.

These interventions would also have to be published in the biweekly *Canada Gazette*, followed by a review by a committee of either the House of Commons or the Senate, thus shining a public light on what occurred and why it occurred.

This governance structure would ensure robust oversight, alignment with broader government priorities and a level of scrutiny proportionate to the significance and potential impact of these decisions.

Finally, I turn to Part 8 of Bill C-12, which deals with proposed new ineligibilities in Canada’s asylum system.

The bill also introduces new ineligibility rules under which claims would be ineligible for referral to the IRB if they are made more than one year after an individual’s first entry into Canada after June 24, 2020, or if they are made by individuals who entered irregularly from the United States and submit a claim more than 14 days after entry, outside the Safe Third Country Agreement framework.

• (1600)

All claims made within the proposed 12-month eligibility period would be referred to the Immigration and Refugee Board, as they are now, with applicants having access to the hearing, decision-making and appeals processes associated with that.

As you know, asylum claims are normally driven by urgency and fear of repression or danger. They are usually and historically made soon after those looking for asylum land in Canada. This has been consistent for decades, and our asylum system processes have developed around this.

Against that backdrop, a backlog of claims emerged from the pandemic and has continued through to create an unprecedented volume of claims, which now numbers around 300,000.

Separate from the existing backlog, the government has noted a shift in the past few years whereby a growing proportion of those claiming asylum have already been in Canada for two or three years on temporary work or study permits and who may now be looking to the asylum process as a means of remaining in Canada.

It is important to acknowledge that some of these claimants might have left stable and peaceful countries which might no longer be stable. This is a cohort that would, in any event, be protected by Canada’s non-refoulement policies.

Alongside this are concerns about criminal enterprises becoming involved in questionable immigration schemes of the sort identified recently by Premier Eby. There is a risk that these emerging changes are and will lower the confidence of Canadians in the efficacy of our immigration and asylum system. This is not good for our country or for those wishing to join us here.

To protect against sudden surges in claims while respecting our international obligations, the measures in Part 8 aim to preserve the integrity and efficiency of the asylum system by encouraging claimants to make their claim at the earliest possible opportunity and to discourage misuse while maintaining access for those genuinely in need. Exceptions, such as for unaccompanied minors, will be outlined in regulations to account for known risks and vulnerabilities.

Colleagues, if the bill is approved, individuals affected by the new ineligibility provisions may apply for a pre-removal risk assessment, or PRRA, a long-standing, court-supported process that prevents removal to countries where they might face persecution, torture or other serious risks.

The PRRA allows applicants to submit paper-based evidence and explanations of risks associated with a return to their home country. A successful claim would see applicants granted protected person status and thus eligible for permanent residence.

If a protection decision rests on a question of credibility, the Refugee Protection Division must generally hold an oral hearing to allow the claimant to testify and be evaluated in person.

It's important to note that many of those seeking refugee status are not looking for an oral hearing, especially where their credibility has already been questioned. This might be particularly the case for applicants whose study or work visas are close to expiry or have expired and who are looking at refugee status as a means of remaining in Canada.

Colleagues, the government's approach in Bill C-12 reflects the history, incorporation and impact of the *Singh* decision, which underline the necessity of in-person hearings when claim decisions rest on credibility. Alongside this, it sends an important message to those who wish to enter Canada's asylum system that it is best done within the first year. Not in every possible case, I know, but it offers quite a long window.

Government representatives predict that positive outcomes for bona fide asylum claims under the PRRA will be similar to those resulting from IRB-driven processes, with similar levels of success.

The 14-day ineligibility rule does not alter the application of the Canada-U.S. Safe Third Country Agreement, or STCA. Claimants who enter irregularly and submit claims after 14 days are directed to the removal process, but they too remain eligible for a PRRA. The STCA continues to operate as intended.

Some have asked whether there is flexibility built into Bill C-12 with respect to the one-year and 14-day ineligibility periods. The answer is yes. Clause 74 of the bill provides clear authority to establish regulatory exceptions to these time limits, and we understand that it is the minister's intention.

This is intentional. It ensures that the framework is fair but not rigid. It provides structure and integrity to the system, while preserving the flexibility needed to respond to unique or compelling circumstances.

In short, these regulatory authorities are one of the important safeguards built into the bill, ensuring that fairness and compassion remain central to our asylum system.

Colleagues, Bill C-12 does not take away from the ability of any refugee fearing repression, discrimination, violence or death to claim asylum in Canada. I know we all want to keep it this way and protect the best and most successful elements of the system and, in so doing, maintain the confidence of all people living here. This bill is designed to do that.

In closing, as you are all aware, the Canada-U.S. border is the longest land border in the world and one of the most secure. That being said, we can always do more to keep Canada and everyone who lives here safe from the illegal trafficking of drugs, humans and weapons.

Law enforcement and border agencies work every day to identify, neutralize and mitigate threats, and Bill C-12 builds on those operational realities. We must continue to adapt to keep up with the tactics of transnational organized crime groups as they continue to evolve at rapid speeds.

Bill C-12 emerges at a time when immigration systems around the world are strained, supply chains are stressed and criminal organizations exploit gaps in governance. Canada must be proactive rather than reactive.

The bill is a reaffirmation of our responsibility to protect Canadians, support lawful migration and ensure that our borders and our immigration processes are resilient in the face of evolving global challenges. It reflects testimony heard in committee that underscores the need for better tools, clearer frameworks and efficient systems that work for everyone, both Canadians at home and newcomers seeking a better life here.

This bill strikes that balance, enabling Canada to deter those who would misuse our generosity and to uphold the integrity of our borders, while maintaining Canada's proud legacy as a welcoming nation for refugees and immigrants. We can be both secure and compassionate.

I ask all my Senate colleagues to support Bill C-12, to support stronger borders and to support a fair, humane and secure immigration system that Canadians can trust and rely upon.

## MOTION IN AMENDMENT ADOPTED

**Hon. Tony Dean:** Therefore, honourable senators, in amendment, I move:

That Bill C-12 be not now read a third time, but that it be amended,

- (a) on page 35, by adding the following after line 16:

“Report

**75.1 (1) At the start of the fifth year after the day on which this Part comes into force, the Minister of Citizenship and Immigration must prepare a report in respect of the application of paragraph 101(1)(b.1) of the *Immigration and Refugee Protection Act*.**

**(2) The Minister must cause the report to be tabled in each House of Parliament on any of the first 15 days on which that House is sitting after the day on which the report is prepared.**

**(3) The report must include**

**(a) for the calendar year in which this Part came into force and each subsequent calendar year, the average number of days between the day on which a refugee protection claimant entered Canada and the day on which they made the claim, disaggregated by the type of immigration document held by the refugee protection claimant;**

**(b) the number of refugee protection claimants whose claims were ineligible by reason of paragraph 101(1)(b.1) of the *Immigration and Refugee Protection Act*;**

**(c) the proportion of refugee protection claimants referred to in paragraph (b) who exited and re-entered Canada after the day of entry referred to in that paragraph;**

**(d) the number of refugee protection claimants referred to in paragraph (b) who applied for protection under subsection 112(1) of that Act, as well as the number of the claimants whose applications were allowed and the number of the claimants whose applications were not allowed; and**

**(e) any recommendations for changes in relation to the application of paragraph 101(1)(b.1) of that Act.”;**

- (b) on page 62, by adding the following after line 26:

“PART 12

Review

**138 (1) At the start of the fifth year after the day on which this Act receives royal assent, a comprehensive review of the operation and effect of the amendments made by this Act must be undertaken by the committee of the Senate, of the House of Commons or of both Houses of Parliament that is designated or established for that purpose.**

**(2) The committee must, within one year after the review is undertaken, submit to the House or Houses of Parliament of which it is a committee a report that includes a statement setting out any changes to the Acts amended by this Act that the committee recommends.”**

• (1610)

[Translation]

**Hon. Suze Younce:** Honourable senators, I rise in support of the proposed review amendment. However, I have some reservations about how its application and scope would work without further amendments to limit the bill’s current impact, particularly on vulnerable groups, and without a sunset clause.

We heard affected organizations testify before the Standing Senate Committee Social Affairs, Science and Technology, as well as the Standing Senate Committee on National Security, Defence and Veterans Affairs, particularly about the impact on asylum claim mechanisms. Although all of the amendments were rejected during clause-by-clause consideration, I believe that we have one last opportunity that we must take now, at third reading, to bring our apolitical sober second thought to bear on the consequences of Bill C-12.

The extraordinary measures set out in Parts 5 to 8 of Bill C-12 are being presented to us as a remedy for an immigration problem that stems from the current context. For that reason, it’s important to implement a monitoring and review mechanism to ensure that the bill’s effectiveness is properly assessed and to strengthen accountability and transparency.

In March 2022, the *Journal of Parliamentary and Political Law* published an article entitled “Much Ado about Parliamentary Review” by Charlie Feldman, former president of the Canadian Study of Parliament Group and former parliamentary counsel for the Senate. His observations should serve as a warning: The majority of reviews were not completed by the statutory deadlines.

My office reached out to the Library of Parliament to request information about statutes with review clauses that have not been respected to date by the government, and the results corroborate the concerns I’m sharing with you: The government is not complying with all of its statutory review obligations. My office would be happy to share the list of the statutes in question.

I will just list a few of the statutes whose reviews are overdue: the Statistics Act, which should have been reviewed in 2014; An Act to amend the Criminal Code (protection of children and other vulnerable persons) and the Canada Evidence Act, which should have been reviewed in 2011; the Wrecked, Abandoned or Hazardous Vessels Act, which should have been reviewed in 2024; and the National Security Act, which should have been reviewed in 2023. There are more.

Let's go back to the proposed review clause. I would have liked to see a firm date attached to it, to prevent the government from delaying or circumventing the obligation it sets out.

Honourable senators, how do we ensure that future governments comply with review clauses, and this review clause in particular? As soon as Bill C-12 is passed, Parliament should launch a transparent consultation and monitoring process on the application of the law with all stakeholders. I believe that we have a duty and a responsibility as parliamentarians to do this here in the Senate.

Thank you.

[*English*]

**Hon. Farah Mohamed:** Honourable senators, I rise today to speak in support of the amendment moved by the government sponsor, Senator Dean, to include a mandatory five-year parliamentary review on Bill C-12.

At the outset, I accept that the current environment demands change and that inefficiencies in our system require attention. Governments have a responsibility to respond when systems are strained. However, when governments seek significant new powers or introduce substantial departures from established practices, Parliament also has a responsibility to ensure those powers are subject to meaningful scrutiny.

The proposed parliamentary review is therefore an important step forward by the government in acknowledging that the measures in this bill warrant future examination. It suggests accountability. It reflects a basic truth about public policy: Parliament does not legislate in a vacuum. It also implies that Parliament will eventually return to examine whether the powers it has granted remain justified. In short, a review creates an opportunity for evidence. That opportunity is particularly important in the case of Bill C-12.

Throughout debate on this legislation, the government has argued that these measures are necessary to address significant abuse within Canada's asylum system. Claims of widespread fraud have been cited as justification for the new enforcement tools and procedural changes contained in the bill. Yet, despite repeated requests from senators and stakeholders, clear data demonstrating the scale of this problem has not been provided by the minister or her officials. This should give us pause.

Some refugee advocates and practitioners who work directly within the asylum determination process suggest that confirmed cases of deliberate fraud appear to number in the dozens annually, not the hundreds or thousands sometimes implied in

public discourse. If that assessment is even partially accurate, then Parliament must be cautious about legislating on the basis of narrative rather than evidence.

Honourable senators, I'm not naive. This does not mean fraud does not exist. No system is immune to abuse. However, it does raise a legitimate question about proportionality.

Public policy should always be grounded in reliable evidence. When that evidence is incomplete or contested, Parliament has a responsibility to build mechanisms into legislation that allow its impacts to be studied and assessed over time and, if necessary, changed. That is the promise of a parliamentary review. However, experience tells us that review clauses often appear far more robust on paper than they prove to be in practice. In reality, reviews frequently become procedural formalities — delayed, diluted or quietly ignored.

Scholars studying post-legislative scrutiny have consistently found that reviews lacking meaningful consequences tend to be weak and ineffective.

I'm pleased, Senator Dean, to see that, in your latest iteration of your amendment, you address some of the shortcomings of having a review without ministerial responsibility or an obligation to report on the findings within a certain period of time.

However, I do want you to keep in mind that one study examining statutory review provisions in federal legislation found that, over a 20-year period, Parliament inserted 51 review clauses into federal bills. This is really important. Of those 51 provisions, fewer than one third — only 17 — ever produced a report. In short, honourable senators, a review without consequences is oversight in name only.

The amendment before us establishes a review mechanism, and it now requires Parliament to act on the information it produces. That is a welcome step.

You will notice that I had to change my speech because the amendment came in, and I'm thankful for some of those changes, Senator Dean.

I want to speak a little bit about what we might consider as we think about passing this particular amendment. Does it go far enough? Does a review go far enough? Do the mechanisms in this amendment go far enough?

• (1620)

In 2001, when the Senate studied Bill C-36, the Anti-terrorism Act, senators recognized that extraordinary powers require extraordinary accountability. The Special Senate Committee on Bill C-36 examining the legislation concluded review provisions alone were insufficient. To ensure meaningful oversight, the committee recommended pairing review mechanisms with sunset clauses — yes, the “s” word — provisions that would cause extraordinary powers to expire unless Parliament affirmatively decided to renew them. The reasoning was straightforward: The review gathers evidence.

Some may suggest that comparing this legislation with anti-terrorism legislation is comparing apples to oranges. It is not. The Anti-terrorism Act introduced exceptional powers in the name of public interest. That should sound familiar to people in this chamber. Today, the government is making a similar argument to justify the measures contained in Parts 5 through 8 of Bill C-12.

In 2001, the government of the day — a government I was part of, as I was then the director of communications to the then-minister of justice, who was moving the bill at the time — accepted that the logic of incorporating a sunset clause into the most contentious provisions of the legislation made sense.

Honourable senators, I want to be clear about one matter: At this stage, we are debating the amendment establishing a parliamentary review and some additional measures. I intend to move a complementary amendment that would add a sunset clause. I think we must give that question some consideration.

Without a moment of democratic reckoning, a review risks becoming exactly what critics of post-legislative scrutiny have long warned about: a symbolic gesture that creates the appearance of accountability while leaving the underlying law untouched. Honourable senators, Parliament can do better.

There is no doubt in my mind that this bill will pass. The government will receive the authority it seeks. If we do open our minds to a sunset clause, it would not prevent anything material in this bill from happening. It would ensure that five years from now, the government of the day must return to Parliament and justify whether these powers remain necessary, and it would ensure that a decision be made not in the heat of urgency but with the benefit of evidence gathered through parliamentary review.

In that sense, a sunset clause does not weaken a review process. It strengthens it. It gives this review purpose and its findings consequence. It ensures that our Parliament ultimately decides whether the extraordinary powers contained in this bill should continue with the benefit of data collected over five years. This is restraint in every principled sense of the term, and we have been talking a lot about restraint in this chamber.

I will support the amendment brought forward by Senator Dean.

I would like to take the opportunity to thank you, Senator Dean, for your openness to the conversations around this bill, as it is a consequential bill for the future of Canada.

Colleagues, I encourage you to support this amendment. Thank you.

**Hon. Yuen Pau Woo:** Honourable senators, I would like to speak in support of the amendment proposed by Senator Dean and thank him for his stewardship of this bill. I would also like to echo Senator Mohamed's comments about his openness and his willingness to listen to critics of the bill and do his best to accommodate the concerns we have expressed to him.

I will use this opportunity to foreshadow a number of amendments to this bill that will be forthcoming in the days ahead. One we have already heard about from Senator Mohamed: the sunset clause. I might add that we adopted a sunset clause just a few days ago from Senator Dalphond, and with good reason. In some senses, the case for a sunset clause on this bill is even stronger, to the extent that these are extraordinary powers that the government is looking for, particularly the power to cancel or suspend a very wide variety of immigration documents, including things like permanent resident cards, temporary resident visas and so on.

One might argue that, in this moment of immigration anxiety we are in, with pressure from the United States and with backlog problems, we need these extraordinary powers to clear the backlog. I'm sure Senator Dean would not use this language, but there is an implication that these powers are needed to clear the detritus that has been accumulating for some time.

If that's the case, then it should be sunsetted. It should come to an end at some point, much like the terrorist laws that Senator Mohamed alluded to earlier.

This is a foreshadowing of that amendment, which I hope we will support as we, I hope, support Senator Dean's amendment.

I also want to foreshadow other amendments because I want to invite all colleagues to think about the types of changes that we might consider for this bill. Senator Dean did a very good job of explaining the bill. Unfortunately, there was no time to question him.

He, of course, put forward a strong case for the government's position as to why the bill is necessary. However, I think you all know that a large group of senators has been concerned and working very hard over the past few weeks to identify ways to improve the bill in a surgical way. I don't need to remind you of the advice we received from many groups, including a bar association, human rights groups, migrant rights groups and civil liberties groups. I have never seen such unanimous agreement from these kinds of groups as in this call for the complete excision of Parts 5 to 8 of the bill.

I can assure you that senators who are part of this group looking to improve the bill are not going to propose that we excise all of Parts 5 to 8. Rather, we have been working on ways to improve the specific portions of the bill that will preserve the government's intent of having a better handle, if you will, on the immigration and refugee processing system while protecting our commitment to the rule of law, human rights and basic fairness and decency.

On this amendment, there is not much more to say. Senator Younce and Senator Mohamed did a very good job of reminding us that reviews are pro forma. I don't want to say they are "brush-off amendments," but they feel a little like brush-off amendments because even we don't take them very seriously.

Even if we have this parliamentary review five years from now, the government hasn't really paid attention to the concerns that we have raised. Why would we expect them to pay attention five years from now when we may possibly raise the same issues?

This is not to oppose the amendment; it is just to say that you should think of it as a way to maybe assuage our concerns somewhat but not, clearly, as a way to make change.

Let me finish by giving you a preview of the ways we can make some changes now as we debate third reading and consider a number of amendments. There is, of course, the sunset clause idea that Senator Mohamed will soon propose. Senator Youance, I believe, will be proposing an amendment — not to steal her thunder, but I want all of us to think about it — to do with the exemption of minors from the one-year rule. These are minors who came to the country under the guidance and instruction of their parents or guardians. They should not be penalized for having been in the country and have their clock started for applying for refugee status at that time.

There will be an amendment on greater parliamentary oversight of the extraordinary powers that this bill will grant the government to cancel or suspend a whole range of documents. Don't forget that these powers were used in a very discriminatory way. My community knows that very well.

• (1630)

The Chinese Immigration Act of 1923 prohibited all Chinese people from coming to the country and required every Chinese person in the country to carry an identity document — only Chinese people. Without that document, they could be fined, jailed or deported. It was a blanket decree that provided for great discrimination against one community. I'm not saying this government will use the powers in that way. But this is a law forever. There is no guarantee that a future government may not use that kind of power.

We never imagined the United States would be using the powers that it is using. Again, we are not the United States. Of course, we are not the United States, but the lesson is that good intentions can go wrong very quickly.

A fourth amendment that is likely to be proposed as well is to have a requirement for oral hearings for the PRRA process, even when the applicants are not in the country. This can be done by video. It is not difficult. It is a requirement. It is the gold standard for asylum hearings recognized by the UNHCR, the UN Refugee Agency. We have been lobbied by the UNHCR to maintain this practice. It is not clear why we can't continue to do it.

There will also be an amendment to change the eligibility or cut-off period. Currently, it is one year. Senator Dean is correct: Many applications probably do take place within one year and should take place in one year. But you can easily think of many reasons why someone would not feel the courage or have the ability, or where the circumstances did not permit or were not such that an application could be made within one year.

There will likely, from one of our colleagues, be an amendment to extend that period of the cut-off from one to a greater number of years.

I know there is going to be some argument about the problem in B.C. of extortion and criminals who are exploiting the ability to apply for refugee status so they could be here for two years or more and apply for refugee status. Of course, it is a problem. But if your intent is to close a loophole for anyone who is a criminal trying to use a refugee application, then the deadline should be zero months. Why one year? Because there will be extortionists, presumably who have been in the country for less than one year, and they could apply. What are you going to do about that?

The solution is not in the timeline. The solution is in the criminal justice system. It is in the inadmissibility criteria. We already have inadmissibility criteria that take precedence over immigration criteria.

Also, to foreshadow an argument that is likely to be brought up by my own Premier of British Columbia, it is unfortunate that we are using alarmist scare tactics to overturn a principle that we should be adhering to.

Of course, the sixth amendment that I'm aware of — and foreshadowing again today — is the sunset clause. Spring is coming. The sun is setting later. We should also look at allowing this bill to have a sunset in its due course.

Thank you, colleagues.

**Hon. Leo Housakos (Leader of the Opposition):** Honourable senators, I intend to be brief. I will not be foreshadowing anything; I will leave that to Senator Woo. I particularly won't be foreshadowing any of the amendments that might or might not be coming down the pipe.

I want to comment specifically on debate on Bill C-12 and on the amendment from Senator Dean.

As we all know, over the last few years in the country there have been serious concerns from all Canadians regarding our immigration system, particularly concerns by immigrants themselves and those who have come through a system that has provided Canadians promise and opportunities in a very concrete and organized fashion.

It seems like, over the last few years, for a variety of reasons, our system has been failing and slipping.

I also want to highlight, for those who have concerns that there are overarching and overreaching powers with this particular bill, that ministers of immigration, for decades, have had great privilege when it came to issuing directives and regulations with respect to immigration. There is nothing here that I think has not been exercised in one form or another in the past.

Another thing that is important to also understand here is I think that this amendment has been very well thought out. Consulting has been done, is my understanding.

I also want to point out that Bill C-12 was a collective effort by a minority House of Commons where the opposition parties all had input in building this bill. There was a consensus found on it. That is why you have the government and the opposition overwhelmingly supporting Bill C-12. It is something that the Canadian public is calling for quickly.

Again, I want to compliment Senator Dean because my understanding is he has shown, once again, what an outstanding legislator he is, because the government has been consulted on these changes. My understanding is that the official opposition, as well, is in favour of these changes. I want to compliment you on that and add our voice to support this amendment.

I know to some it is appalling when the opposition and the government work together to build good legislation. They think that the opposition should be only opposing. But we believe that a constructive, credible opposition is an opposition that works with the government and all legislators to try and find solutions that Canadians call for.

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

**Senator Housakos:** I want to highlight, for the vast minority in this chamber who actually believe an opposition is one that opposes, that, no, the official opposition in Parliament gets its mandate from the electorate and from the 42% of Canadians — the 8.3 million Canadians — who elected that opposition to do a job in Parliament, both in the House and in the Senate. That is where I will end my remarks.

Thank you, colleagues. We do support Senator Dean's amendment.

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

**Hon. Pierre J. Dalphond:** Will Senator Housakos accept a question?

**Senator Housakos:** Your Honour, I offered to be brief. I gave my remarks. I will not take questions.

**An Hon. Senator:** Question!

**Senator Dalphond:** Honourable senators, I will be short, even shorter than Senator Housakos.

I understand the opposition and the government are supportive of this amendment. I'm glad to hear that.

We are in a difficult situation because I want to ask a question, but there is no way to ask it, so I'm going to put it on the record.

What is being proposed is that we'll have a report from the minister about those claimants who entered into Canada and, unfortunately, made their claim after the one-year period. There is nothing in the amendments proposed that refers to those entering from the U.S. and who have not claimed within 14 days. Is it a mistake, an oversight? Maybe the opposition or the

government knows. Or was it something that was done on purpose? I don't know. I'm just asking the question: Why one group is included and the other group is not?

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

**Hon. Senators:** Agreed.

(Motion in amendment of the Honourable Senator Dean agreed to.)

[*Translation*]

### THIRD READING—DEBATE

On the Order:

Resuming debate on the motion of the Honourable Senator Dean, seconded by the Honourable Senator Boehm, for the third reading of Bill C-12, An Act respecting certain measures relating to the security of Canada's borders and the integrity of the Canadian immigration system and respecting other related security measures, as amended.

**Hon. Julie Miville-Dechêne:** Honourable senators, this is an interesting time to participate in the debate. I won't talk about amendments, but I will speak very briefly to the main motion on Bill C-12.

This bill attempts to address a difficult issue by proposing a series of measures to speed up the processing of asylum seekers entering Canada.

As a Canadian citizen, I'm troubled by this bill. I have always believed that, as a wealthy country, it is our duty to be generous to those who come knocking because they're not safe in their country of origin. They actually have to prove it, which can be complicated.

• (1640)

I have met many asylum seekers in my life, and each time, I could see conflicting emotions on their faces: hope mixed with fear, extreme fatigue, bewilderment and the desire to save their children and offer them a better life. I ask you: What would we do in their place?

This bill makes refugee claims inadmissible one year after the claimant's first entry into the country. Tightening the rules this way is not without consequences. Gauri Sreenivasan, of the Canadian Council for Refugees, gave an example of a situation that Bill C-12 could create:

A baby who visits Canada with her parents in 2020 would be barred from seeking asylum here 20 years later, even if persecuted as a human rights activist in her country.

All because the baby had already set foot in Canada. That is absurd.

Speaking for the Canadian Bar Association, Deanna Okun-Nachoff rightly said:

Persecution does not obey legislative timelines or stay confined within the first year after one's entry to Canada.

There may be any number of factors keeping a claimant from filing for asylum within the first year, including precarious living conditions and the obstacles faced by women who are victims of domestic violence.

It's true that individuals deemed inadmissible under the two new provisions in Bill C-12 could still apply for a pre-removal risk assessment, known as a PRRA. Originally, a PRRA was supposed to take place prior to the removal of someone who had exhausted all of their options in Canada, including a hearing before the Immigration and Refugee Board of Canada. Moving forward, the PRRA can replace the IRB hearing.

We heard many witnesses explain that the PRRA is not an appropriate substitute for an in-person hearing before the IRB, especially because this bureaucratic process — carried out by public servants, not independent IRB members — offers claimants no guarantee that they'll have the right to be heard and to try to establish their credibility in person.

This change flies in the face of the Supreme Court ruling in *Singh*, which found that refugees have the right to be heard when decisions are being made about what will happen to them, because these cases are “. . . of such fundamental importance that procedural fairness would invariably require an oral hearing.”

It is also runs counter to the requirements of the United Nations High Commissioner for Refugees, which recommends that an in-person hearing be mandatory for asylum seekers. The legal officer for the United Nations High Commissioner for Refugees explained to the committee:

. . . a claimant's opportunity to tell their story provides details and context when decision makers doubt aspects of the case. . . . Hearings allow for closer scrutiny of evidence, reducing the risk of accepting non-genuine claims and accepting those who meet the refugee definition.

Furthermore, although making some claims inadmissible could reduce the number of decisions that need to be reviewed by the overburdened IRB, the outcome of the PRRA may be challenged in Federal Court. The government says that Bill C-12 will reduce delays, but it will overload the Federal Court, which is already reviewing a record number of refugee claims.

Another concern relates to fraudulent claims. Bill C-12 gives the government the extraordinary power to suspend or cancel asylum claims en masse with minimal oversight on the grounds of public interest. There would be no oversight, no checks and balances, no individual assessment and no possibility of appeal.

That's not all. At the same time, the federal government also announced in the budget speech that asylum seekers will have to pay \$4 per prescription drug covered by the federal government and 30% of the cost of eligible services, including dental care, vision care and counselling. Several groups, including Quebec and Canadian pediatricians, believe that these cuts could have a

major impact on families seeking asylum, who often suffer from mental distress and financial insecurity. This is yet another reform that reduces supports for asylum seekers.

It's true that several other countries have much tougher refugee policies than we do, notably the United States, which already has a maximum one-year deadline for applying for asylum, not to mention a range of inhumane deportation practices. However, that is not a good example to follow.

This is the start of another difficult debate here in the Senate. We are not the government, that much is clear. But we do have a role to play in protecting the most vulnerable minorities, and asylum seekers fall into that category.

We need to strike a balance, a difficult balance between reducing delays in the asylum process and maintaining procedural fairness and transparency. Thank you.

[*English*]

**Hon. Rosemary Moodie:** Honourable senators, I rise today to speak to Bill C-12, the strengthening Canada's immigration system and borders act.

As Chair of the Standing Senate Committee on Social Affairs, Science and Technology, I would like to speak specifically to the findings and recommendations of the committee, which was authorized to examine Parts 5 to 8 of the bill.

I would like to thank the staff, committee members and the Library of Parliament analysts for the work they did in the very short timeline we had.

Meeting for over 13 hours with 35 witnesses and 36 written submissions, the committee's study brought forward a body of troubling evidence. We heard from refugee advocates, legal experts, civil liberties organizations, practitioners in immigration, refugee lawyers and people with lived experience. We heard from Amnesty International, the Canadian Bar Association, the Canadian Civil Liberties Association and the United Nations Refugee Agency in Canada, who all raised concerns that Parts 5 to 8 represent an infringement of human rights, privacy protections, procedural fairness, and is unconstitutional, is an overreach of executive powers and that these sections may disproportionately impact children, 2SLGBTQI+ persons, women and front-line service providers.

Frankly, colleagues, these concerns deserve careful consideration and robust scrutiny by this chamber to examine the legislation not only for its policy objectives but for its consequences on rights, fairness and for its consequences on democratic governance.

At its core, this bill proposes sweeping amendments. The Government of Canada has argued that this legislation is necessary to strengthen border security, combat transnational crime and improve the integrity of the immigration system. Minister Diab appeared at committee, and she emphasized that the bill is intended to improve efficiency, reduce backlogs and deter those seeking to bypass the immigration system by carefully balancing access to protection and due process. And, frankly, in these unprecedented times, colleagues, no one in this

chamber would dispute the importance of protecting the safety and security of Canadians. However, our committee repeatedly heard from witnesses that the means chosen in this bill come at a significant cost to the long-standing principles that underpin Canada's immigration and refugee protection system.

I will focus on a few things we heard. Witnesses warned the committee of privacy risks and potential harms, particularly to these vulnerable individuals, with all of these new measures. Namely, witnesses told committee members that 2SLGBTQI and gender-diverse persons would be at a higher risk of failed confidentiality, at a higher risk to their personal safety and a risk of victimization threats as a result of their private data being shared with "foreign bodies."

Tamir Israel of the Canadian Civil Liberties Association told the committee that the broad authorization to disclose sensitive personal information could lead to disproportionate hardship for those who are fleeing persecution. Mr. Israel pointed out that this new system inserts opaqueness and subjectivity as to how the government will share personal information, which is dangerous for a person's liberty and security.

Most witnesses raised concerns about expanded disclosure of their information across provincial, federal and potentially foreign bodies, saying that this could lead to the possible denial of social benefits and services and, particularly, to reprisal or physical harm should these individuals have to return to their countries of origin.

• (1650)

The committee also recommended two things: first, a mandatory review by the Office of the Privacy Commissioner of Canada, who would be an independent third party; and second, limiting these measures so that they would not apply to permanent residents and nationalized citizens. I am one of those. I could be targeted by this law.

Part 6 of the bill amends the asylum claims process. Witnesses raised significant concerns about changes to designated representatives for minors and automatic abandonment provisions. The committee heard that removing discretion could unfairly impact vulnerable claimants and potentially increase administrative backlogs.

Joshua Eisen, the in-house counsel for the FCJ Refugee Centre, said that linguistic or technological challenges could lead to abandoned asylum claims to the Immigration and Refugee Board of Canada, or IRB, and so discretion among those trained to assess asylum claims is critical for refugees and asylum seekers.

Part 7 of Bill C-12 grants broad authority to the minister to make orders affecting immigration documents in "the public interest." This broad new power was of particular concern to witnesses. They warned that this power can easily be abused and risks executive overreach as well as discriminatory application.

The International Civil Liberties Monitoring Group, through Timothy McSorley, said that the vague notion of "the public interest" allows ministers to abuse their authority, like ordering mass cancellations of people's visas or other immigration documents, and terminating a person's application to enter Canada.

When committee members questioned how this new authority would be used in practice, Minister Diab emphasized a distinction between permanent resident status and the permanent resident visa, which, frankly, the committee found difficult to justify. It was pointed out in testimony that people fleeing violence cannot enter Canada without providing proper documentation, and the visa is proof of that immigration status.

Witnesses also questioned the constitutionality of Part 7.

Aaden Pearson, a staff lawyer and trans rights legal fellow with the Canadian Civil Liberties Association, told the committee that allowing the courts to review an immigration decision does not fix the main problem that the government could remove someone's lawful immigration status or separate families already landed in Canada. He said:

There is no requirement for advance notice to those impacted, no obligation to provide reasons, no opportunity to make submissions before an application . . . is cancelled and no guarantee of individualized consideration.

Responding to these concerns, an amendment to provide enhanced parliamentary oversight and review mechanisms was recommended by the committee. I'm glad to hear it was discussed today. The committee recognized that parliamentary oversight over the government's authority is paramount in our system of government. It is, after all, the cornerstone of a responsible government, and it is the most effective way to hold the government accountable.

Part 8 introduces ineligibility measures. Witnesses expressed concerns about the loss of access to an oral hearing, with the proposed replacement with a paper-based pre-removal risk assessment.

We heard today that most people don't want or seek an oral hearing. That is not what we heard at the Social Affairs Committee, or SOCI. We heard that it is an integral part of the process and its fairness.

Instead, witnesses argued that the resources of the Immigration and Refugee Board, an internationally recognized model of a successful asylum process, should be enhanced and that they can address the immigration backlog rather than implement the new system of the Pre-Removal Risk Assessment, or PRRA, which is seen as a weaker process, one that does not have the same level of training of officers or the same level of confidence among front-line service providers.

Many witnesses argued that the PRRA was designed as a mechanism of last resort, and, as a result, making the PRRA a primary assessment channel could undermine due process as compared to a hearing being offered by the Immigration and Refugee Board.

**The Hon. the Speaker pro tempore:** I remind all senators to ensure that your papers do not touch the microphones.

**Senator Moodie:** My apologies.

Limiting access to the independent and specialized Immigration and Refugee Board, as well as limiting the right to appeal before the Refugee Appeal Division, risks removing the objectivity that is critical to our immigration system.

Witnesses highlighted the negative impact of a rigid one-year ineligibility rule, including its retroactive application, which they identified as arbitrary and potentially leading to unintended consequences. Many vulnerable populations need additional time to adjust to their new environment and to feel as if they are safe in Canada.

We heard from Latoya Nugent, the Rainbow Railroad spokesperson, about the dangers that queer individuals face when they flee from their home country, saying that, after a lifetime of distrust, queer refugees need patience and support before they are ready to make their claim.

Manon Brassard, chairperson of the IRB, made a similar point when she said that officers are trained to consider a person's condition or the foundation of their fear of their home country when they are assessing a claim.

Senators, I trust that you will all review the SOCI report and the recommendations that came forward. There are 10 proposed amendments and an observation to increase resources to the IRB so that it can more efficiently process increased numbers of claims as a more trusted organization.

In conclusion, honourable senators, the committee did not dispute the importance of ensuring the integrity of our borders; far from it. Nor did it disagree with the government's assertion that, in these unprecedented times, we must all do everything we can to ensure the security of Canadians. However, it did repeatedly hear that the integrity of our borders and the security of Canadians cannot be pursued at the expense of fundamental human rights, constitutional safeguards and Canada's humanitarian obligations.

The committee also heard that the process is important. Canada's refugee protection system is a model for the world, as it is seen as objective, fair and efficient. Witnesses continuously told the committee that they had significant confidence in the Immigration and Refugee Board.

Finally, the committee reminded us that parliamentary accountability is not optional, and that cabinet ministers have a responsibility to report and to be held to account. The broad discretionary tools framed around the vague concept of the public interest set up a foundation that future governments could misuse and future parliaments may regret.

For these reasons, I believe the committee's report offers a principled path, and I urge senators to strongly consider, at a minimum, that as the chamber of sober second thought, we must look at adopting strong safeguards, more robust privacy oversight and a fairer approach to determine ineligibility for asylum in Canada.

The committee took its responsibility to study Parts 5 to 8 seriously and with careful deliberation. Colleagues, I urge you to give the committee's recommendations the serious weight this bill deserves.

Thank you.

**The Hon. the Speaker pro tempore:** Senator McBean, would you like to ask a question?

**Hon. Marnie McBean:** Yes. Will the senator take a question?

**Senator Moodie:** I will.

**Senator McBean:** Like Senator Dalphond, I was looking forward to asking Senator Dean a question, but as the chair of SOCI, Senator Moodie, maybe I can ask you.

As someone who is part of the 2SLGBTQ community, I know that coming out is rarely immediate and can be difficult every time you do it.

In the past, in this chamber, I spoke about being gay, and when I came out to you, I said then — and I'll repeat now — that it is a hard thing to do, even in this room, which I feel is full of allies and friends.

• (1700)

Even in a country like Canada, where legal protections exist and there are many safe and welcoming spaces, it can take years to feel safe enough to name who you are. After I came out to my mom, it took me over a year to come out to the rest of my family.

For many 2SLGBTQ+ refugees, the stakes are higher. They were taught shame and fear and have spent their entire lives hiding their identity to avoid violence, imprisonment or death.

Bill C-12 would deny a full refugee hearing to people who make a claim more than one year after arriving in Canada. Senator Moodie —

**The Hon. the Speaker pro tempore:** Senator McBean, I'm sorry to interrupt.

Senator Moodie, the time allocated for your speech has expired. Are you asking for five more minutes to answer questions?

**Senator Moodie:** I am.

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

**Hon. Senators:** Agreed.

**Senator McBean:** Has the government explained how it expects refugees, who might still be processing trauma and learning whether Canada is truly a safe space and how to disclose something so deeply personal, to deal with this in such a rigid timeline?

**Senator Moodie:** Thank you, Senator McBean, for the excellent question. This is one of the primary concerns we heard. This particular group of people about whom you spoke today was the consideration that was brought forward.

We heard it repeatedly. We heard it from Latoya Nugent from Rainbow Railroad. We heard it from others — especially with the fear that they might eventually have to return to their home situation if they are denied.

We also heard about the porous nature of the information shared; that, in fact, it doesn't always stay where it needs to be. It is shared, and it loses containment. There was a lot of concern about that.

In answer to your question, we heard nothing from the government on this point. They did not consider it when we asked them direct questions. They gave us no explanation.

**Senator McBean:** Will the senator take a supplementary question?

**Senator Moodie:** Yes.

**Senator McBean:** Many 2SLGBT refugees arrive in Canada without community, legal advice or even language to explain their experiences of persecution. It can take time to find support organizations and build the trust needed to share something as deeply personal as one's identity.

In developing Bill C-12, are you aware of whether the government or the House committee that looked into Bill C-12 consulted with any 2SLGBTQ+ refugee organizations about how long it can take individuals to safely disclose their identity and how this one-year rule could affect their ability to seek protection?

**Senator Moodie:** My recollection of the questions around consultations is that there were none.

**Senator Galvez:** Would Senator Moodie take another question?

**Senator Moodie:** I will.

**Senator Galvez:** Hearing from all these colleagues and what you said in your speech, it seems there were a lot of experts testifying at your committee that Bill C-12 faces some questions on constitutionality. In your view, do you believe that the government has adequately demonstrated that Bill C-12 is Charter compliant? If not, what kinds of amendments do you think the Senate should consider to ensure the bill could withstand a legal challenge?

**Senator Moodie:** Thank you, Senator Galvez.

I'm going to refer to my notes because I'm not a lawyer. Neonates I'm good at, but a lawyer, no. In fact, we did hear from a number of legal experts on this point. The Canadian Bar Association raised the concern that Bill C-12 was not Charter compliant and has significant areas where potentially it could have constitutional challenges. They focused particularly on the protection of refugees and the process for refugees and asylum claimants in their comments. They did emphasize that, in the legislation, it is important to ensure that decisions are applied consistently and lawfully. They also said that the shift away from the Immigration and Refugee Board to the PRRA, the paper-based pre-removal risk assessment, would deny a refugee or asylum claimant's right to an open, transparent and fair hearing. Those were their areas of concern.

They recommended an amendment to the bill to include parliamentary oversight and other accountability mechanisms to mitigate future litigation and to ensure that the government acts in a way that is Charter compliant.

**Hon. Baltej S. Dhillon:** Honourable senators, I rise today to speak at third reading of Bill C-12, strengthening Canada's immigration system and borders act. I would like to acknowledge the senators on the Social Affairs, Science and Technology Committee and the National Security, Defence and Veterans Affairs Committee for their diligence and seriousness in examining this bill.

When we were each appointed to this role, we were reminded that the work of a senator rests on three responsibilities: to legislate, investigate and represent. Our colleagues at committee have investigated. Now, at third reading, we are legislating, bringing together what we have learned, heard and know from experience.

The third responsibility, representation, is what brings me to my feet today.

As a senator from British Columbia, and specifically from Surrey, I return home each week to conversations with residents and business owners who are facing something deeply troubling: the growing scourge of extortion. I and others have described it as economic terrorism. There are phone calls demanding payment, threats against businesses, threats against families and a growing sense that criminal networks are operating with increasing boldness and impunity.

When Canadian families and entrepreneurs begin to fear for their safety, not because of war or natural disaster but because organized crime has found a foothold in their own communities, we must take notice.

Over the past decade, police data shows that reported extortion incidents in Canada have increased dramatically. In 2023 alone, police recorded over 14,000 extortion incidents across Canada, which is five times higher than a decade earlier nationwide. Cities like Surrey, Brampton and Calgary have emerged as particular hotspots. In some jurisdictions, police services report multiple extortion files opening every single day.

In British Columbia, the increase has been even sharper, exceeding 600% between 2014 and 2024, with hundreds of incidents concentrated in the Lower Mainland. These are not isolated crimes; they are often connected to transnational organized criminal networks, using intimidation and violence to extract money from hardworking Canadians. The proceeds of extortion frequently fuel other criminal enterprises: drug trafficking, weapons purchasing and international organized crime.

Colleagues, the question now is: How do the provisions of Bill C-12 help address these realities on the ground?

B.C.'s Minister of Public Safety, Nina Krieger, wrote to the National Security, Defence and Veterans Affairs Committee that Bill C-12 responds "to organized crime by accelerating inadmissibility determinations and removals for individuals with established links to organized criminal networks . . . ."

Allow me to offer a few examples of how these gaps appear in practice, focusing specifically on how certain measures in Parts 5 to 8 of the bill attempt to address them.

The first issue relates to information sharing in Part 5. Investigators frequently encounter difficulty confirming a suspect's immigration status quickly. In some cases, individuals involved in extortion networks may be in Canada on temporary visas, expired permits or pending asylum claims. Yet, law enforcement agencies do not always have timely access to the immigration information that would allow them to determine whether those individuals are removable from Canada under existing law.

Part 5 improves information sharing between immigration authorities and law enforcement. This means that when police identify individuals suspected of involvement in extortion, immigration officials can more readily determine their status and assess whether immigration enforcement measures may be appropriate.

This does not replace criminal investigations, but it helps ensure that immigration enforcement tools are not operating in isolation from public safety investigations.

I recognize that this section raises legitimate privacy concerns, especially around Charter conditions of necessity and proportionality. The Privacy Commissioner, Philippe Dufresne, told the National Security, Defence and Veterans Affairs Committee that Bill C-12 includes important safeguards and that he was satisfied that Part 5 provides ". . . a good example of how to do information-sharing agreements and how to provide sufficient specificity . . . ."

• (1710)

The second issue concerns asylum claim eligibility in Part 6. Section 100 of the Immigration and Refugee Protection Act, or IRPA, governs the eligibility process for asylum claims. Currently, immigration officers alone have the authority to halt the consideration of a claim in certain circumstances. Bill C-12 expands this authority so that the minister can also intervene to suspend consideration of a claim. Why does this matter?

In practice, an officer processing a claim may not yet be aware of emerging intelligence related to extortion. Law enforcement investigations may reveal new information after the claim process has already begun. Ministerial intervention allows authorities to respond more quickly when credible information emerges linking an individual to organized criminal networks.

The eligibility determination is significant. Once a claim is deemed eligible, the claimant receives documentation allowing them to remain physically present in Canada while their claim proceeds. If you want an example of that, read yesterday's CBC News where a person who has been here since 2020 and who was part of criminal networks and organized crime was removed just this year.

For most refugee claimants who are law-abiding and follow due process, this protection is appropriate. But when individuals connected to organized crime exploit procedural gaps, the system risks being misused.

A similar gap arises when a refugee claimant is charged with a serious offence. Under the current law, if a claimant is charged with an offence punishable by a maximum sentence of at least 10 years, an immigration officer may pause considering the claim while the criminal case proceeds. This affirms the bedrock of our criminal justice system, where an accused is innocent until proven guilty.

However, that authority currently rests only with the officer. Clause 43 of Bill C-12 would allow the minister as well to decide if the asylum process should pause while criminal proceedings are under way. This matters because investigations can reveal serious criminal conduct after a claim process has begun.

The statistics illustrate the challenge. The Canada Border Services Agency has reported that among the 281 individuals it is investigating in connection to extortion networks, 104 have filed refugee claims. Only 17 people have ultimately been deported.

Part 6 also introduces a significant structural change in how refugee claims move through the system. Currently, if an officer determines that a claim is eligible, it must be referred to the Refugee Protection Division of the Immigration and Refugee Board of Canada, or IRB. Bill C-12 would allow the minister to first review that determination and either agree with the officer's initial decision or conclude that a claim is ineligible. This means that if new evidence emerges linking the claimant to serious criminal activity, the claim could be prevented from entering the tribunal system. Concerns have been raised that this would impact the independence of the IRB. Those concerns deserve careful consideration, colleagues, and accountability will be essential.

Finally, provisions in Part 8 would limit the ability of individuals who have been in Canada for extended periods to file for claims long after arriving. This also targets suspects in extortion and organized crime cases who have temporary permits by preventing them from filing for asylum in the first place.

Taken together with Parts 1 to 4 and Parts 9 to 11 of the bill, these measures will target and close certain gaps. They strengthen coordination between immigration authorities and law enforcement, allow ministerial intervention to suspend claims when serious criminal charges arise and prevent certain ineligible claims from entering the tribunal queue.

These changes do not transform immigration law into criminal law. They simply help ensure that the two systems are not working at cross-purposes. In other words, immigration law should never become an unintended refuge for organized crime.

Colleagues, many of you may reasonably ask whether these measures are proportionate to the problems identified or whether immigration law risks becoming a blunt instrument. Those are important questions that we have all been tasked to consider carefully. Far be it from me to speak for anyone here, but from the conversations I've had, I believe there are several points on which many of us would agree. First, we can agree that immigration law is not intended to be punitive. Punishment is the domain of the Criminal Code. Immigration law serves a different purpose.

Second, we can agree that the majority of those who immigrate or seek asylum in Canada are law-abiding individuals pursuing safety, opportunity and dignity for their families. Many of us in this chamber and the wider Senate community who have personally experienced the system know the hope it can represent.

Third, we can agree that the safety and security of Canadians are objectives shared by both our criminal law and our immigration law. These laws are meant to reinforce each other, not operate at odds with one another.

Fourth, we can agree that protecting the integrity of Canada's immigration system strengthens public confidence in it, which is essential if Canada is to remain welcoming to those who genuinely seek protection.

And, finally, I believe we can agree that Bill C-12 is not a silver bullet. It is not intended to solve every security, public safety or immigration problem, but one single piece of legislation rarely solves every problem. What we, as legislators, can do is address specific gaps when they become evident and improve these policies to the best of our ability.

Colleagues, those of us who have served in law enforcement are sometimes accused of seeing every problem as a nail because we happen to carry a hammer. But I believe a well-functioning immigration system must be capable of both welcoming the vulnerable and confronting those who would exploit that welcome — compassion, yes, but also responsibility to protect the system from harm.

As I continued reflecting on this bill, I was reminded of the debates in Parliament when the Immigration and Refugee Protection Act was first introduced as Bill C-11. By the time it reached second reading in this chamber, the horrific attacks of 9/11 had occurred, and Parliament was grappling with an urgent question: How should Canada balance openness with public safety and security?

In those debates, former Senator Jerry Grafstein, one of the most esteemed people to have served in this chamber, offered an observation. He said, "Immigration calibrates the heart of our nation. . . ." He also expressed confidence that the Senate would help:

. . . draw the line between liberty and security, and draw the exquisite equilibrium for Canadians to live in a free and open society. . . .

That balance is precisely the work before us today.

From where I stand, as a senator from Surrey, the reality confronting many communities is stark. Local police are working tirelessly to respond to increasingly sophisticated, highly adaptive criminal networks that are exploiting other legal frameworks never designed with organized crime in mind. I have personally met with victims and families who have had to make drastic changes to their everyday lives to protect themselves, their loved ones and their interests from these criminal networks. They have moved from homes. They have bought second-hand vehicles. They are taking their kids out of school, and some have even moved out of this country.

Bill C-12 does not solve every problem. I will continue to challenge the government to introduce more reforms that address the scourge of extortion and organized crime, and I was glad to hear of some progress in Senator Dalphond's speech on Bill C-14 yesterday. But Bill C-12 addresses real operational gaps identified by those on the front lines of law enforcement, and I look forward to hearing from my other colleagues about how it can do so without abandoning the humanitarian principles that underpin our immigration system.

Honourable senators, each of us must ultimately return to the communities we represent to explain the choices we make in this chamber. We must be able to say that we listened carefully to the evidence and acted in good faith to strengthen both the safety of Canadians and the integrity of the institutions that serve them.

While we consider the "what ifs" of this bill, I encourage you, my colleagues, to give equal, if not greater, weight to another question: What is happening to Canadians right now? From that vantage point, I believe Bill C-12 moves us in the right direction. Thank you, colleagues.

• (1720)

**Hon. Yuen Pau Woo:** Senator Dhillon, would you take a question and ask for more time, please?

**The Hon. the Speaker pro tempore:** Senator Dhillon, the 15 minutes allocated to your speech has expired. Are you asking for more time to answer questions?

**Senator Dhillon:** Yes, if my colleagues will allow it.

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

**Hon. Senators:** Agreed.

**Senator Woo:** Thank you, Senator Dhillon. That was a terrific speech. I agree with 99% of what you said.

I think it's a bit unfortunate that you began framing the extortion problem as an immigration problem. All of us know full well it is not an immigration problem. It is a problem that involves some immigrants and some Canadians as well.

I'm particularly fond of your speech because the three very specific areas in this bill that you believe will address the criminality problem will not be proposed for amendments in the days to come. I'm referring to clauses 37, 43 and 44. These give the minister the power to essentially accelerate the inadmissibility of people who have committed crimes. I support all of these clauses. For those who may be confused by Premier Eby's statement that this bill, in total, deals with the extortion problem, I don't believe you said that. Maybe you can correct me if I'm wrong.

My question to you is this: Would you agree that, apart from clauses 37, 43 and 44, which are great for dealing with this extortion problem, the other provisions in Parts 5 to 8 have little to do with the extortion issue you discussed?

**Senator Dhillon:** Thank you for that question. I'll let Premier Eby answer those questions on his own. You can put them to him when you're back in the province.

With respect to the other clauses of this bill, I would say this: One of the strengths of this chamber is its ability to debate the various issues on principle and on merit. I welcome the debate. I am here listening to all the conversations. As we move through the different areas that you are suggesting, whether they reflect on issues of organized crime and extortion or are simply areas we need to turn our minds to from a human rights or civil liberties perspective, I will be listening. I know I'm not directly answering your question. What I shared in my speech is the key, if you will, to some of the issues we are experiencing in the field of law enforcement and public safety.

**Senator Woo:** I have a follow-up. Thank you for that. I take it to mean that the main problems involve clauses 37, 43 and 44. If we don't touch them, your issues are addressed.

You raised the problem of the one-year timeline for eligibility. I have already spoken briefly about it. I want to ask you about it. For somebody applying for refugee status 380 days after they arrive, wouldn't the problem already be taken care of through clauses 37, 43 and 44? The minister would be aware of the

criminality — there would be a prosecution under way — and could make this claim ineligible, regardless of whether the timeline were one year, two years or three months.

**Senator Dhillon:** You are correct, and I'm going to speak to some of my notes here because some of this is very technical and, as someone said earlier, I'm no lawyer. Ask me how to solve a homicide and I'll help you out, but let's not go there today.

Bill C-12 does not fundamentally change the inadmissibility grounds under sections 33 to 40 of the Immigration and Refugee Protection Act, or IRPA. But if CBSA files a section 44 report and inadmissibility is established, the minister can already ensure a removal order. The challenge arises when an individual files a refugee claim. Once a claim enters the system, it must move through the eligibility determinations and procedural stages before removal can occur. Timing becomes important, and if inadmissibility is flagged before the claim enters the system, then the removal order of the minister can proceed as it currently exists in law.

However, when inadmissibility is flagged after a claim enters the system, some of the provisions in this bill would allow the minister to intervene earlier in the process, for example, by suspending consideration of a claim when serious criminal charges arise, as I shared in my speech.

So it is a narrow procedural adjustment but one that may help address some situations where criminal activity and criminal —

**The Hon. the Speaker pro tempore:** Senator Dhillon, your time has expired. I'm sorry to interrupt.

**Senator Dhillon:** I'm happy that it has.

**Hon. Paulette Senior:** Honourable senators, I rise today on this unceded, unsundered territory of the Anishinaabe Algonquin Nation to speak about Bill C-12, the strengthening Canada's immigration system and borders act.

Senators, I have on occasion shared the pride of being an immigrant of Jamaican heritage in this house. Simultaneously, I have shared how very proud I am of being Canadian, in the land where my family chose to settle six decades ago. Without a doubt, like countless immigrant families, we are proud Canadians.

But for the first time, after reviewing parts of Bill C-12, particularly Part 5, I am left to question whether people of immigrant background like me are truly and fully accepted as Canadians. Bill C-12 has caused me to raise this question. It is for this reason that I will be seeking your support to make an important change to Part 5 of Bill C-12.

Colleagues, I will spend the next few minutes speaking to why, based on irrefutable testimony from experts across this country, Parts 5 to 8 of Bill C-12 are not just troubling but unjust and run counter to our shared Canadian values of fairness, inclusion and compassion.

Since my appointment to this auspicious chamber just over two years ago, I have experienced deep moments of pride that convinced me this is where I belong. I have relished the opportunity to learn from each of you in your varied areas of expertise, and most of all to join several clarion calls, including to stand and support the long-overdue human rights of Indigenous women and set right what was wrong, unjust and unfair. That was my proudest moment to date in this chamber, hands down.

For me, this is another clarion call moment, when the most vulnerable people, due to no fault of their own, come knocking at our gate, and the response we choose to give them will determine the kind of people and society we are.

We are not collectively or individually blind to what we see taking place south of the border. We speak of it to each other, to our families and with friends. We warn each other to take precautions if we must travel, and it is not because we've done anything wrong; it is because what is taking place is inhumane, unjust and downright scary — and can be especially so depending on the bodies we occupy.

You may say that Parts 5 through 8 of Bill C-12 are a far cry from what we see occurring south of the border. You may be partially right. However, I see this as a defined step in that direction, and it begs this question: Why would we, with eyes wide open, take this step to render those who seek asylum and safe refuge more susceptible to harm?

While it is important to have parameters and guardrails in our immigration system, we should be working as well to improve this system to better detect authentic claims for refuge. In fact, our made-in-Canada Immigration and Refugee Board is recognized around the world for its second-to-none expertise, deep knowledge and fairness. Instead of embarking on a path of continuously improving the efficiency of the IRB, this bill is building in bypaths to funnel claimants who do not meet baseless tight timelines to be processed by less trained bureaucratic staff who do not possess the depth and level of expertise of the IRB. Six months of training simply doesn't cut it.

• (1730)

Over the past few weeks, the overwhelming response we have heard from stakeholders and expert witnesses is that Parts 5 to 8 of Bill C-12 should be removed or, if not possible, be amended throughout to limit the harm they are sure to cause.

The Minister of Immigration, Refugees and Citizenship and senior officials from Immigration, Refugees and Citizenship Canada testified that these parts of the bill aim to simplify Canada's immigration and refugee system while reducing backlogs. However, stakeholders from the Office of the United Nations High Commissioner for Refugees, Rainbow Railroad, the Canadian Bar Association and others expressed deep concerns about the potential and unintended consequences of Parts 5 to 8 of the bill and of the real likelihood for legal challenges under the Canadian Charter of Rights and Freedoms.

[ Senator Senior ]

Honourable colleagues, I share these concerns and will focus the balance of my comments on Part 5 of the bill.

Part 5 of Bill C-12 adds an information-sharing regime to the Department of Citizenship and Immigration Act. Under this new policy, the minister would be authorized to disclose personal information under the control of the department with certain other federal departments, provincial and territorial governments and foreign entities. Government officials stated the aim of this measure is to streamline the immigration process for newcomers by facilitating the provision of social services and benefits.

There are critical risks associated with this proposed exchange of data. Witnesses highlighted concerns that include the possible denial of benefits and services to certain individuals and breaches of privacy related to personal identities such as gender identity and sexuality. Those representing the 2SLGBTQI+ and other marginalized communities expressed significant concerns about confidentiality, revictimization, safety and increased vulnerability.

One such front-line service provider is YWCA Toronto, a 150-plus-year-old organization. As outlined in their recent letter to senators, YWCA Toronto sees first-hand how immigration policies affect safety, autonomy and well-being, particularly for women, gender-diverse people, survivors of violence, migrant workers in feminized sectors and those living with precarious or temporary status.

Here is what the YWCA Toronto stated about Part 5:

For many migrants, this is a safety issue. Allowing greater personal information sharing creates particular and serious safety concerns for survivors of gender-based violence and those targeted for their sexual orientation or gender identity. For these individuals, increased data sharing could:

Divulge their location to abusive partners

Put family members at risk

Deter individuals from seeking services or reporting violence

Lead to greater misuse or unintended disclosure of sensitive personal information

Senators, this information-sharing regime may also apply to naturalized citizens and permanent residents, as personal information shared upon arrival to Canada is under the control of the Department of Citizenship and Immigration. Bill C-12 does not explicitly or implicitly exclude the department from disclosing this information to third parties.

As a naturalized citizen, I am as Canadian as my nieces, nephews, friends and colleagues who were born here. Therefore, I find this measure deeply unsettling. My immigration process was completed over five decades ago, and I am a citizen. I am not a newcomer, and I am not in need of a streamlined provision of social services, so why this all-inclusive, sweeping measure? What is the intent here? Why not, if the intent is not to include permanent residents and naturalized citizens, simply exclude these two groups, at the very least?

Why would the department need the right to share my information, for example, with provincial, federal or even foreign entities without my knowledge or consent? Colleagues, this is not just a dangerous slippery slope; it is potentially a life-threatening cliff that places permanent residents and naturalized citizens at risk, while also creating two different strata of citizenship, with one type of citizen being afforded privacy rights and the other being denied that same right. Is that what we want in this country?

Part 5 leads us down this very dangerous path, putting at risk those of us who have given our hearts and souls to this country. As folks much younger than me would say, “Please make this make sense.”

Colleagues, I believe we are at a crossroads, and, as such, I believe it is incumbent upon us as senators to strike that critical balance that ensures asylum seekers and refugees who are fleeing oppression are not met with more oppression upon arrival to Canada.

We need a fair and just process for all migrants, one that is both principled and pragmatic and one that recognizes the real needs of our society within the broader context of a turbulent world. We can show our commitment to our fundamental values as Canadians, holding fast to our sovereignty and territorial integrity, by staying consistent with our Charter of Rights and Freedoms and the UN charter of human rights.

As Prime Minister Carney recently said in Davos:

The question for middle powers, like Canada, is not whether to adapt to this new reality. We must. The question is whether we adapt by simply building higher walls – or whether we can do something more ambitious.

We must not allow fear and discrimination-induced narratives about immigrants and refugees to seep into our legislative frameworks and determine our path forward. Let us be more ambitious than that and aim to improve on what we have, guided by pragmatism, fairness and what is right and just.

We need to be a shining light for Canadians and the world by treating the most vulnerable among us as if they could indeed be us. This is my clarion call to you today. Please vote to amend Part 5 of this bill with the following amendment and send it back to the House.

#### MOTION IN AMENDMENT ADOPTED

**Hon. Paulette Senior:** Therefore, honourable senators, in amendment, I move:

That Bill C-12, as amended, be not now read a third time, but that it be further amended in clause 28, on page 13, by replacing line 16 with the following:

“same meaning as in section 3 of the *Privacy Act*, but does not include any *personal information*, as defined in that Act, about a Canadian citizen or a *permanent resident* as that term is defined in subsection 2(1) of the *Immigration and Refugee Protection Act*.”.

**Hon. Paula Simons:** Honourable senators, I had not intended to speak to Senator Senior’s amendment, but as I listened to her, I wanted to give you the context of what is happening in my home province of Alberta.

A couple of weeks ago, in late February, Bruce McAllister, who is the Executive Director of the Office of Premier Danielle Smith, posted the following on the social media platform X, formerly known as Twitter:

The people orchestrating this reckless, unsustainable mass immigration into Canada fill me with profound disgust. To deliberately engineer and champion such explosive, unmanageable population growth in your own nation? That’s the height of civic irresponsibility. Was it fueled by greed? Did they line their pockets while irrevocably straining our healthcare, education, and social safety nets? Or does their contempt for Canada’s core values and traditions drive them to flood our borders with millions from societies not built on the same foundations that have made us thrive? Why import from nations with failed systems when our Judeo-Christian heritage and principles have worked so well here? It almost feels like these elites are ashamed of what built this great country. This is a stark reminder of why Albertans, and indeed countless Canadians, harbor deep mistrust toward the Laurentian elite in Ottawa. They seem all too eager to prioritize their agendas over the well-being of the True North strong and free.

• (1740)

Now, I must tell you that, as an Albertan, the only “Laurentian Elites” I ever knew were the kids who had more pencil crayons than I did, but I think it is important to understand Mr. McAllister’s words as the framing device for what came immediately thereafter, which was Premier Danielle Smith’s address to the province in which she outlined nine separate referendum questions that Albertans will be asked to answer come October, the first five of which deal specifically with this canard of a huge immigration crisis in Alberta, a province which — as I mentioned the other day — in the last quarter had a net international migration of 197 people, and where international immigration has been falling sharply ever since 2024.

In case you have not been following — as I do — the intricacies of Alberta provincial politics, I will take the liberty of reading into the record the five questions that Albertans will be asked to answer to deal with immigration, because this is going to come back to Senator Senior's amendment in just a moment.

Question 1:

Do you support the Government of Alberta taking increased control over immigration for the purposes of decreasing immigration to more sustainable levels, prioritizing economic migration and giving Albertans first priority on new employment opportunities?

How exactly Albertans would get first priority is unclear.

Question 2:

Do you support the Government of Alberta introducing a law mandating that only Canadian citizens, permanent residents and individuals with an Alberta-approved immigration status will be eligible for provincially funded programs, such as health care, education and other social services?

I can tell you that, as the daughter of a refugee who came to this country speaking not one word of English at the age of nine and who received an excellent public education at the Barrhead Elementary School in the not very booming metropolis of Barrhead, Alberta, the idea of denying public education to immigrant and refugee children seems to me to be a poor public policy choice.

Question 3:

Assuming that all Canadian citizens and permanent residents continue to qualify for social support programs as they do now, do you support the Government of Alberta introducing a law requiring all individuals with a non-permanent legal immigration status to reside in Alberta for at least 12 months before qualifying for any provincially funded social support programs?

Question 4:

Assuming that all Canadian citizens and permanent residents continue to qualify for public health care and education as they do now, do you support the Government of Alberta charging a reasonable fee or premium to individuals with a non-permanent immigration status living in Alberta for their and their family's use of the health care and education systems?

I guess this doesn't matter if Canadian citizens in Alberta no longer receive public health care.

Question 5:

Do you support the Government of Alberta introducing a law requiring individuals to provide proof of citizenship, such as a passport, birth certificate, or citizenship card, to vote in an Alberta provincial election?

Again, what a red herring of a question. Let it also be said that the Premier of Alberta has already said publicly that she intends to make it necessary that you should say whether you are a Canadian citizen on your provincial driver's licence.

Now, what does this have to do with Bill C-12 and specifically with Senator Senior's amendment? This was not something that occurred to me until some of us in the Senate were privy to a briefing held by a number of civil society groups and immigration advocacy organizations, including the Canadian Civil Liberties Association, who pointed out that, under the provisions of Bill C-12 — which Senator Senior's amendment addresses — the Alberta provincial government would have a brand-new vector to find out who in the province was or was not a permanent resident, who was or was not a citizen, and who was or was not a legal resident with a non-permanent status. This is what concerns me, and this is why I will be supporting Senator Senior's amendment.

I suspect that when the government in Ottawa drafted this legislation, it imagined that it was proceeding on the understanding that provinces would act in good faith and that it was safe to share this kind of personal, private information with provincial governments and provincial authorities.

Coming, as I do, from Alberta, I no longer can say that I share that certainty and that conviction, and I think any law that creates a differentiation between a Canadian citizen who is naturalized — like my mother — and a Canadian citizen who was born here opens a very noxious chasm in the fabric of our Canadian society.

I look around this room, and I see how many of you here, my colleagues — my respected colleagues, who are, frankly, some of the most respected citizens in this country — were not born here. How many of you are naturalized Canadian citizens? What does it mean to you that the government should treat you as a second-class citizen, that information about you could be shared in a way that information about me might not be?

How many of you — like me — are the children of naturalized Canadian citizens? What would it have meant to you if your mother and father had been treated in a differential fashion by your federal government?

I applaud the fact that Senator Senior has broadened the scope of her amendment to also address the issue of people who have been granted permanent residency, which is a protected status in this country.

I think that there has been an erosion of public cultural agreement in this country, that we were a nation built by immigrants and refugees and a nation that prided ourselves in welcoming immigrants and refugees. I think that malicious actors — not just within this country but without — have been trying to pour an acid of hatred onto the foundations that have made this country great. And I'm deeply concerned that, however well intentioned the government may have been, it may have even unconsciously — or subconsciously — been infected by the discourse of hatred that is driving so much public policy in this country.

When I think back to that tweet I read into the record from Bruce McAllister — from somebody who works intimately with the premier of my province — I'm left in despair. This country was not built on some fiction of Judeo-Christian values. This country was built on the values of every single Canadian who came here.

First of all, let me back up and say that this country was built on the foundation and the values of the First Nations, the Métis and the Inuit, the values that they embody in this country and they embed in this country: the values of community, the values of sharing, the values that mattered when you were Indigenous Peoples in this country who had to work together to survive in one of the harshest climates in the world, the values of Indigenous traditions and knowledge and spiritual teachings that are the bedrock of this country.

On top of that, we have built a foundation of people who have brought their values from around the world, whether those values were Christian, Jewish, Muslim, Sikh, Hindu or Jain — I'm not going to give you the list of everybody from the world religion textbook, but this is a country that has survived and thriven on the fact that we were able to incorporate the religious and moral teachings of all of the world's great religions and all of the world's great spiritual cultures.

To try and rewrite history with a view towards — and I must choose my words carefully here — an exclusionary vision and a vision of Christianity that is contrary to, I think, the deepest of Christian values fills me with dread for how we withstand the dangers without.

So I will be voting in favour of Senator Senior's amendment, which treats all Canadians as equal and which prevents the erosion of the kind of social contract upon which my Canada is based.

Thank you very much.

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

**Hon. Yuen Pau Woo:** If I might extrapolate from Senator Simons' stirring speech, what she is referring to is the danger of unintended consequences. I think many of us looking at this bill and at the information provision clauses in the bill might see it as innocuous, and, clearly, we can imagine benefits coming from information sharing. I support the information-sharing provisions, but extend it to permanent residents and naturalized citizens. I am a naturalized citizen, and treating us differently from Canadian-born Canadians is unjust. Perhaps we have the situation in Alberta to thank for being able to imagine an unintended consequence that we probably could not have imagined just a few years ago.

• (1750)

However, what Senator Simons has described is not that isolated a phenomenon. Have you heard about the "remigration" movement? They are putting up banners on highways. They are talking about me. Some of you who have the bad luck of following me on X will know that I have quite a fan club. Many of them are asking for me to be deported and for my citizenship to be stripped. It is not going to happen.

Then again, I don't know. Three or five years from now, and it could well be that this bill, which treats — it is not so much information sharing, because I get that; I get why different departments need to have information. It's the different treatment of naturalized citizens and permanent residents compared to Canadian-born citizens that is odious. It also opens the door to a way of thinking about and treating people like me and, I dare say, a quarter of us here as somehow lesser than Canadian-born citizens. That is a very dangerous position to be in.

Colleagues, this amendment does not get in the way — let me just reiterate this — of any of the issues that Senator Dhillon has raised, unless he tells us differently; I invite him to correct the record. As I understand his speech, getting this amendment through does not, in any way, hinder our efforts to fight extortion and to deem inadmissible people who are trying to exploit the immigration system. I support that cause, too.

This is an amendment that deals with the matter of justice. It doesn't have to do with criminality.

Those of you who were at the National Defence Committee will recall that a similar amendment was attempted on information sharing — not on the removal of naturalized citizens or permanent residents as such, but on the sharing of information — with foreign entities. I acknowledge the work of Senator Al Zaibak in trying to move that amendment.

It was defeated, but, in some ways, it should be brought back because we have had very bad experiences of sharing our information with foreign powers, which have led to severe abuses of human rights. You know what I'm talking about. That was a shameful period in Canadian history.

Also, while the bill says that the minister has to approve the sharing of information with a foreign entity, maybe we trust the minister today, but would we trust the minister five years from now? If we were to have a sunset clause, maybe that would help, but we don't have a sunset clause. We could have a minister who wants to prosecute the "war on terror" and who wants to root out "undesirables" in this country — those who were not born here. I don't want to go too far in my speculation, but these things have happened in the past.

So, the amendment before us is really, if I may say so, a very modest attempt at trying to correct course. It is simply trying to establish the principle that naturalized citizens have the same rights and that they should not be seen or even thought of differently than Canadian-born Canadians.

I, therefore, support this amendment, and I hope you will, as well.

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

**Hon. Tony Dean:** Honourable senators, I applaud Senator Senior's amendment. It was very thoughtfully supported and thoughtfully described and argued. I don't feel the same way about other comments that were directed at the government in relation to this bill. I think I need to say that ascribing some of the motives to the government in association with this that we've just heard a short time ago is regrettable, I would say.

We all know that is not the government's intention here; we know that is not what the government wants to do. I needed to say that because I think the tone of some of the rhetoric goes way beyond the discussion that Senator Senior intended to have, and I don't want to ascribe emotions to her either. We need to be concerned about the language we use.

This is about information sharing. Much of our information, whether as Canadians, citizens or others, is shared. It is certainly shared at the provincial level when it comes to health cards, driver's licences and other identity-related provisions. This and other types of information are likely shared already and have been shared previously, although not perhaps in digital form.

I have heard of no situations in which information that is currently being shared within the federal government and with provincial and territorial governments has raised itself to the sorts of levels that have been described here. I just wanted to say that.

There is a continuum of information and of attachment to the contrary. I don't think that this proposal to share information is inappropriate. I think it can be shared safely. I have confidence that, for example — and I've thought about Alberta. Going forward, will the federal government — knowing what has happened and what is being done in Alberta — choose to share or continue to share certain sorts of information with the Government of Alberta if it knows that it will be used to deny people their benefits?

I just want to take us back and bring the tone back a little to the purpose of information sharing, which has benefits to citizens, permanent residents and other classes of people in this country. I know there are concerns. You will make your own decisions about this proposal and the amendment, but I don't, for a moment, read into this the worrisome, troublesome concerns that relate almost to the draconian measures on the part of this government. I needed to say that. People will support this amendment or they won't, but I do take issue with the way that concerns have been raised and the way they have been described.

[*Translation*]

**Hon. Lucie Moncion:** I have a question for Senator Dean.

[*English*]

**The Hon. the Speaker pro tempore:** Will you take a question, Senator Dean?

**Senator Dean:** Yes.

**Senator Moncion:** Thank you. I'm happy that you did speak so that I could ask a question. Is this amendment proposed by Senator Senior going to hurt the bill in any way or fashion?

**Senator Dean:** In the context of the scope of this bill, will it harm it or take away any of the fundamental principles that are reflected in the bill? I don't think so. Is it necessary? I'm not sure. But I don't sit where Senator Senior sits, and I don't share Senator Senior's experience.

[ Senator Dean ]

• (1800)

On the face of it, with the way these provisions have been described, the intentions with which they are associated and the service quality that might result from them in terms of a tell-us-once perspective, which I am a supporter of, I think that's where the loss would be.

Information sharing has virtuous aspects. We have identified one concern here where it might cause negative consequences. Senator Senior has made some good arguments, and she has reflected her concerns in a way that, if I can put it this way, does not additionally ascribe motives to the Government of Canada that I am not seeing here.

**Hon. Hassan Yussuff:** Will Senator Dean take a question?

**Senator Dean:** Yes.

**Senator Yussuff:** Thank you. I want to start by acknowledging my colleague's speech and thank Senator Simons for bringing to our attention Bruce McAllister's comments about immigrants. It goes without saying that I came to this country as one. I'm a naturalized Canadian, and I'm very proud of who I am. Long before I came here, there was racism in this country, and long after I'm gone, there will be racism in this country. I hope we aspire to do our best to weed them out, call them out for who they are and challenge, of course, when they bring attention to those of us who might look a bit different. There are some immigrants who come to this country who will never be questioned.

I do appreciate the point that was made, but I think we need to put the debate in context around Bill C-12. There are many aspects of this bill that I know some colleagues legitimately have some serious concerns about, and we should not, of course, try to dismiss those. I think we should try to address them in a meaningful way.

I want to ask my question to Senator Dean. The Privacy Commissioner testified before the National Security, Defence and Veterans Affairs Committee and was asked specifically with regard to the sharing of information among jurisdictions across this country and in other places. I think earlier in your remarks you quoted him with regard to the sharing. As senators — and we saw this the last time we were dealing with Bill C-4 — we look to him for guidance with regard to how information is shared in this country and whether or not we should have confidence in what the government is doing and how they go about protecting that information when it is shared among jurisdictions.

Senator Dean, maybe I could ask you to reflect on what you said earlier in your remarks regarding the Privacy Commissioner's comments, specifically around the sharing of information that is in this bill.

**Senator Dean:** Thank you, Senator Yussuff.

I took great comfort, frankly, from the Privacy Commissioner's comments. He takes his work seriously. He had taken a look at the bill, so it gave me comfort. I'm one person in here. There are others who are obviously not comfortable with that, and I respect that.

Certainly, I have read every single background document on the information-sharing requirements. I have a bias, which I have indicated before, that governments should be sharing information that is useful for their purposes but also for the purposes of clients of government services. So I was pleased to see this section in the bill because I tend to focus on all of the positive aspects of it.

Senator Senior has identified a concern for her and likely others, and we have to take that seriously. But, again, I think the Privacy Commissioner has looked at that. He is another set of eyes on this; he is another voice on it. You have now heard everything that I can say about this. I think that others should have an opportunity to speak.

I'll just say that in reading this section and thinking about it in relation to my experience with information sharing in government, I was comfortable with it and I remain comfortable with it, but there are other views on this. Thank you, Senator Yussuff.

**The Hon. the Speaker pro tempore:** Senator Simons, would you like to ask a question?

**Senator Simons:** I would, if that's possible.

**The Hon. the Speaker pro tempore:** Would Senator Dean accept a question?

**Senator Dean:** Yes, of course.

**Senator Simons:** Not to attribute motives to anybody — and I really didn't think that I did that except perhaps to Mr. McAllister — I was very cheered, Senator Dean, when you said that there would be measures wherein the federal government would not share information with a province that proposed to use that information, I believe, if I understood you, to take away people's rights to things like public health care.

Can you expand a little bit more on how you imagine that might work? If Alberta did become a sovereign nation, would that information be shared with them as a sovereign nation?

**Senator Dean:** Well, the answer to the last part of your question is absolutely not, I would assume.

One of the important things about our work in the Senate is that we tend to surface issues that are sometimes not surfaced in the other place, and that's a tremendous benefit. We love to do it. Canadians like to hear it. Surfacing them is one thing; how much impact they have is another thing.

I would say, to go back to your question, that the Senate and others have socialized the question of what happens if a provincial jurisdiction takes steps that would influence the benefits and rights of their citizens when that would also affect

the benefits and rights flowing from federal policy and benefits. I have to think that this government is attuned to that, so that gives me some comfort. I would think that any other government that took steps to intentionally disenfranchise benefits that might otherwise be available at a provincial-territorial level would have to think about the way that reflects on them and the price that they ultimately might have to pay for that.

• (1810)

That's the way politics works in this country. We all understand that.

That's my answer to your question.

**The Hon. the Speaker pro tempore:** Senator Dean, there are 17 seconds left in your 15 minutes, and I have a list of senators who wish to ask questions. Are you asking for five more minutes to answer those questions?

**Senator Dean:** I am not because I think that others have more to say about this and other provisions in Bill C-12. I have said all I need to, and I think others probably have as well, so let's move on, shall we?

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

**Hon. Senators:** Question.

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

**Some Hon. Senators:** Yea.

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

**Some Hon. Senators:** Nay.

**The Hon. the Speaker pro tempore:** In my opinion the "yeas" have it.

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

**Some Hon. Senators:** Agreed.

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

(Motion in amendment of the Honourable Senator Senior agreed to, on division.)

THIRD READING—DEBATE ADJOURNED

On the Order:

Resuming debate on the motion of the Honourable Senator Dean, seconded by the Honourable Senator Boehm, for the third reading of Bill C-12, An Act respecting certain measures relating to the security of Canada's borders and the integrity of the Canadian immigration system and respecting other related security measures, as amended.

**Hon. Mohammad Al Zaibak:** Honourable senators, I rise today with mixed emotions and concerns to participate in the debate on the main motion of Bill C-12.

Honourable colleagues, I still remember the day I became a permanent resident of Canada and the feeling of holding that PR card in my hand. For me, coming to Canada meant stability, fairness and a life governed by the rule of law, equality and the Canadian Charter of Rights and Freedoms. This is a country where the rules are known, applied consistently and can be relied upon when planning a future, a life and, of course, a livelihood.

Like many of you in this chamber, I was not born in Canada. I chose Canada. I came here as a young man. I wanted the best place in the world to raise a family. I wanted a place where hard work could translate into progress. Canada offered me that. It gave me the ability to build companies and participate in public life. It allowed me to create employment and contribute meaningfully to the country I had chosen.

In time, and in addition to establishing and running successful businesses, I, together with our former colleague, the Honourable Ratna Omidvar, had the honour of cofounding Lifeline Syria, which helped nearly 1,200 Syrian refugees become privately sponsored and to resettle in Canada. I helped establish a Canadian think-and-do tank to better understand and support the aspirations of one of the marginalized and racialized communities in Canada.

Through that work, I have seen Canada at its best: generous, principled and welcoming. However, I have also seen where our system does not function as well as it should. I have met engineers who are not engineering, internationally trained doctors who cannot help patients and other highly skilled professionals of all sorts who remain underemployed while our economy faces shortages. There are so many stories of individuals and their families who are held back from success due to economic inefficiencies and personal grief.

I understand that Canadians have questions about our immigration system, but many of those questions focus on how we support our labour market, ensure those coming here are set up to support themselves and make certain that everyone has access to services, housing and the like.

I believe we should do more to match newcomers with employment in their field upon arrival. Conditional job offers prior to arrival, supervised practice arrangements, bridging programs and more support for equivalency tests are worth serious consideration. This is a vision that focuses on capitalizing on the global demand to live in and contribute to this wonderful country.

When we bring folks in and help them to integrate quickly, they earn higher incomes, contribute more to taxes and often create employment for others. Integration is not only compassion; it is productivity, social cohesion and opportunity.

But, colleagues, this is not a speech about what we can do right. It is a speech about Bill C-12.

Bill C-12, as written, does very little to address my concerns with respect to Canada's immigration system. Expanding discretionary powers and setting arbitrary timelines are not steps that strengthen confidence. They feed uncertainty and stoke fear among Canadians, who see this as a signal that their system is failing, and among those considering making a life in Canada, who perceive this as a shift away from clear rules toward a murkier, more personality-driven system.

After reviewing this legislation, I have concluded that Bill C-12 is a bill about trust. Trust is what allows individuals to choose Canada and invest in their future here. Trust is what allows international students to commit to our institutions and employers to plan hiring decisions. It is also what allows families to organize their lives with confidence. Trust is Canada's greatest resource. We inspire it, and it inspires so many to want to come here to build a life.

Parts 5, 7 and 8 of this bill gave me pause because they risk reducing trust in our system. The Standing Senate Committee on Social Affairs said as much in their report. Our colleagues at the committee conducted a rigorous study of the immigration provisions. They heard from 35 witnesses and ultimately recommended the total deletion of Parts 5 through 8. Yet the Standing Senate Committee on National Security reported the bill without a single amendment. I will speak more to that in a moment.

I'm so pleased to see that Senator Senior's amendment has passed. That gives me more comfort, but it does not address other parts of the bill.

I will speak to the substance of Part 5 and in particular clause 28, which enables broad disclosure of personal information. As currently drafted — and I'm pleased that it has now been amended — this clause would have resulted in naturalized citizens being treated differently from Canadian-born citizens. It would place newcomers and migrants at particular risk — one that Canadian-born citizens do not face.

Part 7 of this bill grants cabinet the authority to suspend or cancel immigration documents in the public interest. That phrase is too broadly defined. At the Social Affairs Committee, members heard concerns that this authority could permit category-wide cancellations of permits.

• (1820)

As an entrepreneur, I know that trust is the foundation of investment. If a worker, a student or a business owner can have their status documents revoked by cabinet without a clear process, we risk giving people reason to question whether the system will be there for them and whether they will have the opportunity to defend themselves and make their own case. Government officials have argued this will only be used in the most appropriate of circumstances. "Trust us," they say.

Part 8 introduces a one-year bar for refugee claimants. The evidence I read from committee said that this measure would affect many recent claimants. In my work with Lifeline Syria, I saw that rigid timelines affect vulnerable people the most. They need help to learn the system, help to understand the system and help to trust the system.

At the Standing Senate Committee on National Security, Defence and Veterans Affairs, I brought forward amendments to build back trust in this bill on information sharing and on the provisions I have mentioned tonight. Those amendments did not carry.

Colleagues, when a subject-matter committee hears virtually unanimous expressions of concern from witnesses when they identify significant risks to the rule of law, risks to constitutionality and risks to the trust on which our system is built, I believe it is incumbent upon all of us to examine those concerns carefully. I have not heard a single witness who is not a government official suggest that this bill should pass without adjustment.

It is therefore a matter of record that the Senate had an opportunity to refine these provisions at the committee stage and chose not to do so. If we describe ourselves as the chamber of sober second thought, we must take seriously the findings of the committees we task with detailed study.

Colleagues, I will not be introducing any amendments today or in the coming days, but I will support amendments — as I and many of you have done today — that improve this legislation.

Canada has been generous to me. Like so many others, I chose this country because it is governed by clear rules and strong institutions. It is a place where people can understand the system and rely on it as they build their future. We have a strong immigration system in Canada — one that is firm and credible. And while it may require improvements, I do not believe it will be strengthened by concentrating power and establishing arbitrary timelines.

I look forward to the debate on these matters at third reading, as we are doing today. I want to thank you for all your contributions, for listening to me and for your consideration of all the amendments in front of us. Thank you. *Meegwetch. Shukran.*

**Hon. Leo Housakos (Leader of the Opposition):** Would Senator Al Zaibak entertain a question?

**Senator Al Zaibak:** With pleasure.

**Senator Housakos:** Thank you, Senator Al Zaibak. I have a couple of questions. I've been listening to the debate with a great deal of interest. Not so much in your case but in other interventions, there seems to be this suspicion that danger is lurking around the corner and that somehow Canada has something to worry about — not necessarily with this government but maybe with future governments.

Wouldn't you agree that regardless of the governments in power, particularly in the last 70 or 80 years in this country, Canada has the most generous immigration history on this earth?

We have been one of the most welcoming countries regardless of whether we had Conservative or Liberal governments and minister after minister. I pale at the thought that there is a country on this earth that has been more open and more generous than Canada.

That's the first question. The second question I have is the following: There seems to be a rush to save the privacy of citizens and immigrants and applicants in this country because all of a sudden, we think we see something new in this bill, and it is not.

I started my working life as an intern to the Minister of Immigration in 1986. I can go right to the website of Immigration, Refugees and Citizenship Canada, or IRCC, and there is the policy on information sharing before this bill becomes law. It's been the policy for decades. IRCC shares applicant information including biometrics, travel history and status with federal, provincial and international partners, notably our U.S. partner, to ensure program integrity and border security and to detect fraud, security checks, et cetera. It goes on. What exactly are we trying to protect in information sharing that hasn't been protected for the last 70 years?

**Senator Al Zaibak:** Thank you, Senator Housakos. On the first question, I fully agree with you that Canada has one of the best immigration systems in the world. There is no doubt about that. However, there have been concerns. During the past 15 years, there have been calls — you may remember this — that give me concern about any change to the system of which we are so proud. There were calls about notions of barbaric cultural practices back in 2015, I believe, which targeted marginalized and racialized communities and threatened their belief in our system, in our principles and in our rule of law. I don't know whether you recall those calls at that time in 2015 and also prior to that. In answering —

**The Hon. the Speaker pro tempore:** I'm sorry to interrupt, Senator Al Zaibak, but your time has expired. Are you asking for more time to answer Senator Housakos' questions?

**Senator Al Zaibak:** Yes.

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

**Hon. Senators:** Agreed.

**Senator Al Zaibak:** Thank you, colleagues.

Prior to that, my honourable colleague Senator Woo referred to the case of Maher Arar. This is in answer to your second question about the sharing of information. I personally don't have any issues or concerns with having information shared among departments and provinces and territories in Canada. I know what Canadians stand for. But sharing information about Canadian citizens — regardless of where they are born — with foreign entities can be dangerous, whether it's shared by design or by coincidence with foreign entities. Once it goes out of our control, we don't know how that information can be used or abused.

Maher Arar is a case in point. He is a Canadian citizen of Syrian origin. He was coming back from a visit to his wife's country of Tunisia. He was intercepted in New York based on information provided by our government and sent to Jordan first and then to Syria. For two years, he was tortured. When he returned to Canada, he was totally traumatized. The entire Canadian-Arab and Canadian-Muslim communities were also traumatized. The government had to deal with the consequences of that. You may recall this case cost the government a settlement of, I think, \$10 million or more. Many other examples followed as well. I hope that answers your questions dealing with my concerns.

**Senator Housakos:** Actually, it far from answers my question. Number one, you brought up a particular case of an ill-thought-out policy by a political party in 2015 that faced the consequences of the electorate for that ill-taken decision. It has nothing to do with legislation. It never came to pass, thank God.

• (1830)

Number two, and more importantly, you are bringing up specific cases where there was misinformation or where information was misjudged or exchanged in the most nefarious fashion or ill-intended fashion, and the consequences, again, were paid. Justice was found, even though, along the way, it was perfectly imperfect.

My point is very simple. When it comes to barometric information — information in terms of criminal cases — the exchange of all sorts of information is conducted on a daily basis by Canada Border Services Agency, or CBSA, and by all of our partners. When Canadians are applying for immigration abroad, there is a massive exchange of information between countries. When we are evaluating immigration cases, there has always been a massive exchange of information long before Bill C-12 ever hit our table.

Do you have any better alternatives for evaluating the validity of somebody who is applying to come into the country, ticking off the necessary boxes that all Canadians want when it comes to health checks, criminal checks, financial background, so on and so forth, before we grant someone citizenship?

**Senator Al Zaibak:** Thank you for repeating the question. I may be able to elaborate on that.

As I mentioned, I have no issue at all with sharing information among our departments and checking the information before granting entry. That is what we pride ourselves on.

When we have newcomers arriving here as landed immigrants, we know that stringent due diligence has been done on various fronts: criminal, security and professional. That makes our system one of the best in the world.

Although we have one of the best immigration systems in the world, abuses have occurred. With creeping changes that weaken the system, I am afraid that more abuses can be —

**The Hon. the Speaker pro tempore:** The time has expired. Thank you.

[ Senator Al Zaibak ]

**Hon. Judy A. White:** Honourable senators, I hadn't planned on speaking, but over the past few weeks I have found myself reflecting deeply on this place and my place in it. Do I fit here? Do I need to fit here? More importantly, do I want to fit here?

A couple of weeks ago, my esteemed colleague, my dear friend Senator Peter Harder, framed the question in this way: Are we institutionalists or activists? I started reflecting on that.

As most of you know, I often speak of “two-eyed seeing,” a principle articulated by Elder Albert Marshall of Eskasoni, Nova Scotia. Two-eyed seeing teaches us to see from one eye with the strengths of our Mi'kmaw ways of knowing and from the other eye with the strengths of western systems, and to use both together for the benefit of all. So I applied that teaching here to our chamber, our work and this debate on Bill C-12.

First, I realize that I am both an institutionalist and an activist. I am an institutionalist because I really respect this chamber, its history, its constitutional role and the enormous responsibility we carry as a place of sober second thought.

I realize that, at heart, I am very much an activist because I carry the lived realities of people who, too often, feel that the system is built around them but not with them, people who feel that processes move on paper while our lives still stand still, and people who want fairness but not as an abstraction. Two-eyed seeing doesn't allow me to choose one identity and abandon the other. It does something more demanding: It requires me to hold both responsibly.

So, colleagues, we've heard some thoughtful and serious interventions in this debate, including those of Senator Dean, Senator Senior and Senator Housakos. I thank you for that.

However, I also want to speak not only about the provisions before us but about the posture we bring to our scrutiny because posture shapes outcomes.

Honourable senators, part of what I've been wrestling with is this: The discipline of sober second thought can so easily become confused with something else, something more corrosive. I don't like always speaking from a deficit.

Our role is to examine, test, probe and improve, but scrutiny doesn't require cynicism, and rigour doesn't demand distrust. We can carefully study something without starting from the deficit that there is something wrong, that there is something suspect.

I agree with what Senator Housakos was saying. We can't live in a society where we always look at what is wrong. We have to start with the premise that the system works.

Colleagues, we live in a time in which confidence is fragile, political polarization is deepening, and conspiratorial thinking and populism are gaining ground globally. People are told every day that institutions can't be trusted, public servants can't be trusted, courts can't be trusted, and in some cases, elections can't be trusted.

Yes, we must be vigilant, but we also have to be responsible with our words.

In public discourse right now, there is a temptation to speak as though any attempt to recalibrate a system is, by definition, an assault on rights, and any mention of integrity or scrutiny is, by definition, an expression of fear.

I don't subscribe to those views. With my two-eyed seeing, that is not the kind of absolutism that I hold. Immigration systems do not operate in abstraction; they operate within finite, administrative capacities in complex geopolitical times and increasingly global displacement. They operate in our real communities that must plan for housing, health care, schooling and settlement support. They operate under pressures, which if unaddressed, will produce more delays, inconsistencies and unfairness. That is the institutional responsibility that I speak of.

Senators, a restructuring of timelines is not automatically a denial of rights. An effort to close gaps in inconsistency is not automatically an attack on compassion. An existence of discretion is not automatically a power grab. Discretion exists throughout our whole statutory framework. The real question is whether it is exercised within constitutional constraints, whether it is reviewable, whether it's guided and whether it can be challenged when wrongly used.

Now, colleagues, I'm sure you're at the point where you are saying, "Well, maybe she doesn't fit here," but please bear with me as I find my notes.

Supporting this bill, to me, means not abandoning compassion. It does not mean dismissing human dignity. It means I'm persuaded that, on balance, this legislation remains within the bounds of fairness and responsibility, and that maintaining a credible, functioning system is in itself an act of protection, which is our role and our responsibility, because when the system collapses, it's actually about the vulnerability of those who are left in the ruins.

So perhaps the question that our colleague and my friend Senator Harder posed — "Are we institutionalists or are we activists?" — was never meant as a choice. Perhaps it was an invitation to remember that institutions exist to serve people, and activism, at its best, seeks not to burn down legitimacy but to bring justice within it.

Two-eyed seeing teaches me that our task is not to choose between compassion and structure. Our task is to hold both responsibly, thoughtfully and with integrity. That is why, with both eyes — the activist eye and the institutional eye — I will support this bill. *Wela'lin*, thank you.

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

(On motion of Senator Moncion, for Senator Kingston, debate adjourned.)

• (1840)

## ENERGY EFFICIENCY ACT

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Wilson, seconded by the Honourable Senator Gerba, for the second reading of Bill S-4, An Act to amend the Energy Efficiency Act.

**Hon. Rosa Galvez:** Honourable senators, I rise today in support of Bill S-4, An Act to amend the Energy Efficiency Act, first adopted in 1992.

At the time, the world looked very different. There was no online retail. Digital technologies were limited. Global energy markets were smaller and far less complex than they are today. Yet, the core principle of the act remains sound: that energy efficiency is one of the most effective and least costly ways to reduce energy demand, lower emissions and save consumers money.

Since its adoption, the regulatory framework established under the act has generated more than \$110 billion in savings for households, businesses and industries and has prevented more than 770 megatonnes of greenhouse gas emissions.

[*Translation*]

These figures remind us that energy efficiency is not an abstract concept; it has a measurable impact. It has real economic and environmental consequences. But legislation, like technology, must evolve and reflect the reality of the modern marketplace. Among other things, the bill expands the definition of regulated actors to include online providers and introduces new enforcement tools, like administrative monetary penalties.

[*English*]

In essence, the bill attempts to equip Canada with a more modern regulatory tool kit. However, the real question before us is not whether the act should change. The real question here is how Canada chooses to modernize it. Do we modernize it in a way that strengthens efficiency, protects consumers and keeps our markets competitive? Or do we modernize it in ways that could unintentionally weaken the standards that have made this policy so successful?

To answer these questions, we must look carefully at three issues: the scientific and economic evidence, the distribution of impacts on Canadians and the policy approaches put in this bill.

From a scientific perspective, energy efficiency is widely recognized as one of the most powerful tools for reducing energy demand and greenhouse gas emissions. Studies suggest that improvements in efficiency could supply a significant portion of the energy reductions required to reach net-zero emissions

globally. Every \$1 invested in energy efficiency returns \$4 to \$7 in economic output and shows results in a short period of one to two years.

Efficiency standards already cover dozens of products, from household appliances to industrial items. One example is electric motors, which alone account for roughly half of global electricity consumption. Improvements in efficiency, therefore, translate directly to lower demand on energy systems and lower emissions. Some of those products are also linked to our commitments on refrigeration products under the Kigali Amendment to the Montreal Protocol, one of the most successful international conventions related to protecting the ozone layer.

[*Translation*]

These technical facts extend beyond climate considerations. Efficiency standards also improve the reliability of electrical grids, reduce peak demand and lower operating costs for households and businesses.

For Canadians confronted with rising energy prices, these savings are not insignificant. In 2021, Statistics Canada data showed that 822,000 Canadian households were energy poor, meaning that they were spending over 10% of their after-tax income on energy bills.

These costs aren't evenly distributed across the country. They're often higher in rural areas and the Atlantic region, where energy costs make up a larger share of household expenses. Improving efficiency is more than a mere technical measure; it's a question of social and economic equity.

[*English*]

At the same time, it would be neither prudent nor responsible to overlook the concerns raised regarding certain provisions of the bill. One issue relates to the regulatory sandbox provisions, which allow temporary exemptions from regulatory requirements in order to test innovative technologies. Again, the question is "What technology?" The technology of the future or the technology of the past? While such provisions are argued as a way to support innovation, they introduce new discretionary powers. As I mentioned today on the National Finance Committee, we should say yes to real innovation but no to financing the technology of the past.

For this reason, implementation must remain transparent, accountable and aligned with broader legislative frameworks, including the ongoing deliberations surrounding Bill C-15. Ensuring coherence among these legislative initiatives will be important for maintaining regulatory clarity and public confidence.

[*Translation*]

Another important consideration is regulatory harmonization between different jurisdictions. Natural Resources Canada leads a federal-provincial-territorial cooperation table where the federal government is working on harmonizing standards with the six provinces that have their own energy efficiency standards. Several provinces, including British Columbia, Manitoba, Ontario, Quebec, New Brunswick and Nova Scotia, already have

their own efficiency standards. As of March 2023, these provincial standards were 86% to 100% harmonized with comparable federal standards.

It is clear that harmonization can help reduce regulatory burdens, which is positive, and provide businesses with a predictable framework, which is also positive. However, harmonization must be approached with caution. If standards are primarily aligned with the lowest performers, this could lead to a gradual erosion of ambition and performance.

Instead, Canada should benchmark its standards against the best jurisdictions in the world, ensuring that our regulatory framework remains competitive and preventing the importation of inefficient products into the Canadian market. Strict efficiency standards therefore support not only environmental objectives, but also fair competition and market integrity.

[*English*]

Colleagues, Bill S-4 ultimately asks us to decide whether Canada's energy efficiency framework should remain anchored in the regulatory architecture of the early 1990s or evolve to reflect today's technological and economic realities. We must choose the latter.

The evidence suggests that modernizing the act could strengthen enforcement, support innovation and provide clearer information to consumers.

At the same time, the concerns raised regarding regulatory exemptions and federal-provincial coordination remind us that modernization must be accompanied by careful parliamentary oversight. We must do our job. These issues must be carefully studied in committee.

Progress in a deliberative democracy rarely comes from certainty alone. It comes from examining evidence, recognizing trade-offs and choosing the course of action that best serves the public interest.

[*Translation*]

For these reasons, the prudent approach is to move this legislation forward while ensuring its implementation is closely monitored. Modernizing our energy efficiency framework is not just a technical update. It ensures that Canada's economy will be efficient, competitive and resilient for decades to come.

• (1850)

[*English*]

Colleagues, please support sending this bill to the Standing Senate Committee on Energy, the Environment and Natural Resources. Thank you, *meegwetch*.

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

(On motion of Senator Housakos, for Senator Martin, debate adjourned.)

## FOOD AND DRUGS ACT

### BILL TO AMEND—THIRD READING—DEBATE ADJOURNED

**Hon. Patrick Brazeau** moved third reading of Bill S-202, An Act to amend the Food and Drugs Act (warning label on alcoholic beverages).

He said: Honourable senators, I begin with a simple truth in the spirit of my Algonquin community: Knowledge is the light that guides us away from the shadows of harm. Today, we decide whether we will turn that light on or leave millions of Canadians in the dark.

Every year in this country, alcohol causes at least seven types of fatal cancer — not “may be linked to” and not “might increase risk of” but “causes.” The World Health Organization has said so since 1988. The International Agency for Research on Cancer classifies alcohol in the same Group 1 category as asbestos and tobacco.

There is no safe level.

Yet if you walk into any store in Canada today, you will find a bottle of wine that tells you it was “crafted with passion” but says nothing about the fatal cancers it can cause. That is not an oversight; that is a choice we have allowed for far too long.

Bill S-202 ends that choice.

Four modest lines on every container would include what a standard drink is, how many standard drinks are in the package, how many standard drinks it takes to increase health risks and the undeniable fact that alcohol causes seven fatal cancers.

That is all we are asking for: the same honesty we demand of tobacco and cannabis. Why, in 2026, do we still give alcohol a free pass?

[*Translation*]

When this bill was known as Bill S-254, Senators Cordy, Miville-Dechéne, Richards, Mégie and Duncan rose in this chamber and said, “That’s enough.”

Last fall, in committee, over 40 witnesses — doctors, hygienists, cancer specialists, addiction physicians, researchers and Canadians who had lost loved ones — hammered home the same message with one voice: Canadians have a right to know.

Dr. Michelle Murti, Toronto’s Medical Officer of Health, said:

Alcohol produces some of the highest burden of drug-related harms and deaths. . . .

Furthermore, we support the proposed requirements in the bill . . . [including] the direct causal link between alcohol and the development of fatal cancers.

Dr. Erin Hobin’s research, the most robust in the world, shows that clear and eye-catching labels raise awareness by up to 30% and encourage millions of people to rethink their alcohol use. In one full-scale trial conducted in the Yukon, these labels reduced alcohol sales by more than 6% in just three months, with the heaviest drinkers reducing their alcohol intake the most.

Brandon Purcell of the Canadian Cancer Society painted an unforgettable picture for us. A 42-year-old woman who follows the Canadian guidelines for low-risk drinking — one or two glasses of wine with dinner — still increases her risk of colorectal cancer by 14%, breast cancer by 19% and esophageal cancer by nearly 30%. She thinks she is drinking in moderation. She doesn’t know she’s gambling with her life, because no one has told her.

When the industry tells us that these labels won’t work, remind them that graphic warnings on cigarette packaging, introduced in 2001, have helped to more than halve the prevalence of smoking and have prompted millions of people to quit.

They said those labels would fail too.

When industry lobbyists say the cost is too high, ask them to compare their redesign budget to the \$19.7 billion Canadians spend each year on alcohol-related diseases, a net loss of \$6.4 billion even after accounting for every penny of alcohol tax revenue.

When historians say they fear temperance, remind them that temperance activists wanted prohibition. We want the truth.

The goal is not to stop people from consuming alcohol. The goal is to ensure that all Canadians get the same basic information that is already provided on items like yogurt, cereal and canned peas.

Colleagues, the science is clear and the witnesses have spoken. Hundreds of Canadians have sent letters to our offices. We are out of excuses. Let’s pass this bill today. Let’s send it over to the other chamber with the strongest possible message: Canadians deserve to see the truth on each and every bottle.

[*English*]

Before I conclude, I would like to bring to your attention two items of interest from the Standing Senate Committee on Social Affairs, Science and Technology. As you can see from the transcripts and video recordings, members were surprised to learn that two confirmed industry representatives had suddenly cancelled at the last minute, citing “family reasons.” The chair, Senator Moodie, who should be applauded and recognized, made every effort to accommodate these witnesses, including offering to have them testify virtually. Significant efforts were also made to reach out to other industry stakeholders, again without success.

Still troubled by this inability to question industry directly, during clause-by-clause consideration, committee members speculated that perhaps the industry's sudden unavailability was strategic. Perhaps they are keeping their powder dry and saving their firepower for when the bill gets to the other place, where our elected counterparts face unique pressures that we do not. Is the industry banking on being more persuasive there? I guess we will find out.

• (1900)

[*Translation*]

**The Hon. the Speaker pro tempore:** Senator Brazeau, I'm sorry to interrupt.

[*English*]

Honourable senators, it is now seven o'clock. Pursuant to rule 3-3(1), I am obliged to leave the chair until eight o'clock, when we will resume, unless it is your wish, honourable senators, to not see the clock.

Is it agreed to not see the clock?

**Some Hon. Senators:** Agreed.

**Some Hon. Senators:** No.

**The Hon. the Speaker pro tempore:** I hear a "no."

Honourable senators, leave was not granted. The sitting is, therefore, suspended, and I will leave the chair until eight o'clock.

(The sitting of the Senate was suspended.)

(The sitting of the Senate was resumed.)

• (2000)

**Senator Brazeau:** I recognize this is not a "happy hour" speech, but continuing on my earlier point, the second item from the committee involves one brave industry representative who did honour his commitment to appear, and he should be acknowledged for that.

We heard from Mr. Brad Goddard of the Coalition of Canadian Independent Craft Brewers, who spoke about the unique artistic labels one sees on craft beer.

You can see the exchange on video, but I'll summarize it briefly as it pertains to our debate. I asked Mr. Goddard if his unique craft labels warned consumers about established fatal cancer risks. He said, "No." I asked him if he knew that alcohol has been classified as a Group 1 carcinogen since 1988. He said he was aware. I finally asked him if he could provide the committee with a comprehensive list of issues or things that they have done to warn their consumers about cancer risks, and he went on talking about how much money he and his organization spend on the Cancer Society. I asked him if he could provide an exhaustive list. He said, "No, not an exhaustive list." I asked him if he could provide a medium list, a small list, any kind of list.

[ Senator Brazeau ]

He said he would take it under advisement. This was last October. We are now in March, and we still haven't heard from him.

It begs the question: Is the industry waiting for a government mandate to start notifying their own consumers about the well-established fatal cancer risks, the very same government that these organizations and the alcohol industry lobby to ensure that there are no cancer warning labels on their products?

While we wait for the industry to answer this question, it seems logical to conclude that they are indeed waiting for a mandate. So here I am asking all of you, colleagues: Let's give the federal government the mandate to deal with this, because it's our right to do so.

I'll end off by saying that I know that one of the reasons that this bill got as far as it did is because of my personal experience and what I shared throughout the years with respect to alcohol and mental health struggles and whatnot. I had a very rough life. I'm just speaking for myself, but alcohol ruined my life. I drank for 35 years. I'm at level 51 now. I was sick before 2017, and I'm sick again. As a matter of fact, I'm not a doctor; I'm not going to say my cancer is back, but I'm obviously having a lot of the same symptoms that I had when it first started in 2017. I'm in the midst of tests left, right and centre, and I'm having a scan tomorrow morning.

But I'm not sharing this because it's about me. This piece of legislation is not about me. It's about the health and well-being of Canadians and about all Canadians having the right to know that alcohol causes seven effing cancers. I think "effing" is in the dictionary, so I hope I'm not using derogatory language. But it does cause seven cancers.

To prove to you that this bill is not about me, that it's about the well-being of Canadians, one last thing I want to talk about is the committee work we did. We had Health Canada bureaucrats — not health experts, bureaucrats. They basically told our committee, when asked and pressed about Bill S-202, that they were studying the legislation. Studying the legislation? The legislation is two pages, including the cover page. It's four bullet points. But that's Health Canada.

I'm concerned that when we are talking about the health and well-being of Canadians, we have Health Canada officials basically come and mock our committee, mock the work that we're doing. There are serious questions we need to ask ourselves.

Here's a list of organizations that support this legislation — and don't forget that behind the names of these organizations are a bunch of health professionals, not bureaucrats: Canadian Institute for Substance Use Research at the University of Victoria, Canadian Cancer Society, Canadian Centre on Substance Use and Addiction, Canadian Medical Association, Canadian Public Health Association, World Health Organization, Alcohol Action Ireland, Families for Addiction Recovery, Niagara Region Public Health, Association of Local Public Health Agencies, Ontario Public Health Association, Public Health Ontario, Mothers Against Drunk Driving, Canadian Liver Foundation, Windsor-Essex County Health Unit, Timiskaming Health Unit, Centre for Addiction and Mental Health, Queen's

University Health Board, Nova Scotia Health, Shelburne County Community Health Board, Durham Region's Medical Officer of Health, Durham Regional Cancer Centre, Vancouver Coastal Health, Fraser Health, Toronto Public Health, Simcoe Muskoka District Health Unit, Canadian Alcohol Use Disorder Society, Queens Community Health Board, Dartmouth Community Health, Southeastern Community Health Board, Peterborough's Board of Health, Middlesex-London Health Unit, BC Alliance for Healthy Living.

Health experts — real health experts — are saying we should put cancer warning labels on every alcoholic beverage. They are the experts. But instead, we have Health Canada telling us, according to a briefing note that was published by Blacklock's last week, that they don't believe we should put cancer warning labels on alcoholic beverages because Canadians can make decisions for themselves. How in the heck can Canadians make decisions when 75% of them aren't aware of the cancer risk associated with alcohol consumption? How can they make informed decisions for themselves? Yet, we have bureaucrats and Health Canada who are going against all these experts across the country.

These are just the ones I listed. I'm sure I've forgotten a bunch of them. But Health Canada bureaucrats are telling us, "Nothing to see here, folks. We know better than all of these people."

What the heck are we doing? It's a poison. It was easy to associate tobacco and cancer. That was easy for Canadians to do. It wasn't easy at the beginning, but it became relatively easy after the warning labels came.

• (2010)

The same thing applies with alcohol. Cigarettes caused deaths but didn't cause accidents or DUIs. Cigarettes didn't cause depression, domestic abuse, suicide or fetal alcohol syndrome. Cigarettes didn't do that, but we put cancer warning labels on them because of the cancer.

It's 2026, and it's time that we treat alcohol as what it is, and alcohol is at the centre of everything that I just named. As a society, we haven't found a cure for cancer. Perhaps it's difficult to find a cure for cancer when alcohol causes cancer and 80% of Canadians consume alcohol.

In First Nations communities, we often talk about laws of seven generations. Colleagues, this is a piece of legislation that thinks about the seven generations ahead. I have my children River and Elie here with me. It's not about us. It's all about them.

I'll be celebrating six years of sobriety at the end of this month if I make it to then. I live one day at a time.

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

**Senator Brazeau:** I know I'm a little different and live one day at a time. That's all I can do.

The bottom line is this: I started this with my team and all these experts, and I'm an expert in nothing. I'm an expert in my failures, which is why I'm trying to bring a solution to a lot of failures that I have personally. I know my personal failures are also reflective of those of many Canadians because I can say with

certainly that a great majority of you, colleagues, have talked about knowing somebody who has trouble with alcohol — family members, whether it is a parent, a son and so on.

We're all affected by this. It's time for us to do something about it. The elected house won't do it because the alcohol industry is powerful. It has a lot of resources and money. It has a lot of sway and power with elected representatives. We're not elected, but we can give this mandate to the House of Commons. How could the elected representatives in the other place have a mandate to talk about cancer warning labels when Canadians don't know about them?

If we pass this bill, colleagues, we can make history because we will change the landscape of this country just with warning labels. They will reduce drinking and make people healthier and more aware — maybe not tomorrow or next week, but I'm not thinking about next week. I'm thinking a generation down the line.

I had to break the cycle myself. I had to quit drinking. That's the only reason I'm still alive today. But I'm still enough to fight for them and ensure that cycle is broken because alcohol ruins lives.

I have six children. I have some children I don't talk to. I have a daughter I became reacquainted with not long ago. I don't need to get into the specifics of that, but the bottom line is alcohol. Yes, there are individuals who make bad decisions, but it's not just about bad decisions. Alcohol is a poison. It poisons the brain and makes people do things that they wouldn't do if they were sober.

I'm sure you've all said things at a dinner party after having a bit too much to drink that you regretted or that involved confrontations. Alcohol kills more people and has more of a negative impact than all other substances put together, but we celebrate it as if it's part of our culture. Really? Look at First Nations communities and all the suicide attempts and suicides that involved alcohol or other substances.

If we don't do this, who will? Since 1988, government after government has delayed this. Why? Are they complicit? Is the Government of Canada complicit with the alcohol industry in ensuring that there are no cancer warning labels? I'm beginning to think that they are, though we don't know that.

All I am asking of you, colleagues, is this: Let's send this bill to the House of Commons. Then we will find out over there, when the time comes, what exactly the problem is. I don't understand why this bill received all-party agreement to be studied. It was properly studied. Our chair made a number of attempts to bring the alcohol industry in to testify, but they wouldn't budge. We know why: They don't want to see these cancer warning labels. We have a \$6-billion alcohol deficit in Canada. If the government is not making money, who is?

We can wait weeks, months or years or we can do this right now. That's all I have to say. Thank you for your time.

**Hon. Marty Klyne:** Thank you for that, Senator Brazeau. I appreciate your candour and truth.

Honourable senators, it seems to me that what's missing here is leverage. Leverage is generally graduated and accepted when there's pain. You can get somebody to react to pain. Senator Brazeau, you named a number of organizations that suggest there's science behind what you're saying.

When I first heard about your bill, the first thing that jumped into my head was that there will be a big lobbying effort. They will probably meet at Tim Hortons and figure out what that's going to be.

I haven't read your bill for a little while, though it's short and an easy read. That science is where the leverage is going to come from, and there's no reason why the government should not want to look into the science of this if they're protecting Canadians and their health. Plus, it's not as if health doesn't cost a lot across Canada. It's not the jurisdiction of the federal government, but the provinces will still put pressure on the federal government, so we have to deal with these things. If the science is there to give leverage to this, then we need an education and awareness program for concerned governments, be they federal, provincial or territorial. Certainly, there should be concern about those in their jurisdictions.

That science is key. Education awareness is key. Maybe we just need the government to roll the dice and take a chance. But there is no time to roll the dice and take a chance. We have to get on with it. I think we need to search for the point of leverage where you get the pain, so that if federal, provincial and territorial governments don't look after this, it's still going to cost them a lot more money than they're already spending.

I hope you can get this bill forward. I hope that whatever committee it gets sent to adds these types of observations to the bill and we get on with it. Thank you very much for your work.

• (2020)

**The Hon. the Speaker pro tempore:** Senator Klyne, was that a question?

**Senator Klyne:** It is a question, yes. Senator Brazeau, will you go back to those sources of science and leverage them up so that they can prove that it is true and that they're willing to step out of their offices to do something in terms of public support, as well as get engagement on education and awareness if they go another step forward? From there, I think that will provide you with a quantum leap. Would you be able to do that?

**Senator Brazeau:** Thank you for the question. No, I won't go back to them. The reason is because the science is there. It's been clear. It's been there for a long time. The problem is we have a federal government that is not listening.

[ Senator Brazeau ]

As you know, I'm a non-affiliated senator here in my corner with no budget, so it's very difficult in terms of public awareness and education. As you're aware, that costs a lot of money.

However, having said that, it should be noted that I was listening to the Olympics several weeks ago on the French TSN, or RDS. I was listening to a commercial, and its narration was basically the first time I heard the Government of Quebec saying that, essentially, if people diminish their alcohol intake, it may prevent them from getting up to seven cancers.

I don't know if you recall, but in January 2023, when the new drinking guidelines came out, the Government of Quebec was one jurisdiction that wasn't in favour of the new drinking guidelines. This bill was first introduced in November 2022. It's almost four years later. But even though I'm in my corner as a non-affiliated senator with no budget — and I'm fine with that — a lot more Canadians have become aware of the negative impacts of alcohol. I'm alone in my corner with no budget to raise this awareness. It's up to the Government of Canada to raise this awareness. They have not only the deep pockets but they also have the obligation.

But nobody has put enough pressure on the Government of Canada to move forward with this, which is why I'm asking all of you. We have the power this evening, if we wish, to send it to the other house so that they can deal with it.

At the end of the day, there are so many important and very serious things happening in this country. It's time to punt this piece of legislation to the House of Commons so that this chamber can deal with other serious issues.

**Hon. Flordeliz (Gigi) Osler:** Would Senator Brazeau take another question?

**Senator Brazeau:** Absolutely.

**Senator Osler:** Thank you, Senator Brazeau, for the work you have been doing on this bill and for sharing your deeply personal story.

I read an article in the *Calgary Sun* a few days ago, which reported that Health Canada is refusing to back Bill S-202. The article stated that in a briefing note written last month — it's not what the committee heard in the fall:

. . . the health ministry argued the government supports increased public awareness about alcohol use but would not support the idea of warning labels.

I tried to look for the report quickly but did not find it. I'm wondering if you are aware of the details in that briefing note that the officials put out last month. If you are aware of it, would you mind sharing it with the chamber?

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

I have no further details than you probably have. I just received the small quote that's apparently in the briefing note. Regardless, it says Health Canada is not interested in having cancer warning labels, which is nothing near what they testified before the committee. That is why we have to send this over there so that they have to deal with it. This is political hypocrisy at its finest. Let's call a spade a spade.

**Hon. Paulette Senior:** Senator Brazeau, in light of Senator Klyne's question, I'm wondering if you recall at committee when the officials were asked if they were aware of the research that they declared they were, including the minister. That was all they were willing to say. Do you recall that conversation?

**Senator Brazeau:** I do recall that conversation, obviously. Like I mentioned before the dinner break, let's not forget that Health Canada also said that since 2022, they've been studying and reviewing the former Bill S-254, which is now Bill S-202. Like I said, the bill is just half a page and there's a cover page.

It's Health Canada. They've been reviewing a bill for almost four years, and they had nothing to say about it. It's very concerning.

(On motion of Senator Housakos, for Senator Martin, debate adjourned.)

## CANADA REVENUE AGENCY ACT

### BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Downe, seconded by the Honourable Senator Prosper, for the second reading of Bill S-217, An Act to amend the Canada Revenue Agency Act (reporting on unpaid income tax).

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

**Hon. Senators:** Agreed.

(Motion agreed to and bill read second time.)

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

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

• (2030)

## RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

### SECOND REPORT OF COMMITTEE—DEBATE ADJOURNED

The Senate proceeded to consideration of the second report (interim) of the Standing Committee on Rules, Procedures and the Rights of Parliament, entitled *The Role of Non-Affiliated Senators*, tabled in the Senate on February 24, 2026.

**Hon. Peter Harder:** Honourable senators, I want to briefly draw your attention to the second report of the Standing Committee on Rules, Procedures and the Rights of Parliament with respect to the role of non-affiliated senators.

You will know there are two kinds of reports that the Rules Committee can table in the Senate. One is like our first report, and that is where we recommend rule changes which have to, of course, be adopted by the full chamber.

This second report is of the other kind, which is simply tabling for your consideration the views of the committee with respect to a subject matter that has been drawn to the committee's attention, and that is the role of the non-affiliated senators.

I don't want to take much time going into detail, but I simply want to remind the Senate that the committee dealt with this issue over nine meetings. The committee heard from 13 witnesses. Of those nine meetings eight of them involved 12 witnesses and were held before the study lapsed following the prorogation of the First Session of the Forty-fourth Parliament. The committee resumed its study in the Forty-fifth Parliament, and the results of it are contained in this report.

Rather than make recommendations for rule changes, which the committee viewed as not being required, we did outline a number of best practices. I only want to reference one because I want to encourage that be read and proceeded with by the Chamber Operations and Procedure Office, COPO with the cooperation of the Government Representative's Office, GRO, and the scroll process. That is, we should:

. . . develop a formalized practice to ensure that all senators, including non-affiliated senators, receive timely, updated, complete, equal and consistent information on statements, debates, votes, bills, motions and chamber agenda changes. The leadership representatives from other recognized groups and parties may be included in the development of this practice.

The committee requests that this formalized practice improve mechanisms for communicating last-minute changes by providing an online version of the daily scroll notes that is updated in real-time . . .

I bring this to your attention, colleagues, because I think, while this measure is under the rubric of non-affiliated senators, it is a measure that would help us all follow the proceedings as they evolve.

So I commend the report to you. I invite those who are referenced to particularly pay attention, and I encourage them to follow up.

**Hon. Leo Housakos (Leader of the Opposition):** Will Senator Harder take a question?

**Senator Harder:** Absolutely.

**Senator Housakos:** Thank you, Senator Harder, for your work. We are going to take the report under consideration and review it carefully. I haven't had time to do that yet, but I did hear, more or less, the objective of the report from you. It strikes me that if there aren't entrenched rule changes, then the objective here is just trying to count on the goodwill of the various groups in the chamber and the Speaker in order to bring into practice what you're recommending.

I know that in the past, once upon a time, there were very few non-affiliated senators, and there was always an attempt made to try to keep them up to speed in terms of amendments and motions and what have you. I'll give you a simple example. Today, we had a series of amendments on Bill C-12. Forget about non-affiliated members; members of the official opposition and, I suspect, members from other groups never got those amendments until we came to the floor. Actually, I think the good practice you're recommending is something that maybe could be expanded.

**Senator Harder:** That is precisely why I raise it, senator. Because while the rubric was non-affiliated, we would encourage that this practice be broadly shared and made available to all senators so that we can have a better in-time, real-time awareness.

With respect to your premise, yes, the best practices are referenced in the report in the sense of how we should accommodate the non-affiliated, should that number increase, including sessional orders, which I would, again, reference to the chamber as having accommodated significant changes in the ups and downs of the last 10 years, and it is a good practice to remind ourselves that that is available to the Senate.

**Hon. Percy E. Downe:** I would like to ask a question as well, Senator Harder. I'm sure he will take it. If not, he will stay in his seat.

Senator Harder, thank you for that report. I'm glad you highlighted that the new technology that we're all using every day on our laptops and our phones is not being used in the Senate. We are not using it to keep people informed. The report is focused, as the Leader of the Opposition indicated, on the non-aligned senators, but there is a lack of information available for all senators. Adapting technology to the Senate will address that.

I hope the government leader and the people in the other groups who have to take action on this will take that action.

I'm wondering if you could tell me if there are any advances being made on how we vote. We're doing the best practice of 1867. We're all standing up, bowing. We have all seen what

happens when ministers are here. When they vote, they say, "Excuse me," and are gone for 30 seconds, and then they're back testifying in Committee of the Whole.

Is there any consideration to adapting the Senate to that as well?

**Senator Harder:** Thank you for the question. Senator, you will know, as a member of the Rules Committee, that this subject has not been discussed in that committee. It came up tangentially in the course of this conversation on the non-affiliated in the sense of utilizing technology for our collective benefit.

With respect to the innovation of voting remotely or voting online, it is more appropriate that the leaders be the stimulus for further consideration and direction to the appropriate Senate committee, should that be desired.

(On motion of Senator Martin, debate adjourned.)

## NATIONAL STRATEGY FOR CHILDREN AND YOUTH BILL CRIMINAL CODE

### BILL TO AMEND—THIRD READING

Leave having been given to revert to Other Business, Senate Public Bills, Third Reading, Order No. 2:

**Hon. Rosemary Moodie** moved third reading of Bill S-212, An Act respecting a national strategy for children and youth in Canada, as amended.

She said: Honourable senators, I rise today to begin third reading debate of Bill S-212, An Act respecting a national strategy for children and youth in Canada.

Colleagues, this bill, in my view, is among the most significant pieces of legislation we can move forward in this Parliament. That is because it's not only about supporting the Government of Canada in its efforts to develop programs for children and youth, but it is about ensuring a vision and a plan so that every child in Canada has an opportunity to succeed and prosper.

We have over 8 million children in Canada. They are our most precious resource, and they are critical for Canada's economic growth and economic sovereignty.

• (2040)

As many of our colleagues and I have emphasized many times before, Canada continues to lack a coherent, long-term national vision for our children and youth. Throughout my consultations on this bill with young people, parents, advocates, Indigenous leaders and youth, a recurring theme kept coming forward: Without a clear vision, we are failing our children and youth in providing opportunities and creating the space for them to succeed in our country.

All of the groups with whom I consulted were very clear: Canada needs a national strategy that brings together the patchwork of programs and benefits throughout the country

under one outcome-driven framework. Without such a strategy, we risk continuing with siloed interventions, short-term fixes and duplication of efforts that fail to address the real issues facing children and youth, including poverty, housing, mental and physical health and education, and we will always fall short of reaching our goals.

Public investment in Canada's children and youth has shown itself to be an efficient and assured mechanism to grow Canada's economy. Investments in child care, youth services and education act as a powerful economic engine. Data from TD Economics and the Department of Finance Canada indicates that for every \$1 invested in these programs, Canada's Gross Domestic Product, or GDP, increases by \$2.30, outperforming sectors like construction and manufacturing.

In the short term, investments in children and youth would immediately remove barriers for women to join the workforce. This would grow Canada's labour pool and increase our overall economic output.

When the Government of Canada introduced the Early Learning and Child Care program in 2021, its own analysis estimated that investments in this program would support as many as 240,000 more Canadian women entering into the Canadian labour market and increase real per capita GDP in the long run by as much as 1.2%. In the long term, the same data shows that investments bring a 13 to 1 return on our investment.

Studies from the University of Toronto and UNICEF Canada show that these returns would become realized through increased lifetime earnings, potentially increasing earnings by 25% and reducing government spending on health care and social services.

Colleagues, the evidence is clear: Investments in education, health and youth services for children and youth directly fuel our economic productivity. The more we support our children and youth, the more we develop a stronger, resilient and skilled workforce.

However, Canada's current approach to supporting our children and youth operates in a fragmented, asymmetrical model with this patchwork of programs, benefits and policies across provinces, territories and the federal government. As a result, we see a limit to the kind of progress that we have all made collectively over the past few years.

To give you an example, with the implementation of the national child care program, despite the Government of Canada's commitment to ensure that every family in Canada has access to affordable and safe child care, each province and territory is in a very different stage of implementing this program, and some have even opted not to do anything — or very little — about child care at all.

The urgency for this strategy is also underscored by the alarming data from UNICEF Canada's most recent report. UNICEF ranks Canada nineteenth out of 36 high-income countries when it comes to supporting our children and youth, demonstrating that our children are not faring as well as many of our peer countries.

Some of the more alarming statistics in the report include children's life satisfaction declining from 79% to 76% since 2018. We have also made minimal gains in addressing childhood obesity, social skills and adolescent suicide. Most alarmingly, Canada has slid from twenty-third to twenty-fifth out of 43 peer countries in addressing the rate of child mortality.

These are not insignificant issues. These statistics represent deep, systemic failures of Canada's fragmented system. We are failing too many children when it comes to their health, well-being and mental health.

Let me be clear about what Bill S-212 does and does not do. It does not appropriate money, nor does it tell the Government of Canada what the strategy should be. Rather, it establishes a legislative framework for the government to develop a strategy, including the kinds of stakeholders the Government of Canada must engage with in developing the strategy. It would require that the government consult broadly, especially with children and youth, caregivers and families, Indigenous governing bodies, provincial, territorial and municipal governments, and other experts in the children and youth space.

Bill S-212 mandates that the strategy include measurable goals, quantifiable indicators, a detailed plan of action and a resource map for how it would be implemented. It builds on the accountability tools called for by UNICEF and Campaign 2000 by ensuring that the government provides a progress report every six months to Parliament until the strategy is published.

This kind of parliamentary oversight provides a mechanism for children and youth to ensure that their voices are included in the development of this strategy.

Finally, Bill S-212 anchors the strategy in a rights-based approach, aligning with Canada's obligations under the United Nations Convention on the Rights of the Child, the United Nations Declaration on the Rights of Indigenous Peoples and the United Nations Convention on the Rights of Persons with Disabilities. In short, this bill lays the foundation for a child-centred, coherent, accountable and long-term national framework.

Throughout the bill's study at the Standing Senate Committee on Social Affairs, Science and Technology, we heard powerful testimony from clinicians, youth advocates, service providers, Indigenous leaders and mental health advocates.

At the outset, I would like to give my sincere gratitude to Senator Greenwood, Senator Hay and Senator Petitclerc for their thoughtful and enriching amendments. Your work has strengthened the bill, and, as Senator Burey said, your additions helped to ensure “. . . a deep commitment to improving outcomes for children and youth.”

Colleagues, witnesses at the committee agreed on the need for a strategy but emphasized a couple of important facts that must be considered in developing the strategy.

First, Indigenous communities must and should have their own distinctions-based process that supports their unique realities and is informed by First Nations, Inuit and Métis perspectives and knowledge systems. Senator Greenwood said:

There are numerous socioeconomic factors, including colonization, that significantly and disproportionately impact the health and well-being of Indigenous children. . . . By incorporating indicators that are relevant to Indigenous children and youth and are informed by Indigenous perspectives and knowledge systems, we can ensure that the national strategy can fulsomely address the challenges that are unique to Indigenous children and ensure that they are not lost . . . .

The second major theme we heard from experts was the need for the strategy to include clear outcomes and quantifiable indicators so that progress is not just promised but tracked. This is especially important as we try to improve on the declining socioeconomic outcomes that have been reported on by UNICEF.

Experts at committee spoke of the lack of access to children's health and mental health services. They also spoke of long wait lists, infrequent mental health check-ins from service providers and confusion in navigating the health care system.

As a result, the committee unanimously agreed to ensure that Bill S-212 addressed these concerns by including mental health, physical health and children and youth with disabilities, as an additional area to which the Government of Canada must pay particular attention when developing the strategy.

Senator Burey said in her speech:

. . . these amendments and observations together ensure that the national strategy creates a vision that is inclusive, equitable and responsive to the full diversity of children and youth across Canada.

The third factor that was raised at committee came from youth advocates themselves. They were clear that youth from every region of Canada must be at the table throughout the entire process in developing the strategy. This means going beyond just being consulted. Children and youth deserve meaningful opportunities to determine their own future, which includes a leading role in developing the strategy that is specific to them.

• (2050)

Finally, witnesses were clear that the strategy must emphasize the principles of equity, implement a rights-based approach and include strong accountability mechanisms to ensure the Government of Canada is achieving its goals.

As Senator Senior pointed out in her observation:

. . . children are not inherently poor; rather, they experience poverty through their living conditions, often single-parent households headed primarily by mothers. It is poverty within those situations we need to address.

Particularly for Indigenous and racialized youth, children with disabilities and children experiencing poverty, witnesses at committee stressed the importance that the strategy be grounded

at its core in the Convention on the Rights of the Child, the United Nations Declaration on the Rights of Indigenous Peoples and the United Nations Convention on the Rights of Persons with Disabilities.

With these additions, Bill S-212 now provides even more tools for the Government of Canada to develop a strategy for children and youth. This is a good thing for our communities, for our children and for Canada.

I would like to thank the committee members for their hard work that has strengthened the bill and will ensure that no child or youth is left out.

Colleagues, as I have consistently stated since I introduced this bill a few months ago, the case for a national strategy for children and youth could not be clearer. We are not doing what we should be doing to ensure that our children have everything they need to be successful and prosperous. The data is clear. Canada's fragmented system is not benefiting our young Canadians.

Without a unified vision, we run the risk of repeating the same mistakes of the generations before us and missing an opportunity to finally make a meaningful difference in the lives of our children, to push our goals to that finish line that we all desire.

Honourable senators, again quoting Senator Burey in her third reading speech:

. . . we have a chance to take the baton from former senator Landon Pearson in the relay race that is the life of our country and ensure that all our children have the brightest future possible, with no child left behind.

A national strategy, you see, is not a luxury; it is essential if we truly care about equity and well-being and ensuring that all our children have the opportunity to thrive.

I urge you to support Bill S-212 without reservation. In doing so, we send a strong message to Canadians and to our children and youth that we are serious about their future.

We will demonstrate to our young people that we recognize the urgency to take care of their needs. We will demonstrate that we are willing to commit to a long-term plan that will ensure that every child in Canada has a chance to be prosperous.

We are not simply voting on a bill, colleagues. We are voting on a vision for Canada where every child has access to good-quality health care, where mental health services are timely and equitable, where every young person's rights are respected and where governments across Canada are held accountable for the future of our young people.

Your Honour, honourable senators, children do not choose the circumstances into which they are born. They cannot vote. They do not have a direct voice in this chamber. But we, as senators, have a profound responsibility to do all we can as legislators to ensure our children and youth have everything they need for their future.

We must act out of justice, accountability and a demand for a national vision for our children. As a community, we must create a framework that ensures that no child is left behind. Bill S-212 is that legislative tool to do precisely that.

We should seize this moment and move ahead with Bill S-212.

Thank you, senators.

**Hon. Chantal Petitclerc:** First, I would like to thank you, Senator Moodie, for this bill, for what it will do and because it provides me the opportunity to speak about the well-being of children, an issue, a subject that is very close to my heart.

[*Translation*]

Bill S-212 defines the principles and framework that the federal government will use to coordinate the development of a national strategy for children and youth. I supported a similar version of this bill in 2024. As I said in my speech back then, every child, regardless of their social or economic background, race or place of birth deserves the same opportunities to thrive and grow. For a child to have a happy childhood, certain basic needs must be met. Children must have access to health care, must be able to feel safe and must have their rights respected, regardless of their background or their difference.

[*English*]

I am pleased that the Social Affairs Committee has amended the bill so that the strategy takes into account Canada's obligation under the United Nations Convention on the Rights of Persons with Disabilities.

I fully agree with Ms. Carr from Inclusion Canada, who rightly pointed out in committee:

Ensuring the rights of children with disabilities are explicitly protected and promoted in national strategies is a fundamental step toward achieving true equity and inclusion. . . .

Another amendment adopted by the Social Affairs Committee is the recognition of mental health as an essential component of the future national strategy. Several witnesses who appeared during our study stressed the importance of including mental health, noting that the psychological needs of children and youth are a matter of growing concern all across the country.

Today, please allow me to use my time to highlight a critical issue that such a strategy would be able to address, in my opinion.

[*Translation*]

There are a number of aggravating factors contributing to the decline in children's well-being, including excessive use of smartphones, tablets and computers. Any public initiative aimed at supporting children and teens will have to take into account the fact that we are living in unprecedented times, where screens play an outsized role in their daily lives. These technologies and platforms have profoundly transformed the way they entertain themselves, socialize, work and learn.

Of course, owning a connected device and spending time online can be beneficial for our young people. Children acquire skills more quickly. Socialization is inseparable from the use of these tools among today's youth. However, this comes at a cost. There is growing evidence that excessive use of screens, social media and other digital platforms is dangerous. Empirical data is only starting to come in, but what we do know is worrying.

[*English*]

The causality is not always direct, but a growing number of studies suggest a negative association between intensive screen use and increased anxiety, depression, sleep disorders and psychological distress among young people.

Last year, I began a series of talks and consultations with parents, pediatricians, organizations and experts concerned with the issue of children and screens. The conclusion is the same everywhere: A growing number of parents, educators and specialists feel powerless and unable to ". . . draw the line between beneficial, healthy screen use and excessive, harmful use."

This concern is very well summarized in an op-ed published in the *Ottawa Citizen* on May 2, 2025, by Robyn Aaron and Alex Munter:

Every generation of parents has faced new challenges. One of the biggest right now is how to prevent young kids from being groomed by tech platforms that want to turn them into lifelong customers.

Just like our parents understood the addictive potential and health risks of tobacco, today's parents and caregivers are realizing how social media algorithms are affecting kids' health. . . .

• (2100)

[*Translation*]

In June 2024, the U.S. Surgeon General, Dr. Vivek Murthy, issued a health advisory recommending that social media platforms post information about the risks young people face when spending time on them, similar to the mandatory warnings on other products.

According to Dr. Murthy, teenagers who spend more than three hours a day on social media are more likely to show symptoms of depression and anxiety. It is not uncommon to see many young people using these platforms for around five hours a day.

High amounts of recreational screen time are associated with mental ill health among children and youth. That was the conclusion of a study published in July 2025 in *Health Promotion and Chronic Disease Prevention in Canada: Research, Policy and Practice*.

We know from experience that screens and platforms are addictive. The time young people spend on them is time they are not spending elsewhere. They are not getting enough sleep or exercise.

According to Jean-François Harvey, co-author of *Faut que ça bouge!*, a book advocating movement, screen time is eating into time spent doing physical activities, time spent outdoors, time spent socializing and time spent in nature.

Prolonged use of screens and social media may lead to a decrease in real-world social interactions. A study conducted in 2023 by Caroline Fitzpatrick, a professor at Université de Sherbrooke, showed that the more tablet time young children have, the more they exhibit outbursts of anger. It also found that regular tablet use leaves less time for parent-child conversations, which children need in order to learn to manage their emotions.

[English]

Parallel to that, the transformative role of artificial intelligence is beyond any doubt. This technology is already omnipresent in our daily lives, beginning with the AI assistants on our smartphones. This is only the beginning; we can expect an acceleration very soon.

Young people tend to substitute human support with the emotional support of AI conversational agents, which carries the risk of weakening their psychological development and social relationships. Strict oversight is essential; otherwise, this could exacerbate risks related to algorithmic manipulation and emotional dependency. We must avoid repeating the mistakes we made with social media by allowing AI to develop without safeguards. It is urgent that we be proactive and put in place the necessary frameworks so that we can fully benefit from its countless advantages.

Honourable colleagues, I am certainly not the only one worried about the deterioration of the mental health of our children and young people, including a rise in anxiety symptoms, depression and sleep disorders. I also do not feel alone in wanting to make it a priority to reduce screen time and better regulate digital technology use in order to protect the mental health of young people in Canada.

Young people and children need support. Their brains are still developing. What we fail to do now will have an impact 10 years from now.

Tech companies use knowledge about how the brain works to create platforms that are not only attractive but addictive — and specifically designed to be that way in order to turn attention into a commodity. It is unreasonable for companies and children under the age of 13 to be bound by terms of service and conditions written by highly specialized lawyers.

There is work to be done to develop a collaborative pan-Canadian solution to address the harmful effects of screen use, in general, and social media, in particular, on the mental health of children and young people. Measures should be considered to counter the harm they are already experiencing and to help them build healthy relationships with technology.

[ Senator Petitcherc ]

It is my hope that the strategy proposed in Bill S-212 will be instrumental, even crucial, in that regard.

The essential work this strategy will perform must also be carried out outside this strategy through other pieces of legislation or within the existing regulatory framework. The crucial point to understand is that it's already midnight — already too late — when we consider the extent of the control that big tech companies already exert over the minds and lives of our children and teenagers.

Therefore, I welcome the adoption of Bill S-212. It will play a big role.

Thank you, *meegwetch*.

**Hon. Salma Ataullahjan:** Honourable senators, I rise today as the friendly critic of Bill S-212, An Act respecting a national strategy for children and youth in Canada.

The heart of Bill S-212 asks us to look at the deeply unequal experiences of children and youth across our country. While some grow up with access to resources and services that improve their well-being, such as stable housing and quality education, others face poverty, violence, discrimination or isolation. In a country that prides itself on its commitments to fairness and human rights, this kind of inequality should be a cause for concern.

I want to take this opportunity to once again thank Senator Moodie for introducing this bill. By requiring the federal government to develop a national strategy, Bill S-212 allows us to align our country's policies with our international commitments to the protection of the rights and well-being of the youngest members of our society. By passing this bill, we look beyond short-term programs and fragmented policies and toward a long-term strategy that listens to young voices, coordinates our efforts and measures our progress. We support a structured approach that fulfills our moral and legal obligations to the young citizens of our country. We reaffirm our commitment to a Canada where every young person has the opportunity to grow, be heard and thrive.

Thank you.

**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 bill, as amended, read third time and passed.)

**CRIMINAL CODE  
INDIAN ACT**

BILL TO AMEND—SECOND READING—DEBATE ADJOURNED

Leave having been given to revert to Other Business, Senate Public Bills, Second Reading, Order No. 20:

On the Order:

Resuming debate on the motion of the Honourable Senator Tannas, seconded by the Honourable Senator Osler, for the second reading of Bill S-241, An Act to amend the Criminal Code and the Indian Act.

**Hon. Yonah Martin (Deputy Leader of the Opposition):** Honourable senators, I rise today to speak to Bill S-241, An Act to amend the Criminal Code and the Indian Act.

This bill would authorize the governing body of a First Nation to exercise exclusive authority over the conduct and management of lottery schemes on its reserve lands and to license others to do so, provided that notice is given to the relevant federal and provincial governments. It would also amend the Indian Act to allow band councils to enact bylaws governing those activities.

This proposal represents a significant shift in Canada's gaming framework. As we know, gaming in Canada is governed by a constitutional division of powers. The Criminal Code establishes prohibitions and exceptions, while provinces regulate and administer permissible gaming activities. Each province has developed its own regulatory model, whether it's through statutes such as British Columbia's Gaming Control Act, Saskatchewan's Alcohol and Gaming Regulation Act or Ontario's hybrid structure involving both the Gaming Control Act and the Ontario Lottery and Gaming Corporation Act. In fact, it's different across the country depending on the province or territory.

• (2110)

As the law stands today, lottery schemes are only lawful if conducted and managed by a provincial government, subject to limited exceptions. This means that First Nations, even on their own lands, cannot independently operate lotteries without provincial involvement. Bill S-241 would change that reality and would effectively end the provinces' exclusive role in the conduct and management of lotteries.

Bill S-241 is framed as a recognition of First Nations self-determination and as a tool for economic reconciliation. Those objectives are worthy of respect. The promise of greater economic autonomy carries with it the possibility of community investment, cultural renewal and improved social outcomes. These are goals that merit serious consideration. However, the promise of a bill does not relieve us of our obligation to examine its consequences carefully.

First, the structure of a First Nations gaming regime under this bill is largely undefined. There is no clarity about which regulatory body would oversee these activities, whether there would be a centralized Indigenous regulator or how standards

would be enforced. We do not yet know what cooperation among First Nations would look like or how regulatory capacity and resources would be developed and shared.

This uncertainty is not a theoretical concern. It is a practical governance issue. Gaming is one of the most heavily regulated industries in the country because it engages consumer protection, financial integrity and public health. If Parliament is creating a new authority to conduct and manage lottery schemes, it is reasonable to ask who will set and enforce the rules, how compliance will be monitored and what mechanisms will exist to address misconduct or disputes.

A centralized Indigenous regulator could provide consistency and shared expertise, while a decentralized model could respect community autonomy, but the bill does not indicate which path is intended or how either would function, nor does it explain how smaller or remote First Nations would build the technical and regulatory capacity required to operate complex gaming systems without disproportionate cost or risk.

Second, important jurisdictional questions remain unresolved. The bill contemplates the sale of lottery products within provinces. Would First Nations operate in competition with provincial gaming corporations? Would there be any duty to consult when provincial and First Nations gaming systems intersect or conflict?

These jurisdictional questions go beyond market competition and speak directly to constitutional balance and cooperative federalism. Provinces are currently responsible for consumer protection, responsible gaming standards and the integrity of lottery operations within their borders. If First Nations are authorized to sell lottery products within a province, it is unclear whether provincial regulatory standards would apply, whether First Nations standards would prevail or whether a new shared framework would be required. In the absence of clarity, overlapping authority could create regulatory gaps or disputes, particularly where player protections, taxation or advertising rules differ.

Similarly, if First Nations gaming operations compete directly with provincial gaming corporations, the question of consultation becomes not merely political but also legal and practical. How will conflicts be managed? What forum will resolve them? Clarifying these relationships in advance would reduce the risk of litigation and ensure that economic self-determination proceeds within a stable and predictable legal environment.

Third, the scope of gaming activity contemplated by this bill is unclear. Would it include online gaming? Could bets be accepted from players outside reserve lands, outside provinces or even outside Canada, so long as the operation is located on-reserve? These are not technical footnotes. They go to the heart of enforcement, consumer protection and international compliance.

Uncertainty about the scope of permitted gaming activity is not a minor drafting issue. It directly affects enforcement and public safety. Online gaming and remote betting are inherently borderless, which raises questions about which laws apply when players are located in another province or another country. If a lottery scheme is conducted on-reserve but marketed and accessed elsewhere, regulators must know who is responsible for player protections, age verification, anti-money laundering controls and dispute resolution. Without explicit limits or guidance, enforcement agencies may face serious challenges in determining jurisdiction and compliance obligations.

These ambiguities also carry international implications, as Canada could be seen to permit cross-border gaming without a clear legal framework. Clarifying the scope of authorized activity would protect First Nations from legal uncertainty while ensuring that consumer protection and international obligations are upheld.

We must also consider the effect on existing arrangements. In Saskatchewan, gaming operates through a partnership between the province and the Federation of Sovereign Indigenous Nations through the Saskatchewan Indian Gaming Authority. Revenues are shared among First Nations, the province and host communities. In British Columbia, First Nations participate in revenue-sharing agreements tied to the British Columbia Lottery Corporation's profits. Similar models exist elsewhere in Canada, but they are all different, as I stated earlier.

What becomes of these negotiated frameworks if Bill S-241 passes? What becomes of the charitable and non-profit organizations that rely on lottery revenue to support health care research, amateur sport, cultural programming and community services? Will First Nations-run lottery schemes be required to reinvest profits in comparable public interest ways, or will different standards apply?

There are also practical regulatory questions. Will smoking bylaws, alcohol rules and public health protections continue to apply uniformly? Or could regulatory disparities create unintended competitive advantages for some operators over others?

Finally, and most concerning to me, is the issue of consultation. I welcome the sponsor's indication that provinces and other stakeholders will be invited to appear at committee. Actually, this was previously studied, so some of that has already taken place, but it will be important to look at these issues again very carefully. That is important and necessary.

However, legislation of this magnitude should be built on meaningful and broad consultation from the outset. Many affected parties appear to have been brought into the conversation late or not at all. Late consultation does not merely complicate administration; it undermines trust. It risks positioning Indigenous governments, provinces and communities in opposition to one another rather than building a cooperative framework. If reconciliation is the objective, then the process must reflect it. Consultation should form the foundation of the bill, not be deferred until after its architecture has been drafted.

[ Senator Martin ]

For these reasons, I believe Bill S-241 requires thorough, careful and continued study at committee. We must hear from First Nations who support and oppose it, from provincial regulators, from experts in gaming and online betting, from public health officials and from organizations that depend on gaming revenues to serve Canadians.

• (2120)

This is not a bill we can assess narrowly. Its implications touch constitutional balance, Indigenous rights, public revenues, community health and regulatory integrity.

As senators, our role is not to impede progress but to ensure that progress is responsible, fair and sustainable. I look forward to the bill being examined closely at committee and to hearing from those whose lives and communities will be directly affected by the proposed legislative changes.

Now, I do not sit on the Indigenous Peoples Committee nor on the Legal Committee, to which this bill will be referred — you'll hear from the sponsor in a moment about that — but I will pay close attention and maybe go to such committees if time allows. I will trust the colleagues on those committees to continue to do their very good work in examining this bill very carefully when it comes to the front. I know all the committees are so busy, but this is a very interesting and important bill at this time, so I look forward to hearing what the committees will be hearing from witnesses and what the results will be at the end.

Senator Tannas, I know you're very passionate about this bill. Thank you for your patience. I tried to speak to this earlier, but we had a very busy legislative agenda.

Honourable senators, as the critic, I raise these points to say it's very important to examine these issues at the committee level. Thank you.

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

**Hon. Lucie Moncion:** I would like to take the adjournment of the debate in the name of Senator Kingston.

**The Hon. the Speaker pro tempore:** It is moved by the Honourable Senator Moncion, seconded by the Honourable Senator Petitclerc, that further debate be adjourned until the next sitting of the Senate.

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

**Some Hon. Senators:** Agreed.

**An Hon. Senator:** No.

**The Hon. the Speaker pro tempore:** I hear a “no.”

[*Translation*]

All those in favour of the motion will please say “yea.”

**Some Hon. Senators:** Yea.

**The Hon. the Speaker pro tempore:** All those opposed to the motion will please say “nay.”

**Some Hon. Senators:** Nay.

**The Hon. the Speaker pro tempore:** In my opinion the “yeas” have it.

(On motion of Senator Moncion, for Senator Kingston, debate adjourned, on division.)

## THE SENATE

### MOTION PERTAINING TO THE SITUATION IN GAZA— DEBATE ADJOURNED

On the Order:

Resuming debate on the motion of the Honourable Senator Woo, seconded by the Honourable Senator Dean:

That, in light of findings and orders from the International Court of Justice and the International Criminal Court on the situation in Gaza, the Senate call on the Government to examine the risk to Canada and Canadians of complicity in violations of international humanitarian law, including war crimes, crimes against humanity and genocide, and to report on its findings within three months of the adoption of this motion.

**Hon. Denise Batters:** With leave of the Senate, I move adjournment of the debate.

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

**Some Hon. Senators:** Agreed.

**The Hon. the Speaker pro tempore:** I want it clear, senators. Is leave granted?

**Some Hon. Senators:** Yes.

**Some Hon. Senators:** No.

(On motion of Senator MacDonald, debate adjourned.)

## VITAL ROLE OF PHYSICAL ACTIVITY AND SPORT

### INQUIRY—DEBATE

On the Order:

Resuming debate on the inquiry of the Honourable Senator Deacon (*Ontario*), calling the attention of the Senate to the vital role that physical activity and sport play in enhancing our well-being, strengthening our communities and shaping the fabric of the Canadian experience.

**Hon. Chantal Petitclerc:** Honourable senators, I am very pleased to speak to this inquiry on the vital role of sport and physical activity.

[*English*]

I would first like to say thank you to the colleagues who have already spoken on this inquiry. I want to take this opportunity to invite colleagues to join in sharing their experience through sport and physical activity.

This is not a marginal issue. This is not a niche issue. It is a question that touches on health, inclusion, dignity and the kind of country we want to build.

[*Translation*]

Sport is a simple word, but it encompasses a huge reality. It means sport for everyone, sport for young people, sport for health and high-performance sport. In all its forms, sport is a catalyst for change in people’s lives. That is true for everyone.

[*English*]

Physical activity and organized sports are not exactly the same thing, but they do share the same foundation. They allow people to inhabit their bodies differently. They improve endurance and strength. They have the power to improve physical health, of course, but also to support mental well-being, social inclusion and personal development. They can reduce isolation and build confidence. They create not only movement, but meaning.

The preliminary report of the Future of Sport in Canada Commission explicitly recognizes sport as an avenue for health and well-being and as a tool that can provide life-changing opportunities for personal growth and social inclusion.

[*Translation*]

I sincerely believe that this truth is compounded for people with disabilities.

When we compare the journeys of several Olympic and Paralympic athletes, it quickly becomes apparent that their entry into sport is not always the same. Olympic athletes often discover their sport at a very early age. They grow up in a club, a team or an organization. The path is demanding, but it is already laid out. It exists, it is structured and it is well marked.

For many Paralympic athletes, sport comes into their lives in a different way. Sometimes it comes along after an accident, a tragedy, an illness or a breakdown. It is not always the fulfillment of a childhood dream. Sometimes it becomes a way to reconnect with themselves, with their body and with their future.

[English]

Allow me to take some time to share my own journey through sport because this is certainly how it happened for me and how it was life-changing. Some of you know this, but I come from a very small town, Saint-Marc-des-Carières, and this is where I had my accident at the age of 13. It was one of those very plain accidents that still happen too often in rural communities. We were visiting some friends of the family. They had a farm which was abandoned, so the message from the parents was quite clear: We, the kids, were not allowed to go play on that farm. But we were 13, and we had no screens, so we went to play on that farm, which was not the brightest idea of my life.

The big idea was to lift a barn door that was broken and to put some sort of a crate underneath it and turn it into a jumping ramp for a bicycle. Again, not the best idea. But we did that at 13, and with not as much muscle as I had as an athlete, I could not hold the door. The door fell on me, and that is how I became a paraplegic.

You know, it goes fast. Even when you're very young, there are some things in life that you just sense. I have this memory of being on the ground and unable to move, unable to get up, unable to feel my legs and just sensing that life would never be exactly quite the same and that I would need to adapt very quickly to that new reality.

Then it goes fast. You have the hospital and the rehab centre, and you go back home. I went back home to Saint-Marc-des-Carières. I left in the spring in an ambulance and came back in a wheelchair to a very small town. One person changed the direction of my life, really, and it was my physical education teacher, Gaston Jacques, who came to me and said, "I'm not too sure what to do with you."

• (2130)

It wasn't a time of big conversations on inclusion, equity and diversity. It was more like, "What can I do and how can we figure this out?" He was there and said, "We don't know what to do, but let's do something. This is too important not to. Let's try swimming."

That's how sport came into my life — and how it changed my life — because I was not an athlete before my accident. I am not from an athletic family. I had no idea I had that potential, but I trusted someone through sport. I said yes, and for five years we did a lot of swimming.

[Translation]

After five years, I was in the best shape of my life. For someone in a wheelchair, being fit means being self-sufficient and independent. It means being free. It means having the ability to move around, to transfer yourself, as I do when I move from my wheelchair to my chair.

[ Senator Petitcherc ]

[English]

That changed everything.

[Translation]

It gave me independence.

[English]

But the deepest effect was not simply physical. It really sent a message to everyone — especially to me — that, even with this accident, even with my living in a wheelchair, my life had not stopped. It was clearly taking a new direction, but somehow, because of sport, I was confident that while I still faced a lot of obstacles, most importantly, there were still a lot of possibilities and opportunities. That is the power of sport. That is the moment when I understood something that has stayed with me ever since: that everyone — every athlete and every person with a disability — always has more potential than limits. For me, sport was part of that potential.

This is so true because, for many children with a disability, sport is not only about movement, but also identity, friendship and being part of something. It is about not always feeling like or being the one kid with a disability, but being there as a teammate, a competitor and just a kid.

[Translation]

I'm thinking about a boy called Milan. I've talked to you about him before. He's my cousin's son, and he was born with cerebral palsy. Milan is now an awesome teen. He's from Saint-Marc-des-Carières too. When he was younger, he had a great community and amazing parents, but opportunities to participate in an adapted sport were obviously few and far between in Saint-Marc-des-Carières. But then he discovered sledge hockey thanks to Défi sportif AlterGo in Montreal. This organization operates across Quebec. That sport gave him much more than just an activity.

[English]

It gave him passion, goals and certainty and took him to the provincial level, but what struck me most was that it gave him a sense of belonging. In his school, in his community, in the village, he is now not known only as the one kid with a difference and a disability: He is known as an athlete. Sport has helped to strengthen his sense of inclusion because it gave others a new way to see him, and it gave him a new way to see himself.

The last time I saw Milan was amazing. I was visiting Saint-Marc with my son, and Milan asked my son to try sledge hockey. They played sledge hockey together, and it was such an amazing image.

[Translation]

It was a very simple moment, but it clearly showed that sport also gives us a way to come together, to unite, to share our passions and to develop a sense of belonging to something greater than yourself.

[English]

This is also why athletes matter as role models. My first great role model was Rick Hansen. I was in high school when his tour came to my school, and I was the only one in a wheelchair. They said, “Just go meet him. You are the only one in a wheelchair.” The first thing he told me was, “My God, you need a better wheelchair.” That changed my life. We’re still friends, and I always remind him of that story.

As Senator Clement said, representation and visibility matter. This is not only in a symbolic way but in a very practical one, because role models expand imagination, and imagination changes what young people dare to hope for.

[Translation]

Despite all the progress made in recent decades, equal access to sports and physical activity is still a long way off. Often, the first obstacle is the environment itself. Even if you’re right next to a swimming pool, you may not actually be able to access the water if the facility doesn’t have a ramp, wheelchair, or adapted changing rooms. Even outdoors, a trail that is classified as accessible isn’t necessarily accessible if the surface is unstable, the slope is too steep, or the entry points are less accessible.

[English]

Sometimes, I find myself asking a very simple question: If my own child were using a wheelchair, what exactly would I do? Where would I take him after school for sports and practice? We all know that his options would be much more limited than is acceptable. If that question is already difficult to answer in a large city, we can only imagine how much more difficult it becomes in smaller and rural communities, where accessible options may be rare and inconsistent.

Even here, through my work in Ottawa, I see many of my early bird colleagues at the gym in the morning. The gym is in my hotel, but it does not have a hand bike. It has a pool, but there are seven steps I must traverse to get to it. This kind of experience may seem minor from the outside, but when you live it and repeat it time after time, again and again, those small barriers add up. They are frustrating and become, in fact, a system of exclusion.

A major barrier to sport for persons with disabilities is cost. I won’t go into detail, but we are watching our athletes at the games right now. Every time you see a sit ski, think \$20,000 to \$30,000. Every time you see a wheelchair racer, think \$10,000. The costs are more and the funding is less, so you do the math.

When we see difficulty around participation — and representation, as you said, Senator Clement — we must be careful not to confuse exclusion with lack of interest. Very often, people are not on the sidelines because they don’t want to be active; they are on the sidelines because participating has been made too expensive, too complicated and too challenging.

[Translation]

I would like to talk about things that have gotten better. The Canadian Paralympic Committee now has a performance recognition program that awards Paralympic medallists — the ones we’re watching right now — the same amounts of money that Olympic medallists get: \$20,000 for a gold medal, \$15,000 for a silver medal and \$10,000 for a bronze medal. This performance bonus has been in place since 2008 for our Olympic medallists, but only since 2024 for Paralympic medallists. This week’s Paralympic medallists will be the first winter Paralympians to receive this well-deserved recognition. This is a concrete measure. It is also important symbolically because it acknowledges that an athlete is an athlete.

[English]

Money alone will not solve everything because there is a deeper barrier, one that is harder to identify because, somehow, it has become a bit normalized. That is ableism. Research highlighted by the University of British Columbia through the work of Andrea Bundon shows that ableism continues to shape Canadian sport at every level, from participation to leadership. When sport is designed around assumptions about what a normal or valid body is, disabled people are too often treated as exceptions to be accommodated later rather than as participants who should be included right from the beginning.

[Translation]

I’d like to conclude quickly, so I will ask my colleagues now if they would allow me to extend my remarks by five minutes.

[English]

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

[Translation]

**Hon. Senators:** Agreed.

**Senator Petitclerc:** Thank you, senators.

• (2140)

I would like to conclude by sharing an unforgettable experience that came to mind as I was writing this speech.

[English]

In 1990, at the Commonwealth Games in Auckland, wheelchair athletics was there for the very first time as a demo event, and that was historic. We were proud and excited to be there. We felt like doors were opening, and yet it became one of the most difficult experiences of my life, really.

We arrived at Auckland. The village was not accessible, so we were housed in a location away from the rest of Team Canada. We did not have the Team Canada jackets and kit. When we arrived at the track, it became clear that the organizers had not even considered the fact that, like any other athletes, we would need access so that we could train before competing. We were

told to get physically off the track. It was suggested that the tires would damage the track — that was the excuse — but my coach was stubborn. We stayed there and we came back.

The next morning, there was a sign depicting a wheelchair with a “no entry” cross on it. We had to insist and keep going, but I can tell you that I was in shock, and this was the most difficult exclusionary experience of my life.

[*Translation*]

I am telling this story today not to dwell on the past, but to show that progress is being made. It is not coming quickly enough, nor is it happening everywhere or for everyone, but there is real progress nonetheless.

[*English*]

So right now let’s watch our athletes at the Paralympic Games. Let’s celebrate what they’re doing — excellence. Let’s cheer for medals. Let’s be proud of them. But let us also aim higher than mere applause. Let us build a Canada where more children, adults and seniors living with disabilities can access the simple, powerful, life-changing experience of movement. That’s because when barriers come down, potential rises, and when inclusion is real, sport becomes more than activity and more than performance. It becomes freedom, it becomes belonging and it becomes dignity in motion. Thank you. *Meegwetch*.

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

**Hon. Leo Housakos (Leader of the Opposition):** Honourable senators, I rise briefly on debate regarding this inquiry as well. There is no doubt that this inquiry encompasses some of the most important elements in building a society, of course. Physical activity, sports and athleticism not only build a healthy society and healthy young people but they also teach them how to communicate, how to strive, how to be the best and how to persevere. At the end of the day, the most important things that come out of athleticism and sport are perseverance and challenging young people to be the best they can possibly be. There are no limitations on what people can achieve.

First and foremost, thank you, Senator Petitclerc, for being an inspiration to so many Quebecers and so many Canadians.

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

**Senator Housakos:** Your story is not only inspiring but — as I said — gives hope to every single one of us that we can be the best as long as we persevere. I would like to end on that positive note.

*(At 9:44 p.m., pursuant to the order adopted by the Senate earlier this day, the Senate adjourned until 2 p.m., tomorrow.)*

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