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CANADA'S POLITICS AND GOVERNMENT NEWSPAPER

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NEWS

Truckers' protest reflects rise in 'disruption politics,' increasing polarization, say political insiders

BY ABBAS RANA

The "Freedom Convoy," which has paralyzed the nation's capital for more than a week, could be a political gift for Prime Minister Justin Trudeau, say some political insiders, but others warn this could turn into an "Occupy Parliament Hill movement" and become a major headache for the government.

"Trudeau knows that these guys aren't going to stay there forever," said Darrell Bricker, CEO of Ipsos Public Affairs, in a Feb. 1 interview. "There's a time limit on this: I mean, the two things that they did that were silly, was they did it on a weekend when none of the Ottawa press gallery is there, and Ottawa's downtown is shut down pretty much anyway. And the second thing they did was they picked one of the coldest periods that we're going to get this winter to do it, with another big snowstorm on the way. So, I'd say time and the weather are on Trudeau's side."

For more than a week, hundreds of protesters, including



A Freedom Convoy organizer, pictured on Feb. 1, 2022, speaking to supporters from a stage set up on a crane truck parked along Wellington Street in downtown Ottawa. The so-called 'Freedom Convoy' could be a political gift for Prime Minister Justin Trudeau, say some politicians, but others say Trudeau should do something now to put an end to the protest or this could potentially morph into a big problem for his government. *The Hill Times* photograph by Andrew Meade

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NEWS

Trucker-protest paralysis reveals need for leadership in the capital

BY CHRISTOPHER GULY

As the end-of-January truckers' protest near Parliament Hill transformed into the early-February occupation of Ottawa's downtown core, residents and their representatives on the capital's city council have reached their breaking point and are desperately looking for leadership from the many elected officials in town.

The other group desperate for leadership are the truckers themselves, according to veteran Canadian pollster Angus Reid.

"Part of the problem is that when you have no leader who can give voice to your concerns, then you take to the streets and manifest what psychologists call 'frustration aggression,'" Reid told *The Hill Times*.

Prime Minister Justin Trudeau (Papineau, Que.) ruled out meeting with any of the organizers behind the massively disruptive demonstration initially crafted as a display of opposition to the cross-border vaccination requirement for long-haul truck drivers.

At a Jan. 31 news conference, the prime minister said that he would "not go anywhere near protests that have expressed hateful

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Alice Chen

Heard On The Hill

Veteran Hill reporter Joan Bryden retires, 'Canadian politics is poorer for it,' and Black History Month begins



Former CP reporter Joan Bryden, pictured talking to Bob Rae at an Ottawa event in 2015. 'I am officially a retired person today. This will take some adjustment after 40 years in daily journalist, 34 of them covering Parliament Hill/federal politics,' Bryden said on Twitter. *The Hill Times file photograph*

Early in the morning on Feb. 1, long-time Parliament Hill and federal politics reporter **Joan Bryden** announced the beginning of her official retirement and an end to her time with The Canadian Press' parliamentary bureau.

"I am officially a retired person today. This will take some adjustment after 40 years in daily journalist, 34 of them covering Parliament Hill/federal politics. I'll still be watching events tho. Some habits are hard to break," she said on Twitter on Feb. 1.

Fellow journalist and national columnist for *The Toronto Star* **Susan Delacourt** expressed her feelings about Bryden's departure, saying: "Joan Bryden is officially retired today as a reporter. Canadian politics is poorer for it, but I'm happy for her."

Bryden's announcement on Twitter garnered hundreds of good wishes from fellow journalists, former journalists, political players, and many more and 1,466 likes. A well-respected reporter, Bryden reported on major political events over the decades, broke stories, and turned complicated stories into comprehensive, in-depth reads.



That's not a scrum: Joan Bryden, pictured fourth from left, with reporters Joël-Denis Bellavance, left, Daniel Leblanc, Manon Cornélien, and Campbell Clark in the rear, in the Commons foyer in 2003 watching the House proceedings. *The Hill Times photograph by Jake Wright*

Peter Mansbridge, former host of CBC's *The National*, summed things up on Twitter: "Come on in Joan. The water is fine! Congrats on a fabulous career—so far!"

In response to the warm words of support and love, Bryden gave a genuine

thanks on Twitter: "A heartfelt thank you to everyone for all the kind words today. I am touched and overwhelmed."

Elections Canada releases 2021 election report

Taking stock of the circumstances and administration of the last election, held on Sept. 20, 2021, Elections Canada tabled its statutory report on the 44th general election in the House of Commons on Jan. 31.

The report provided by the Chief Electoral Officer **Stéphane Perrault** digs into the agency's efforts to ensure a safe and accessible election amid COVID-19, and breaks down how, and how many, Canadians voted. "The agency's overarching priority was to ensure that Canadians would feel safe participating in the election, whatever their role," the report reads.

To that end, Elections Canada noted its consultations with health authorities at the provincial, territorial, and federal level, and the creation of reference materials to guide election workers on how to implement changes like physical distancing measures, as well as new ways for electors to submit special ballots.

Some 17.2 million Canadians, or 62.5 per cent of registered electors, voted in the last election, according to the report, 16 million of whom voted in person—5.8 million at advance polls and 10.2 million on election day itself.

Spurred by COVID, the 2021 election saw a jump in voting by special ballots, but not all who requested such ballots ultimately had their vote counted. As described in the report, of the roughly one million Canadians who used mail-in ballots to vote within their ridings, 883,000 (or 87 per cent) were returned in time to be counted (the deadline being 6 p.m. EDT on election day). Another 55,696 ballots were sent to voters living abroad, of which only 48.5 per cent, or 27,035, were counted, and of the 203,446 special ballots issued to Canadians voting in Canada but outside of their home riding, about 78 per cent, or 158,693 were counted.

The report also touches on subsequent judicial recounts, which took place in four electoral districts in 2021: Châteauguay-Lacolle, Que.; Trois-Rivières, Que.; Brome-Missisquoi, Que.; and Davenport, Ont.

Of those, Châteauguay-Lacolle was significant in that the results led to a reversal of fortunes, with Liberal incumbent **Brenda Shanahan** snatching victory over her closest competition, the Bloc Québécois' **Patrick O'Hara**, by just 12 votes, the report reads. It marked the first such seat flip since 2008.

The official voting results will be published in the coming months.

Black History Month to be celebrated virtually by Canadian Heritage

With the start of Black History Month, Canadian Heritage has updated its government portal with news of a virtual event, to celebrate the month and its legacy.

The virtual tribute is planned for 7 p.m. EDT on Feb. 17 on Facebook Live, with plans spanning performances to more grounded interviews.

The theme for this month, Heritage's site reads, is "February and Forever: Celebrating Black History today and every day," which means focusing on "recognizing the daily contributions that Black Canadians make to Canada," the paragraph concludes.

"No matter where you live, we invite all Canadians to learn more about these communities and how they continue to help shape the story of Canada."

Elsewhere, Progressive Senator **Wanda Thomas Bernard**, will be showing up in a three-part free virtual panel series hosted by the Ontario Association of Social Workers, starting at 6 p.m. EDT on the evenings of Feb. 9, Feb. 16, and Feb. 23.

The topics include African, Caribbean, and Black communities, and Afrocentric social work, with a focus on life from "cradle to grave," and how Canadian social work can be decolonized.

Black Canadians have influenced Canada's history from the early 1600s, with the arrival of navigator and interpreter **Mathieu Da Costa**.

The late **Lincoln Alexander** became Canada's first ever Black Member of Parliament when he was elected to represent Hamilton West, Ont., in 1968. The House of Commons officially recognized February as Black History Month in December 1995.

PHAC spent more than \$100,000 on legal costs to prevent release of Winnipeg lab docs

In a recent Order Paper question response, the Public Health Agency of Canada revealed that it spent \$122,600 on legal costs for its application in Federal Court to stop the release of the Winnipeg lab documents to the House of Commons.

The question came from Conservative MP **John Williamson** (New Brunswick Southwest, N.B.), who sought these figures and a list of departments involved in allocating resources to "prepare the legal application," the response reads.

It notes that all legal services relating to the filing were provided by Department of Justice counsel.

The Winnipeg lab scientists controversy dates back to July 2019, when Chinese Canadian virologists **Xiangguo Qiu** and husband **Keding Cheng** were evicted from the Canadian National Microbiology Laboratory in Winnipeg; they were fired by the Public Health Agency of Canada (PHAC) in January 2021.

Since then, Conservatives have continuously pushed for access to the unredacted version of these documents, both

at committee and in the House Chamber. Last June, after House Speaker **Anthony Rota** (Nipissing-Timiskaming, Ont.) called now-former PHAC head Iain Stewart to the bar for a formal reprimand over the agency's failure to comply with a House production order, the government applied to the Federal Court of Canada to prevent the release of the requested documents. That application was dropped upon the August 2021 election call.

Most recently in early December, Government House Leader **Mark Holland** (Ajax, Ont.) proposed a compromise, wherein an all-party committee would be created to review both redacted and unredacted versions of the documents, with judges to assess what of the review could be publicized.

The proposal was rejected.

Hill construction halted amid ongoing convoy protests

Work to renovate the historic Centre Block building has been put on pause, after Public Services and Procurement Canada and the Parliamentary Protective Service made the call to close the construction site on Jan. 28 as a result of the ongoing "Freedom Convoy" protest in downtown Ottawa.

"Out of an abundance of caution, PSPC and the Parliamentary Protective Service have made the decision to close the Centre Block construction site from Friday, Jan. 28 to Wednesday, Feb. 2 due to the ongoing protest taking place in Ottawa," confirmed PSPC media relations in an email to *The Hill Times* on Feb. 2.

"The safety and security of workers on Parliament Hill remains a top priority," said the department.

"PSPC is monitoring the situation in close collaboration with the Senate of Canada, House of Commons, Library of Parliament, and the Parliamentary Protective Service, and will adjust our activities, as needed."

Asked whether the construction site will re-open after Feb. 2 regardless of, or dependent on, the continuation of the protest, PSPC reiterated that it is monitoring the situation with its parliamentary partners and will adjust as needed.

The "Freedom Convoy" that started trickling into Ottawa on Jan. 27 ahead of the convoy's main arrival on Jan. 28 continues to be parked along Wellington Street just outside Parliament Hill's perimeter, as well as on streets throughout Ottawa's downtown core. Along with a cacophony of horns, protestors—who are seeking an end to all COVID-19 restrictions and vaccine mandates, among other things laid out in its "Memorandum of Understanding"—are on foot waving flags (including the Nazi and Confederate flags, as well as many proclaiming "F*ck Trudeau," and the Canadian flag) and signs.

City residents and local businesses have reported numerous incidents of harassment, intimidation, and physical aggression. As with many other businesses, the Rideau Centre is currently shuttered until Feb. 6.

The Centre Block construction site includes both work to renovate and modernize the 100-year-old Centre Block building, as well as work to construct the final phase of the Hill's new underground welcome centre complex. This project is currently estimated to take at least \$4.5- to \$5-billion to complete by 2030-31.

PSPC has previously estimated that—at the current stage of demolition and abatement work, and amid COVID—roughly 400 workers are on site on a given day.—*Laura Ryckewaert*

achen@hilltimes.com
The Hill Times

Our new COVID-19 vaccines fight variants — without a needle

McMaster researchers are beginning a clinical trial for two new vaccines designed to protect against COVID-19 variants of concern, developed right here in our unique **Fitzhenry Vector Lab**.

Plus, there's no needle.

The second-generation vaccines use an aerosol inhaler, directly targeting the lungs and airways where infections begin.

Our researchers are mobilizing decades of groundbreaking vaccine and infectious disease research.

These innovations are among the many ways in which McMaster experts at **Canada's Global Nexus for Pandemics and Biological Threats** are protecting our communities and preventing the next pandemic.



Fiona Smail

Professor, Pathology and Molecular Medicine

Zhou Xing

Professor, Medicine



Canada's Global Nexus for
Pandemics and Biological Threats



News

Truckers' protest reflects rise in 'disruption politics,' increasing polarization, say political insiders

Pollster Nik Nanos said if it turns into an 'Occupy Parliament Hill' movement, Justin Trudeau could have a headache on his hands. There might be room for the NDP's Jagmeet Singh to pick up points.

Continued from page 1

some truckers, dubbing themselves the "Freedom Convoy 2022" have been protesting in downtown Ottawa against vaccine mandates. Some of them are anti-vaxxers, others are protesting against what they interpret as government infringing on their liberties by making vaccines mandatory to cross the Canada-U.S. border. Many of them are protesting the Liberal government in general, expressing particular disdain for the prime minister himself.

These protests started in reaction to an existing vaccine mandate for all who wanted to cross the border from the United States into Canada. Previously, truckers had been given an exemption from this requirement. On Jan. 15, that exemption was no more, and all truckers entering into Canada from the United States now need to be vaccinated in order to avoid a 14-day quarantine. The announcement that this was happening was made in November.

Trucking is the No. 1 occupation amongst Canadian men, and according to Statistics Canada, employs 303,000 men in the country. Most Canadian truckers are vaccinated and many have denounced the demonstration.

As of deadline last week, the protesters had raised a whopping \$10-million within a few weeks.

These protests started in Ottawa on the last weekend of January when the temperatures were hitting below 20 degrees Celsius before the windchill. Considering the frigid cold weather and that many of these protesters must be missing work, it remains to be seen how long this can continue.

According to a recent poll, the demonstration is not supported by Canadians. An Abacus Data poll released on Feb. 3 suggested that 68 per cent said that they have "very little in common with

how the protesters in Ottawa see things," and 32 per cent said they "have a lot in common."

The same poll also suggested that 57 per cent of the respondents said that the protest came off as "offensive and inappropriate," compared to 43 per cent who described it as "respectful and appropriate."

According to Health Canada, about 80 per cent of Canadians

In a press conference last week, Trudeau (Papineau, Que.) doubled down and vowed not to back down from his vaccine policy.

"I want to be very clear: we are not intimidated by those who hurl abuse at small business workers and steal food from the homeless," Trudeau said about the protesters on Jan. 31. "We won't give in to those who fly racist flags. We won't cave to those who engage

base, which is largely located in Western Canada, and the suburban swing voters, a key demographic which the party needs to win elections. So far, the party has been unsuccessful, he said. This delicate balance requires Conservatives to not let their base move to the populist People's Party of Canada or some other right-of-centre party like the Maverick Party, Bricker added.

The People's Party was not able to win any seats, but won about 850,000 votes nationally in the last federal election. In contrast, the left-leaning Green Party, which has been around for years, won two seats with 397,000 votes. According to some estimates, the vote split between the Conservatives and Peoples' Party caused the Conservatives to lose 20 seats across the country.

Bricker said that the trucking protest issue will not be top of mind in a few weeks as Ontario business establishments like restaurants and gyms have already opened up at 50 per cent capacity

being concerned about big government imposing its will on individuals through to concern about Ottawa ... being out of touch with Canadians and not serving Canada," said Nanos. "This is a new anti-establishment popular front [that] should not be dismissed, and it's not going away."

Nanos said that this situation could be a political windfall for NDP Leader Jagmeet Singh (Burnaby South, B.C.) whose popularity numbers have already gone up. Nanos said Canadians disappointed with the Liberals and Conservatives could park their support with the NDP.

According to a Nanos poll released Jan. 28, the Conservatives and the Liberals were tied in a statistical dead heat at 30.4 per cent and 29.9 per cent, respectively. The NDP had the support of 20.7 per cent, the People's Party of Canada at 6.7 per cent and the Greens at 5.8 per cent.

"It's not a slam dunk for Justin Trudeau," said Nanos. "It does



Thousands of protesters, pictured Jan. 29, 2022, on Wellington Street, have blocked Ottawa's downtown core, including the entire Parliamentary Precinct and its surrounding neighbourhoods. *The Hill Times* photograph by Andrew Meade

are fully vaccinated and an overwhelming majority of the population is in support of vaccination against COVID-19.

The federal Liberals used this wedge successfully against the Conservatives in the last federal election which paved the way for them to win another minority government. Even still, a number of Conservative MPs are supporting the demonstration and some Saskatchewan MPs, including caucus chair Kevin Waugh (Saskatoon Grasswood, Sask.) and former party leader Andrew Scheer (Regina-Qu'Appelle, Sask.), took pictures with the trucks last week.

Soon after the demonstration started on Saturday, Jan. 29, complaints emerged about some protesters desecrating national monuments, stealing food from a homeless shelter and some also hurling death threats at Trudeau.

Some also used Nazi symbols on protest signs and waved Nazi flags, in addition to the more common signs bearing divisive and inflammatory rhetoric against the prime minister and the Liberal government.

in vandalism, or dishonour the memory of our veterans."

Trudeau encouraged those protesters who disagreed with the divisive tactics of the protesters to distance themselves or speak up against those who had infiltrated their movement.

"To anyone who joined the convoy but is rightly uncomfortable with the symbols of hatred and division on display: join with your fellow Canadians, be courageous, and speak out," Trudeau said. "Do not stand for, or with, intolerance and hate."

In the House of Commons, Trudeau said on Feb. 2, that the government was working with law enforcement agencies to put an end to the protest which was becoming "illegal."

Ottawa Police Chief Peter Sloly did not rule out the possibility of seeking support from the military to deal with this situation.

Meanwhile, Bricker said the situation is especially tricky for the Conservatives. Erin O'Toole (Durham, Ont.), who was dumped by his caucus last week as leader, was trying to balance between his

and things are expected to get better in the coming days.

Nik Nanos, chief data scientist for Nanos Research, described the Ottawa protests as a new escalation of the disruption politics that Canadians first saw in the last federal election. In a number of the Liberal Party's campaign events, some protesters showed up to demonstrate against the vaccine mandates. In some incidents, they threw gravel at the prime minister and made particularly nasty comments about Trudeau and his family. Nanos said that Trudeau is a "polarizing figure" and the current situation could become challenging for the prime minister as it puts a spotlight on him. Nanos said it could make him look weak for not intervening or doing anything. He said that whether Canadians are for or against the COVID vaccines, they are tired of the pandemic and this is just another frustration point for them.

"This is a new, popular, anti-establishment front that has been formed, that is very diverse, in terms of what the drivers are [demanding]; everything from being concerned about vaccinations to

mobilize progressive voters, but I don't think we should equate progressive voters being mobilized with them voting for Justin Trudeau. And this is why Jagmeet Singh is well positioned at this time."

He warned that the Liberals should be worried as this could turn into an "Occupy Ottawa movement" where truckers take turns and occupy as much of the Parliamentary Precinct as possible. He noted that the truckers don't need thousands of trucks for this, and even a hundred trucks could bring the city to a standstill. Meanwhile, Nanos said Canadians want the government to come up with a long-term solution to the COVID-19 pandemic.

"I would hazard to say that average Canadians are still frustrated with a pandemic, want proactive action from the federal party leaders to have a path forward," said Nanos. "And what this does is this makes voters even grumpier, because basically, it looks like a capital that's gripped in indecision and inaction that is hostage to truckers."

The Hill Times

SEVEN-IN-TEN CANADIANS AGREE THAT WEB GIANTS SHOULD DO MORE TO SUPPORT CANADIAN CONTENT!

Right now, foreign digital broadcasters do not have any responsibility to promote or support Canadian music.

Current broadcasting laws and regulations were designed for radio and television.

While these rules have been effective, foreign digital platforms have zero obligations to support and promote Canadian creators, even to Canadian audiences.

For every dollar in music licenses from Canadian TV and radio broadcasters, around 34 cents are distributed to Canadian songwriters and composers.

But for every dollar in music licenses from digital platforms, only 10 cents remain in Canada.

CANADIAN MUSIC CAN'T GET LOST IN THE SHUFFLE.

SOCAN and other Canadian music industry organizations are calling for updated policies for digital broadcasters so that Canadian music is heard.

Reforming the Broadcasting Act is a necessary step to strengthening Canadian songwriters and composers' place within Canada and supporting Canadian music in a digital world.

SEPT CANADIENS SUR DIX CROIENT QUE LES GÉANTS DU WEB DEVRAIENT SOUTENIR DAVANTAGE LES CONTENUS CANADIENS!

À l'heure actuelle, les diffuseurs numériques étrangers n'ont aucune responsabilité quant à la promotion ou au soutien de la musique canadienne.

Les lois et règlements actuels en matière de radiodiffusion ont été conçus pour la radio et la télévision.

Cette réglementation a été efficace, mais les plateformes numériques étrangères n'ont toujours aucune obligation de soutenir et de promouvoir les créateurs canadiens, même auprès du public canadien

Pour chaque dollar de licences musicales des diffuseurs canadiens de télévision et de radio, environ 34 cents vont aux créateurs canadiens.

Mais pour chaque dollar de licences musicales provenant des plateformes numériques, seulement 10 cents restent au Canada.

LA MUSIQUE CANADIENNE NE DOIT PAS ÊTRE PERDUE DANS LE BROUHAHA.

La SOCAN et d'autres organisations de l'industrie canadienne de la musique demandent une mise à jour des politiques encadrant les diffuseurs numériques afin que la musique canadienne soit entendue.

La réforme de la Loi sur la radiodiffusion est une étape nécessaire pour renforcer la place des créateurs canadiens dans leur propre pays et soutenir la musique canadienne dans un monde numérique

SOCAN

music. people. **connected.**
musique. monde. **connectés.**

ADISQ
Association québécoise de l'industrie du disque, du spectacle et de la vidéo

APEM
Association des professionnels de l'édition musicale

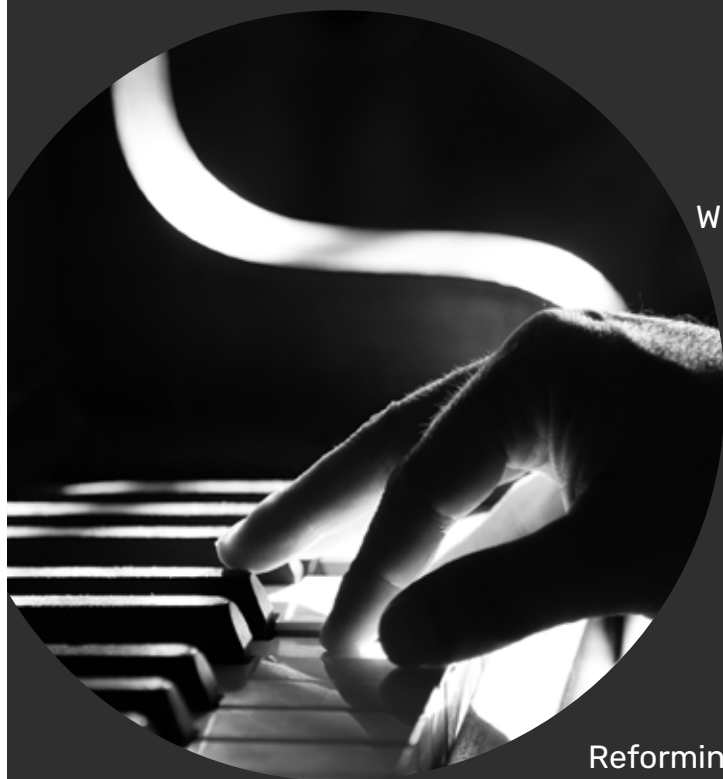
CIMA
EST. 1975

Music Publishers Canada
Éditeurs de Musique au Canada

SCGC
SCREEN COMPOSERS GUILD OF CANADA

SPACQ

Songwriters.ca



News

Public policies in place for Afghan refugees are being kept private



Immigration Minister Sean Fraser has implemented public policies to enable special immigration measures for Afghan refugees, but they aren't being released to the public. NDP MP Jenny Kwan says keeping them secret is causing refugees and those working on their behalf to take "shots in the dark." *The Hill Times* photograph by Andrew Meade

Months after the fall of Afghanistan to the Taliban, Afghan refugees and those working to get them to Canada say a lack of communication from the government is 'misguided.' At this point, more transparency is needed.

BY CHELSEA NASH

Public policies that enable the government to implement special immigration measures for Afghan refugees are being kept under wraps, even as those working to assist Afghans navigate the immigration system say the lack of information is causing confusion and chaos.

Ministers of immigration have the power to issue public policies to work around certain immigration laws and facilitate special measures like the ones that have been created for Afghan refugees. These policies can include exemptions from certain immigration requirements for specific groups. Normally, these public policies are public and available on the department's website.

But the public policies for Afghan refugees are not public, nor are they being released to advocates in the sector who have requested them.

A spokesperson for Immigration, Refugees and Citizenship Canada said the public policies

are not being released "in consideration of this vulnerable population and to protect the integrity of the process."

The department did not respond to questions about how keeping the policies from the public was protecting the integrity of the process or protecting the refugees themselves.

Janet Dench, the executive director of the Canadian Council for Refugees, had also requested the public policies from the department and said she was told the same thing.

"Their rationale seems misguided and very paternalistic," she said. "This is in line with a broader problematic position being taken by the government in regard to Afghan movements—an unwillingness to share information with NGOs and lawyers, saying that IRCC will take care of things and it will only confuse things if they give out more information."

IRCC spokesperson Julie Lafortune said the government is trying to secure safe passage for those in Afghanistan by working with its partners in the region. She pointed out the government is doing this while it is "navigating a war zone" in which it has "no military or diplomatic presence."

"This unique environment has required the Government of Canada to be flexible and to tailor approaches to provide assistance for unusual situations. As a result, the Minister has used his authority to create public policies to enable the government to assist at-risk Afghan refugees," she said in an email.

NDP MP Jenny Kwan (Vancouver East, B.C.), her party's immigration critic, said she's never seen an instance of the government not sharing information in terms of a policy that impacts the public. She understands that spe-

cific details about which groups the government might be working with or what their strategy is on the ground in Afghanistan needs to be kept private for security purposes.

"But if there is flexibility with the current situation then we need to know what is that flexibility and how would it apply? Because at this stage, we don't know. We're all shooting in the dark," she said.

Immigration and refugee lawyer Maureen Silcoff, who works with the Canadian Association of Refugee Lawyers, said she wasn't as concerned with how the government communicated information about the special immigration measures—whether via public policies or otherwise—but said there was a need for increased transparency and communication.

"This is not a few weeks anymore, this has been months," she told *The Hill Times*. "At this point, understanding that we're dealing with all of the really difficult hurdles of Afghanistan and what that involves, there has to be improved communication, both in terms of public-facing and client-facing communication."

Silcoff also acknowledged that the situation on the ground in Afghanistan is complicated, but pointed out that there are also people outside of Afghanistan in third countries who are waiting to hear any indication from the government about their eligibility to come to Canada.

The Hill Times reported on two such cases last week. Farzana Adell, a women's rights activist and former staff to the president of Afghanistan Ashraf Ghani who is stuck in Turkey, appears to be an ideal candidate to come to Canada as a refugee. But, the question of where she should direct her application poses a challenge.

Similarly in a bind, Afghan refugee Muhammad Hussain Hamdard initially applied to come to Canada as a refugee back in mid-August when Kabul first fell to the Taliban. In the meantime, he and his family have managed to make it to a refugee camp in the Netherlands. An English-speaker with family here, he said he still wants Canada to be where he settles. But, he has heard no updates about the status of his application at all. He is unsure if he is in fact eligible under Canada's special immigration measures, and until he finds out more information, he feels stuck.

"At this point, I think people expect that there has been sufficient time to understand what the difficulties are, what the hurdles are, and what needs to happen. And I think it's time to put in place some improvements, given the desperation of people at this point," Silcoff said.

Dench pointed to the issue of Afghans who have been evacuated to Canada and granted temporary resident permits. Those people don't know whether they should move forward with refugee applications or apply for permanent residence.

"We repeatedly asked IRCC to explain to us the rules relating to people on temporary resident permits, but IRCC refused, saying simply that they would contact individually those on TRPs who are eligible for permanent residence through the special immigration measures (i.e. the public policies)," she said in an email.



Janet Dench, executive director of the Canadian Council for Refugees, says the government's approach of keeping information to itself is 'paternalistic.' *Photograph courtesy of Adaha John*

"As a result, people have been in a lot of confusion, unaware of their rights, and NGOs and lawyers struggle to help them," she said.

Silcoff said that situation was causing uncertainty.

"I think the bigger problem lies, of course, [with] the people who are in dire circumstances in Afghanistan. People need information. People need transparency," she said.

Kwan said she has written multiple letters to Minister of Immigration Sean Fraser (Central Nova, N.S.) and Minister of Foreign Affairs Mélanie Joly (Ahuntsic-Cartierville, Que.) as

well as their predecessors prior to the election last fall. She said she has yet to hear a reply to any of them.

On Wednesday, Kwan said she was in the process of drafting another letter about a case that has been brought to her attention where women and their families are in hiding in Afghanistan because the Taliban has issued a public order to behead them. The people working with these families don't know if there is a path for these families to come to Canada, which is why they reached out to Kwan.

She said she wishes she knew exactly what the public policies were so she could share that information with the people who are working with these families and at least direct them to the proper route for application.

"They're in hiding and they're just so scared. I don't even know what to say. And there's some secret process that maybe they can tap into. Seriously?" Kwan said.

Silcoff said those working in the sector understand there are sensitivities involved.

"But there's also the sensitivities of the situation, including very vulnerable people in highly dangerous circumstances [who need information]," Silcoff said.

One need for sensitivity can't displace another, she said.

cnash@hilltimes.com

The Hill Times

Afghan refugee applications by the numbers:

According to the IRCC website: IRCC has received **14,740** applications through the Special Immigration Program for Afghans who assisted the Government of Canada. Some **9,820** of those have been approved; **4,920** are still pending. Of those applications that have been approved, **4,315** have arrived in Canada.

2,900 refugees who applied through the humanitarian program have arrived in Canada.

According to the government's Order Paper responses to MPs' inquiries of ministries:

The average processing time for Special Immigration Measures applications is **22 days**.

Approximately **11,662** Afghan refugees, or **56 per cent** of the department's processing inventory, are located in third countries, with most currently residing in India and Pakistan. Approximately **9,249**, or **44 per cent**, are still in Afghanistan.

Government funding directed to Afghanistan:

Canada has committed a total amount of **\$367.82-million** in development funding to Afghanistan for 2020 through 2025.

Of that amount, **\$28.34-million** is allocated through Canadian organizations.

Canada has allocated a total of **\$143.57-million** in humanitarian funding to Afghanistan for 2020 through 2022.

Of that amount, **\$1.5-million** is allocated through Canadian organizations.

OTTAWA DECLARATION

Canada and the Treaty on the Prohibition of Nuclear Weapons

“Humanity remains one misunderstanding, one misstep, one miscalculation, one pushed button away from annihilation.”

U.N. Secretary-General Antonio Guterres issues this stark warning of the immediacy of the nuclear threat and the unacceptable catastrophic humanitarian consequences of firing any of the world’s 13,000 nuclear weapons. All nine states holding these weapons pursue the perpetual “modernization” of their arsenals – notably making a mockery of the disarmament commitments of the nuclear weapon powers party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), and threatening to extend the nuclear weapons era indefinitely. More than ever, the world needs to hear a clear moral and legal call for the elimination and perpetual prohibition of these instruments of mass destruction.

Just such a call has come with urgency and authority in the January 2021 entry into force of the Treaty on the Prohibition of Nuclear Weapons (TPNW). In unequivocal language, the TPNW declares that “any use of nuclear weapons would be abhorrent to the principles of humanity and the dictates of public conscience.”

This historic treaty exposes and stigmatizes nuclear weapons and their use as standing outside the norms of international humanitarian law. It challenges nuclear weapon states to finally act on their NPT disarmament commitments. The TPNW reinforces the urgent need for nuclear weapon states to undertake and conclude nuclear disarmament negotiations, with non-nuclear weapon states also at the table.

Therefore, we the undersigned urge Canada to join the Treaty and call on the Government to begin the process by publicly welcoming the Treaty’s moral authority and legal mandate in the pursuit of a world without nuclear weapons. We also urge Canada to join Norway and Germany as observers at the first Meeting of States Parties, and to work at bringing NATO into conformity with the Treaty and the NPT.

We thus call on Canada to challenge the nuclear retentionist policies of NATO, by, as a first step, acting decisively on the still relevant 2018 recommendation of the House of Commons Committee on National Defence – that, “on an urgent basis,” the Government of Canada “take a leadership role within NATO in beginning the work necessary for achieving the NATO goal of creating the conditions for a world free of nuclear weapons.”

The overwhelming majority of Canadians support the abolition of nuclear weapons and look to their government for energetic and sustained leadership in helping to push the world back from the abyss of nuclear annihilation. Nuclear disarmament diplomacy must become a national priority. Emergency action is required.

January 2022

This “Ottawa Declaration” emerged out of the conference of international experts initiated and convened by The Simons Foundation Canada and Canadians for a Nuclear Weapons Convention (CNWC) in Ottawa, November 29-30, 2021, on “Canada and the Treaty on the Prohibition of Nuclear Weapons.” The declaration is endorsed by the following individuals (conference participants, indicated by an asterisk, and CNWC supporters, all of whom are recipients of the Order of Canada). Affiliations are included for identification purposes only and do not indicate institutional endorsement.

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Canadians for a Nuclear Weapons Convention



Rassemblement canadien pour une convention sur les armes nucléaires



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Editorial

Conservative MPs' endorsement of Ottawa's ongoing occupation indefensible

At this point, what started out as a convoy and became a protest against all COVID-19 restrictions has again morphed this time into a week-long occupation of downtown Ottawa. It is hurting the very same people the protesters claim to want to help: working-class folks struggling with the impact of COVID-19 restrictions on their lives and livelihoods.

The harm this group has imposed on Ottawa and its residents has been made abundantly clear. The presence of white supremacists within the group has been revealed. Residents of the city's downtown neighbourhoods report incessant, round-the-clock honking and feel scared to leave their homes. Businesses big and small have been forced to close, leaving workers without pay. The Parliament Hill renovations had to stop. Workers have been laid off. A coffee shop window on Elgin Street featuring a Pride flag was smashed.

Ottawa Police Chief Peter Sloly said last week that the situation remains volatile. He said Ottawa police officers have had to ignore many offences because of the risk of public safety and the risk for his own officers and he described the protest as "massive in scale, polarizing in content [and] dangerous in literally every aspect." Ottawa Police officers have made three arrests in connection with the protests so far and are spending \$800,000 per day supervising and responding to related emergencies.

So even after Sloly said the situation was volatile and that public safety

is "paramount," Conservative MP Kevin Waugh tweeted out a photo featuring himself, along with fellow Conservative MPs Warren Steinley, Andrew Scheer, Fraser Tolmie and Rosemarie Falk and Senator Denise Batters standing in front of a truck parked on a downtown Ottawa street, holding up the Saskatchewan flag. Waugh's assessment? "It's great to see Canadians championing freedom on Parliament Hill." This behaviour is mind-bogglingly crass.

So it's no coincidence that Erin O'Toole lost the leadership in the midst of this mess. The right wing members of his party were nipping at his heels for making them vote unanimously to ban conversion therapy in Canada. Now, they're expressing support for a group that includes some people who think it's appropriate to destroy Ottawa's downtown core, treat Wellington Street like it's one long street party, carry the Confederate flag, and flags with swastikas, debase the National War Memorial and the Terry Fox statue, and honk horns all day and through the evening.

This is a litmus test of where Conservative values lie in 2022. So far, it's looking like a sizeable portion of the party's elected officials value the chaos of a week-long occupation of Canada's capital over the well-being and livelihoods of the people who live here. It's a clear crisis of conscience for members of the official opposition, a party in disarray, that is certain to make itself all the more clear in the upcoming leadership race.

The Hill Times

Letters to the Editor

Freedom is found in open, democratic parliamentary governments, not in holding Ottawa hostage

Re: "Clash of the tired: pandemic fatigue and political opportunism at odds as COVID protest persists," (*The Hill Times*, Feb. 2, by Mike Lapointe).

There is no middle ground. We are in the throes of a pandemic health crisis and protecting the citizens of the country is paramount. I am rather concerned that people are now thinking that there is third way forward not the vaccination route, not the anti-vaxx route, but something more normal. In most social issues this may be the case, but in this case there is hard scientific evidence for the role of vaccinations and there is no room for compromise. I do not understand why this highly successful vaccine is being seen differently than the many that we have all accepted in the past.

I am deeply concerned that the travel of the recent protesters may have set the stage for dire consequences as a result of their carrying contagion across the nation. Recent waste-water tests in Ottawa may point in that direction. We will probably see in the coming days how

much additional damage has been done. Unfortunately, radical elements have hijacked the protest from the truckers and turned it into something awful. They cry freedom. Where is freedom found in the governments of the world? It is found in open, democratic parliamentary governments.

You have the right to vote, but on the understanding that the government that is voted in must be accepted. Protest is a way of expressing displeasure, of alerting government to serious shortcomings in governance, but it is not a route to overthrowing the government and installing a dictatorship. And certainly not a route to forcing forward policies that the majority do not agree with. That was what the election was for. And first and foremost, the role of government in a democratic country is the protection of people's safety, which includes making public health decisions and controlling unruly protesters.

Tom McElroy
 Toronto, Ont.

Dispatch: hostage taking in progress

How can we continue to show empathy when they can't see their own hypocrisy? They invoke freedom as written in our Charter, yet claim that the elected representatives' right to govern is unconstitutional. They invoke free speech, yet try and hijack the will of the people to impose their own narrow minority individualist and hierarchist worldview.

The deeper question then arises—what makes the most extreme members of these individualists/hierarchists/Liberarians/anarchists/Conservatives feel so

threatened that their need for tribal cohesion so demonstrably supercedes reason?

That's a deeper and more complex analysis than fits. But it is the central question that has to be answered before we can truly understand the madness of how these people are behaving. And we have to do that ... get to that core truth, in order to find ways past the ideological extremism that is holding Canada, and all of us, hostage.

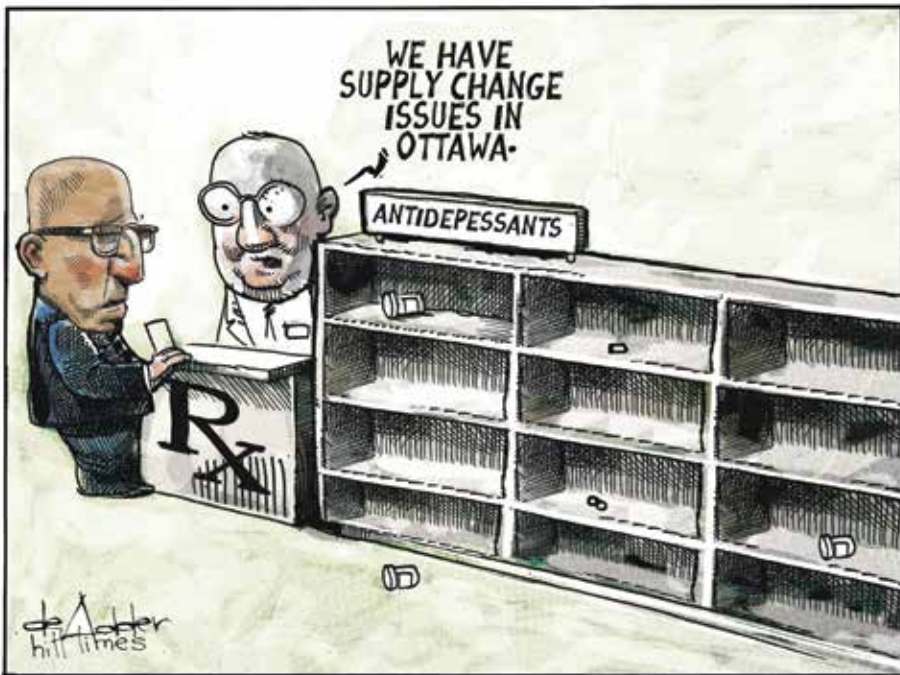
William Perry
 Victoria, B.C.

Crimea was part of Russia for close to 200 years, writes Trenaman

Re: "Domestic politics in play in Canada's posturing on Ukraine and Russia," (*The Hill Times*, Jan. 27). Thanks for incorporating the article by Bhagwant Sandhu. It was well-written and factual. What could have been added is the fact that Crimea was part of Russia for close to 200 years before Nikita Khrushchev in

1957, as leader of the Soviet Union, and a Ukrainian himself, assigned it without a vote, to Ukraine. Hopefully this article might help to still the clamour of those who, in all forms of popular media, beat the drums of war.

Roland Trenaman
 North Vancouver, B.C.



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Opinion

O'Toole's demise was caused by a schism in the party, and it's only growing wider



Erin O'Toole may have left the helm of the Conservative Party of Canada with a roadmap to victory in his farewell speech: listen to the other side, and embrace diversity. Will they heed his message? *The Hill Times* photograph by Andrew Meade

If the Conservatives would ever like to see another PM among their ranks, they need to understand the road to victory involves reaching out to 37 million people, not 73 caucus members.

Sheila Copps

Copps' Corner



OTTAWA—Seventy-three people were able to vote out a leader who was chosen by 100,000 Conservatives. This is democracy?

Conservative leader Erin O'Toole's departure was as hasty as it was dramatic. And in a touch of irony, the author of the private member's bill that prompted O'Toole's demise was one of the few people fighting for the leader to stay.

Michael Chong introduced his private member's bill, designed to give more power to individual parliamentarians, in 2013. Everyone lined up in favour of the legislation in the belief that empowering members would lead to better leadership.

But in a bizarre twist for this strange law, each party is allowed to opt in to the system, or not, at the beginning of each Parliament.

Not surprisingly, the Conservative party was the only one dumb enough to sign on to a piece of legislation which is guaranteed to create chaos for any opposition leader.

The Conservatives have cycled through six leaders in six years, and O'Toole took them closest to power. His popular vote victory didn't help much because so much of the weight in numbers came from provinces that could never yield a majority.

And O'Toole failed to make a breakthrough in two key provinces that are crucial for election victory, Ontario and Quebec.

O'Toole, an Ontario member, understood that the failure to make sufficient gains in that province was based on the extreme viewpoints taken by many of his team on social issues like abortion.

After the election, he moved quickly to reposition the party by supporting legislation banning gender therapy conversion in the first session of Parliament.

As for the Quebec vote, his Conservative caucus in that province was verbally supporting the legislation on Broadcasting Act amendments at the same time that Tory fundraisers were out trashing the legislation to buck up their coffers.

The bifurcation in the party was not caused by O'Toole. It was prompted by a



MP Candice Bergen, known to oppose a woman's right to choose what to do with her own body, is now interim leader of the Conservative Party of Canada. *The Hill Times* photograph by Andrew Meade

party schism that has only been exacerbated because of his departure.

Deputy leader Candice Bergen, who enjoyed coffee with the truckers while the occupation of Ottawa's downtown core was underway, is a well-known opponent of a woman's right to control her own body.

It was no accident that she was the only leader to neglect to thank O'Toole in the House of Commons for his work as a four-term parliamentarian, until reminded by the prime minister.

Bergen is part of the right wing of O'Toole's party who will guarantee that they lose the next election because of their refusal to embrace political moderation.

In the hours following O'Toole's departure, most blame was aimed at the leader's inability to manage the caucus and to keep people happy.

Negative comparisons were made with previous leaders like prime minister Brian Mulroney who managed to keep his troops outside even when his own popularity numbers were dipping into the teens.

But that comparison is not a valid one. Mulroney was operating from the prime minister's chair, first among equals. And with that job comes many opportunities to reward and punish internally.

Mulroney also did not face the crazy Chong legislation that could hit any leader on a bad day. The ousters were working for weeks to collect the requisite number of 35 signatures to trigger a caucus vote.

One of them, Pierre Poilievre, is already being touted as a front-runner to replace O'Toole. He is squarely in the camp of the "stinking albatrosses" that former leadership candidate Peter MacKay characterized as the reason for the party's failure to launch.

Unlike O'Toole, who embraced diversity in supporting the LGBTQ community, Poilievre actually once introduced a private member's bill to ban health-care funding for transgender individuals, even though the issue is not federal jurisdiction. Other putative candidates include another social conservative, Leslyn Lewis.

But both of them will push the party further to the right.

Those 73 members who booted O'Toole out may not like his message. But upon his departure, he gave a speech which was a potential road map to victory.

The party could win by embracing diversity. The secret of success for leaders like Brian Mulroney was to embrace the Progressives in his party as well as the Conservatives.

As long as there is no place for progressive politics within the party, the Conservatives have zero chance of forming the government.

Instead of dumping O'Toole, the caucus should have heeded his message. Because the road to victory involves reaching out to 37 million people, not 73 caucus members.

Conservatives who are not progressive just won't cut it.

Sheila Copps is a former Jean Chrétien-era cabinet minister and a former deputy prime minister.

The Hill Times

Ahead of
the 2022
Federal Budget



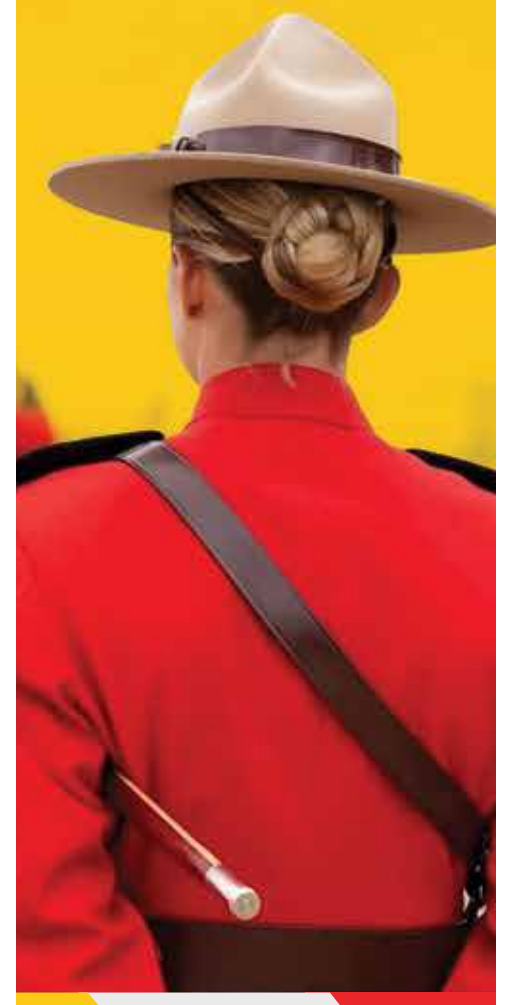
The NPF is
calling on the
Government
to invest \$190M
to increase
training capacity
at the RCMP
Academy (Depot)

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Politics

What we have here is not a protest but an occupation

There is a vast difference between a protest and issuing an ultimatum, on behalf of a tiny, ill-informed minority that undermines the rights and safety of the majority of prudent citizens.

Michael
Harris

Harris



HALIFAX—Just two words for the mob holding Ottawa hostage: truck off.

Everyone in this country believes in the right to protest. A protest allows free people to display their dissent over public issues.

The right to protest is invaluable. It has worked miracles in changing the course of history. The civil rights marches and protests in the United States brought long-delayed justice to Black Americans—at least on paper.

Protesters brave enough to get on their feet and hit the street were instrumental in ending the Vietnam War.

Long ago, enormously courageous women protested the indefensible voting laws in America until they were finally enfranchised.

But there is a vast difference between a protest and issuing an ultimatum, on behalf of a tiny, ill-informed minority that undermines the rights and safety of the majority of prudent citizens.

That is exactly what the so-called “Freedom Convoy” is all about. It is the naked threat to degrade and make permanently dysfunctional Canada’s capital city, and other cities, unless the government abandons the public health policy it was elected on, and ends all Covid-related restrictions.

What we have here is not a protest but an occupation. And that occupation has put a lot of profoundly important issues on the table.

Can an unelected mob shut down the seat of national government and presume to dictate policy? Who elected them? And with money coming in from a number of foreign countries, including the U.S., who is funding them?

Can that mob be allowed to bring in fuel for the trucks gridlocking the city so that they can blow their horns all night?

Can they defecate and urinate on people’s lawns, shut down businesses, flash swastikas and Confederate flags, and deface sacred public monuments?

To what end?

For all that money, police have written a few parking tickets, come up with a surge and contain plan, and made three arrests. In fact, Ottawa’s top cop has said that there may not be a “policing” solution to this destructive and meritless siege of the city.

Imagine how comforting



Up until this point, February 4, the answer has been yes. The public is dishing out \$800,000 a day for extra police to deal with the occupiers.

that must sound to people who support the government’s public health policies, can’t get to work, and can’t sleep at night.



The so-called Freedom Convoy has turned into an occupation of the city of Ottawa, writes Michael Harris. For how long will this be allowed to go on? *The Hill Times* photograph by Andrew Meade

It is obvious why the “Freedom Convoy” is being treated with kid gloves.

An important part of what the occupiers are after is a major confrontation with authorities. No one is anxious to be in the frontline of the pushback against the Convoy, and then have that splashed all over social media—like the fake and pejorative Facebook post attributed to Justin Trudeau.

The RCMP, still feeling the sting of accusations of police brutality against protestors at Fairy Creek in British Columbia, aren’t anxious to be the bouncers who throw these people out.

The federal government hasn’t acted up until this point because the PM’s advisors are keenly aware that the occupiers are on a political mission. In a hateful and personal way, they are out to make Trudeau the face of all COVID-restrictions. The trouble with that premise? They seem to have forgotten that it is the provinces that set and remove most pandemic restrictions.

And have these “protesters” forgotten that the U.S. won’t let unvaccinated truckers into that country?

When no one wants to do a dirty job someone always suggests bringing in the army. The mob would love that. Can’t you hear the rallying cry? Like father, like son. It’s the War Measures Act all over again. Blah, blah, blah. The PM has been very wise to make it known that no one has made a request for that solution and it’s not on the table.

Yet inaction is untenable in the near term. If the citizens of Ottawa come to the conclusion that their leaders will not enforce the rule of law, there is the risk that they will start doing it themselves. Vigilantism is not the answer to the occupation. The answer is some straight talk to the occupiers, and the will to enforce the law if they continue to thumb

their noses at all authority.

The straight talk comes down to something like this:

“You have been permitted for over a week now to display your disapproval of mandated vaccinations and all COVID-restrictions. You have had the run of downtown Ottawa with next to no interference from anyone in authority. You have been front and centre in the media during that time, your fellow Canadians have heard what you had to say, and are now in a position to agree or disagree. It is time for you to leave and return the city to its rightful inhabitants, the citizens of Ottawa.”

If they refuse, the Ottawa police or the RCMP have to start arresting people.

One of the major obstacles getting in the way of a peaceful and lawful end to this sad circus is the Conservative Party of Canada. While it is true that some Conservative MPs have denounced the occupation, others have happily posed with them to show their support. Pierre Poilievre for one has been a cheerleader for the Freedom Convoy. But he’s not the leader, at least not yet.

Some might have expected more from interim Conservative leader Candice Bergen. They didn’t get it. Like Poilievre, she apparently politicizes everything that could potentially be used as a weapon against Justin Trudeau. *The Globe and Mail* published an internal email from Bergen advising against asking the truckers to leave. It read in part, “...We need to turn this into the PM’s problem.”

Strange that. In a telephone call with the PM, Bergen reportedly told Trudeau that ways had to be found to end the continuing protests in Ottawa.

Now everyone knows what she meant.

Michael Harris is an award-winning columnist and author. The Hill Times

North Korea: the sting in the tail



Kim Jong-un has a military confrontation with South Korea that will never go away, as they are both part of the same divided nation. Caricature courtesy of Commons Wikimedia

American nuclear attack is justified, but the more intelligent ones realize that the rules of nuclear deterrence are exactly the same for democratic superpowers and dwarf tyrannies. If your enemy has nuclear weapons, then to be safe you must have them too.

Both Saddam Hussein and Muammar Gaddafi learned this lesson the hard way, and Kim Jong-un has no intention of following in their footsteps. The People's Democratic Republic of Korea, as his fiefdom is formally known, has a military confrontation with South Korea that will never go away, as they are both part of the same divided nation.

North Korea's army is twice as big as South Korea's, although the latter has twice the population and 10 times the wealth. South Korea keeps its military small because it can ultimately rely on its American ally to protect it—and that American ally has nuclear weapons and a proven willingness to use them.

From the perspective of Pyongyang, American nuclear weapons are a mortal threat, and nobody can persuade the North Korean regime that they would never be used against it unless it attacked first. Americans wouldn't forego nuclear weapons if China and Russia made such promises, nor would they take America's word for it. Too much is at stake to take a chance.

This is the universal dilemma of nuclear weapons. North Korea has just as much right to worry about it as the United States, and it will never give its own nukes up so long as the current confrontation in the Korean peninsula persists. (It's 71 years and counting.)

Any meetings or 'summits' between U.S. and North Korean diplomats or leaders will be driven by North Korea's perpetual desire to end UN and U.S. trade sanctions and/or America's futile quest to get Kim to agree to unilateral nuclear disarmament. Neither is going to happen, but there is no crisis either.

The North Korean regime is vicious, but it is not crazy. A reasonably stable cold peace has prevailed in the peninsula since the end of the Korean War in 1953, guaranteed since the first North Korean nuclear test in 2006 by mutual nuclear deterrence between the U.S. and North Korea. There's no urgent need to 'fix it' or 'shore it up' now.

The United States cannot bring itself to publicly acknowledge this fact, but the Pentagon and the State Department privately accept that by now it is the long established reality of the U.S.-N.K. relationship.

"They very much understand the significance of moving up the ladder on range," a senior Biden administration official said on Jan. 30, implicitly recognizing that the North Koreans had not tested any new missiles capable of striking the American homeland. There really is a mutual understanding. They just can't talk about it.

Gwynne Dyer's new book is *'The Shortest History of War'*.
The Hill Times

The North Korean regime is vicious, but it is not crazy. A reasonably stable cold peace has prevailed in the peninsula since the end of the Korean War in 1953, guaranteed since the first North Korean nuclear test in 2006 by mutual nuclear deterrence between the U.S. and North Korea. There's no urgent need to 'fix it' or 'shore it up' now.

Gwynne
Dyer

Global Affairs



LONDON, U.K.—“They want to have a deterrence system that is like a scorpion's tail,” said Prof. Kim DongYup, a former South Korean naval commander. “North Korea's main purpose is not to attack but to defend themselves.” They want a “diversified deterrent capability,” and who could blame them?

It's a welcome distraction from the daily warnings of an imminent Russian invasion of Ukraine, and even less likely to end in an actual war. North Korea test-fired seven different missiles in a month, U.S. President Joe Biden retaliated with more sanctions against Kim Jong-un's hermit state, and everybody got their war-horses out for a brisk trot around the track.

The reality, however, is that nobody in a position of authority is in the least excited by this little back-and-forth between Pyongyang and Washington.

The media speculate about whether North Korea's tests are meant to influence the upcoming

“

Any meetings or 'summits' between U.S. and North Korean diplomats or leaders will be driven by North Korea's perpetual desire to end UN and U.S. trade sanctions and/or America's futile quest to get Kim to agree to unilateral nuclear disarmament. Neither is going to happen, but there is no crisis either.

South Korean elections or to lure Biden into a Trump-style summit, but the likeliest motive is just what Prof. Kim said it was: a desire to demonstrate the efficiency of North Korea's missiles. You know, the ones that carry North Korea's nuclear weapons.

Pyongyang hasn't tested any nuclear weapons since 2017, but it is believed to have 50 to 60 warheads by now. Neither has it test-launched its intercontinental ballistic missiles (the ones that can reach anywhere in the United States) since then. The January tests were of 'hypersonic' missiles, 'intermediate-range' missiles, cruise missiles and similar hardware.

Most of those missiles can probably carry nuclear warheads too, but only as far as South Korea or Japan, America's local allies. It's a formidable investment for a small, quite poor country (same population as Australia, but one-sixtieth the size)—but it's not that extravagant when you consider that all these nukes are intended to deter the United States.

No American diplomat or military officer will admit publicly that North Korea's fear of an

Opinion



Environment and Climate Change Minister Steven Guilbeault, pictured Jan. 31, 2022, arriving for Question Period. For years, the oil and gas lobby has worked to weaken, block, and delay every climate policy that might affect them. *The Hill Times* photograph by Andrew Meade

Will the federal government get it right on the oil and gas emissions cap?

People in Canada are ready to do their part for the climate—it's the oil and gas industry that has been dragging us back.

Dale Marshall

Comment



At the UN summit in Glasgow last November, Prime Minister

Justin Trudeau promised to “cap oil and gas emissions today, and ensure they decrease tomorrow at a pace and scale needed to reach net-zero by 2050.” This was long overdue given Canada’s 30-year history of allowing oil and gas emissions to grow unchecked while public policy focused on other sources of carbon.

The question is whether the federal government will get this one right. Will the prime minister and his cabinet stand up to the lobbying and public relations muscle of the oil and gas industry and make sure this policy is sufficiently ambitious and effective?

Because there will be pressure. For years, the oil and gas lobby has worked to weaken, block, and delay every climate policy that might affect them. It played a

pivotal role in killing carbon pricing under prime minister Stephen Harper. It successfully weakened and delayed methane regulations passed by Prime Minister Trudeau’s government. And the clean fuel standard, proposed five years ago, has still not been passed and will be narrow in scope when it does—thanks in large part to the oil and gas lobby. The result is that the oil and gas sector is now the largest source of carbon emissions in the country.

The federal government should expect the same unrelenting industry lobby with respect to the oil and gas emissions cap. Whether the prime minister resists that pressure and develops a strong policy will be a litmus test of his government’s sincerity on climate change, as judged by a

public increasingly fearful of the wild fires, floods, heat waves, and other climate catastrophes devastating their communities.

So what should the oil and gas emissions cap look like? Here are five principles:

Reduce emissions immediately on a safe, 1.5-degree pathway:

The prime minister said it—cap today, reduce tomorrow. We are in the critical decade for climate action. After years of delay, the petroleum industry needs to do as much or more by 2030 as the rest of the economy (40 to 45 per cent reductions compared to 2005 emissions), with a strong 2025 cap so that reductions start immediately.

Include all emissions from the production and use of oil and gas:

Ignoring emissions from *burning* oil and gas ignores 80 per cent of the problem. Also, methane is a potent greenhouse gas and must be included—which would be a huge jumpstart to the plan, as these reductions are very cheap and technologically feasible.

Avoid loopholes: Companies will be looking for “flexibility.”

Experience shows that means delay, loopholes, and weaker action. It will come in many forms: offsets, credit for early action, intensity-based targets, and more. Policymakers need to strive for integrity and say no. We need all emission reductions to happen within the sector.

Do not subsidize oil and gas companies for their reductions: The sector is making tens of billions in profits per year, and yet wants more than \$50-billion in government subsidies for their climate action. Cleaning up your own mess is a cost of doing business. There is no reason that taxpayers should be footing any part of their bill, including for unproven technologies like carbon capture and storage.

Integrate equity into the policy development: The oil and gas emissions cap must be aligned with a full and sincere implementation of Indigenous rights, including securing First Nations’ free, prior, and informed consent for energy development on their territory. The federal government must also develop and implement a fair, managed, and supported transition for workers and communities dependent on the oil and gas industry.

This will be a critical test for the federal government. Despite all of the progress on climate policy in recent years, emissions have continued to rise. That won’t change until there are robust regulations to curb pollution from the oil and gas industry. The Canadian imagination has been constrained for too long by the notion that we are nothing more than a resource exporter, when sectors like oil and gas make up a small fraction of the Canadian economy and an even smaller and shrinking role as an employer. People in Canada are ready to do their part for the climate—it’s the oil and gas industry that has been dragging us back.

Dale Marshall is national climate program manager for Environmental Defence.

The Hill Times

“This will be a critical test for the federal government. Despite all of the progress on climate policy in recent years, emissions have continued to rise.”

Biden has a reservoir of decency and goodwill, Trump doesn't

Despite the president's missteps, are Americans unable, or unwilling to recognize the decency of the man you placed in the White House only 12 months ago, and cut him some slack? More to the point, have you already forgotten the political morass that preceded him?

Sergio Marchi

Opinion



To American friends, There has been a deluge of editorials, articles and analysis, in your country and mine, about "what is wrong with Joe?"

Poor Joe Biden, they claim, he has lost his way. He is hemorrhaging in the polls. His legislative agenda is stuck. He looks weak. People are piling on, while others are proposing how he should re-set his administration.

Yes, Joe is in a political swamp. He is in considerable trouble, and his VP is unable to help, as she is struggling herself. To make matters worse, he is also looking his age. In fact, he appears brittle and fragile.

The plain truth is that only he can dig himself out from this deep political hole.

But let me come to this introspection from a different angle, and ask a provocative question; might something be wrong with you? In other words, despite the president's missteps, are Americans unable, or unwilling to recognize the decency of the man you placed in the White House only 12 months ago, and cut him some slack? More to the point, have you already forgotten the political morass that preceded him?

While many of your fellow citizens may disagree with me, I have tried to forget Donald Trump, because I found his time in office repugnant. His words and actions were troubling to say the least. However, it would now appear that this is all a minor blip when it comes to judging the current political landscape.

Do you not recall what those years were like?

A president who was defined by constant lies, temper tantrums, and conflicts of interest. He defended and encouraged hate groups, undermined institutions, attacked war heroes, and mocked the disabled. He coddled dictators, upended close allies, was unaccountable, and divided the country. We were exposed to nepotism, the pardoning of unsavoury people, and a giant ego.

And who can forget his bullying, his thirst for power, his misogyny and sexism, and his unending attacks against the media? Or, his recklessness when it came to COVID?

He showed no respect, no empathy, and no loyalty in his incessant poisonous tweets. And at the end of his tenure, we had to endure his pathetic sour grapes over losing an election, while we watched with horror as he fanned the flames of the deadly Capitol Hill protests.

This list is not an exaggeration. So, I genuinely ask, don't you care about all of these appalling traits and transgressions? I thought the election outcome signalled a yearning for a president grounded in more traditional values?

To be sure, Biden has made mistakes, including some major ones. The hasty, sloppy exit from Afghanistan comes to mind. But who is free of errors? Yet, the redeeming quality of Biden is that he has a reservoir of decency and good will. Not to mention experience, empathy, and genuine faith. He does not abandon his friends. He was also hardened by personal family tragedies. He's a good man, who loves family and country.

I am convinced that a dominant reason for the harsh verdict against him is that your country, at this point in its journey, is badly divided. You are living through a political discourse that has never been this polarized. One that Trump contributed to and consolidated purposefully. It's almost as if America has now become ungovernable. Your coun-

try, I'm afraid, is also in a swamp of sorts.

As a neighbour, partner, ally, and above all else, a friend, I truly hope that your nation can renew itself, as it has successfully done in the past. Your presidents have always warned the world not to "bet against America." But today, you should know that many countries, including some of your allies, are beginning to place wagers.

However, if we are to simply and candidly compare the two men, there is nothing that can't be fixed with Biden. He desperately needs an effective relaunch, more loyalty from some of his wandering Democrats, and a bare minimum amount of bipartisanship. These would go a long way in righting the political ship.

But there is nothing inherently bad about him.

By contrast, I believe that Donald Trump is beyond repair. He has shown himself to be a mean, angry man. He's belligerent, self-absorbed, and is prone to dark impulses. His deceptions mimic reality. Sadly, he is a damaged human being, with deep and disturbing character flaws. And above all else, he only loves himself.

Really, of the two, who would you rather have in the White House? Personally, I would take Joe's worst day in the White House, over Donald's best day.

Respectfully yours,
Sergio Marchi

Sergio Marchi served as a city councillor, Liberal MP, Jean-Chrétien-era cabinet minister, and ambassador.

The Hill Times

With swastikas in our midst, Canadians must say no

It would be foolish to dismiss those in the crowd who appropriated the Nazi symbol simply because they were few in number. We note with genuine dismay that other protesters did not call them out and demand that the offensive symbols be removed.

Sabine Sparwasser & Andrea Freedman

Opinion



On Thursday, Jan. 27, we were honoured to participate in a solemn commemorative ceremony marking Holocaust Remembrance Day that took place at Canada's National Holocaust Monument. Joining us were Ottawa Mayor Jim Watson, Minister of Housing and Diversity and Inclusion Ahmed Hussen, the ambassadors of Israel and the United States of America, and survivor Dr. Agnes Klein.

The Holocaust holds special significance for both of us—one as the senior professional of Ottawa's Jewish Federation, the other as the Federal Republic of Germany's Ambassador to Canada.

For one of us, the Holocaust represents our people's greatest collective trauma. For the other, it is our people's greatest moral responsibility.

And for both of us, the memory of the Holocaust is the well-spring of our most solemn and profound personal commitment to ensure that antisemitism is not only remembered, but confronted and countered whenever and wherever it appears.

We would not have imagined last Thursday evening that a mere 48 hours after we gathered to mark Holocaust Remembrance Day, the swastika—the brand of the most evil ideology ever known to humankind—would be visible in the streets of Ottawa.

As we observed in our public statements on Holocaust Remembrance Day, the obligation to remember is more than just a passive exercise in retrospection. If it is to have any meaning, it must be accompanied by a resolute commitment to confront and contain the seeds of hatred when and wherever they appear.

A period of global crisis such as the one that we have all experienced over the last 22 months is especially dangerous. Angry, frightened people inevitably seek a culprit at whom an accusing finger can be pointed. And there will always be those who seek to exploit those fears to foment hatred.

Tragically and all too often that accusing gaze has been directed at the Jewish people. And while the Holocaust represents the most recent and horrific example, no

student of history can fail to note that there are many others.

It is therefore not surprising that anti-Semites who lurk in our midst, including those who choose the swastika as their emblem, would attach themselves to protests led by those who mistrust government and who oppose vaccine mandates.

Most Canadians and Germans would defend protesters' fundamental rights to peacefully demonstrate and to express their views, regardless of whether or not they agree with opposition to government responses to COVID.

But the right to public protest does not—and must not—include the right to foment hatred.

The presence of swastika flags, of multiple allusions to Nazi ideology, the continued appropriation of the yellow star to make the deeply offensive and grossly inaccurate comparison between the victims of Nazism and anti-vaxxers, all these are manifestations of a dangerous perversion that requires a broad and unconditional collective response.

It would be foolish to dismiss those in the crowd who appropriated the Nazi symbol simply

because they were few in number. We note with genuine dismay that other protesters did not call them out and demand that the offensive symbols be removed. As Elie Wiesel said, "The opposite of love is not hate, it's indifference".

Qui ne dit mot consent.

The victims of Nazism and their descendants know all too well how pernicious the ideology of hatred can be. How it can catch fire like a spark in dry tinder and escape the controls of government in a moment. How the grief and regret of not having acted in time can last for generations.

We know that the Holocaust did not begin at Auschwitz or even at Wannsee. The Holocaust began with words, with dehumanization, and with conspiracy theories, in a period of profound hardship and upheaval, in a country where the Jewish people had flourished for centuries.

On the occasion of Holocaust Remembrance Day, we reflected that our society stands at a precipice. What starts with the Jews never ends with the Jews.

We know that all that is necessary for evil to flourish is for good people to say and do nothing.

As we defend the right to peaceful public protest, let us remember the lessons of the Holocaust.

Her Excellency Sabine Sparwasser is Germany's Ambassador to Canada. Andrea Freedman is the CEO of the Jewish Federation of Ottawa.

The Hill Times

Opinion

Canada's trying to become a true nation of innovation



So what to do? The fundamental problem is that we lack the analysis that would let us do better. Finance Minister Chrystia Freeland, in her mandate letter from the prime minister, is instructed to establish a permanent Council of Economic Advisers to 'provide the government with independent advice and policy options on long-term economic growth,' writes David Crane. *The Hill Times* photograph by Andrew Meade

clever new gadgets. Even with gadgets, it involves design to make the gadgets appealing, safe, and easy to use, manufacturing processes that avoid waste and ensure quality, marketing systems for distribution, business management systems that coordinate all these activities, financial mechanisms to provide capital where it can be best used, government policies that protect workers, preserve intellectual property, and facilitate trade, and an education system that will provide the skills needed to keep all of these activities going in the future." These same activities will be essential to achieve innovation goals in the expanding service sector as well.

It was Paul Martin, as finance minister, who was among the first to advance the goal for Canada to become one of the world's five most innovative nations. More recently, Industry Canada, in its 2019 report 'Building a Nation of Innovators,' even boasted that the Trudeau government's current innovation strategy was already having big impact and that would succeed in "branding Canada as one of the top five most innovative countries in the world."

But we have far to go. The IMD World Competitiveness Ranking puts Canada at 14th spot, as does the World Economic Forum's Global Competitiveness Report, while the World Intellectual Property Organization's Global Innovation Index puts us at 16th. In fact, the WIPO report ranks us at 24th spot in creating intangible assets. And the OECD ranks Canada 21st in R&D intensity.

So what to do? The fundamental problem is that we lack the analysis that would let us do better. Finance Minister Chrystia Freeland, in her mandate letter from the prime minister, is instructed to establish a permanent Council of Economic Advisers to "provide the government with independent advice and policy options on long-term economic growth."

Outside advice can be useful. But we require more than more advice. We urgently need serious and well-researched analysis of innovation and other big issues facing Canada. This is why we need an independent economic council which can undertake serious analysis, which an advisory body can't. Its reports would be in the public arena to raise the level of public understanding. We have to face the fact that our innovation policies are not up to the challenges we face. Better analysis and understanding are a crucial first step if we are to do better. We can't start soon enough.

David Crane can be reached at crane@interlog.com.
The Hill Times

We urgently need serious and well-researched analysis of innovation and other big issues facing Canada. This is why we need an independent economic council which can undertake serious analysis, which an advisory body can't.

even more important for sustained growth in living standards. Yet despite successive efforts by the Mulroney, Chrétien, Martin, Harper, and Trudeau governments our efforts continue to fall short. We lag as an innovation nation, despite some areas of strength and potential.

This is not just a failure of public policy. It is also a failure of Canadian business to invest in innovation, choosing to buy back shares to boost share prices rather than put those billions of dollars in profits to work for a stronger economy from more innovation. Too many of our corporations are underinvesting in new production technology, in research and development and the resulting intellectual property, in employee skills upgrading, in management systems and in other intangibles that constitute the real wealth of a 21st century economy. But business cannot afford to continue this way.

Big shifts are underway, what have been called tectonic shifts. The world must urgently respond to looming threats from climate change, with a needed and rapid transition to new energy systems, face all the challenges of a world with nearly two billion more people barely 25 years from now, and address the benefits and costs of rapid technological change and a much more digital world. This is the role of innovation.

Policy-makers and decision-makers will be put to the test as they never have been before. But a world facing so many urgent needs, will also create many opportunities. Where Canada

fits in—winner or loser, or just mediocre—remains to be seen. But it will all be about innovation, not just in technology, but in how we manage change.

Take the digital revolution. The transformative impact of digital technology is well described in a new book by the renowned British economist Diane Coyle—*Cogs and Monsters*—which is about "what economics is, and what it should be." Much of the book is about the ways in which

digital technology is upending how economies perform and raises big questions on whether we understand what is going on in the economy, how economics itself has to change, and how we almost certainly will need new kinds of policies.

In recent decades, she writes, "the scope of the changes the world has seen ranges from the automation of manufacturing from the 1980s on, and the waves of outsourcing and offshoring, to Tim Berner-Lee's invention of the Web, to the 2007 confluence of smartphones, 3G/4G, and algorithms that have us all online, everywhere, always," Coyle writes. "Global production chains, e-commerce, social media, digital platforms, are all made possible by the technological and business innovations. And there is more to come as AI advances, and merges with other areas of innovation such as genomics, additive manufacturing, green energy and transport transition, or advanced materials." Yet we are only really beginning to think about how this may affect Canada and we have limited understanding of the policies, institutions, research, education and investments that will be needed. The necessary transition to net zero emissions will be equally challenging.

Moreover, as the U.S. publication, *Issues in Science and Technology*, observed more than a decade ago, "stimulating innovation and directing it to the proper ends is not easy." Canada's experience bears that out. "To begin with," it stressed, "innovation entails much more than inventing

“We have to face the fact that our innovation policies are not up to the challenges we face. Better analysis and understanding are a crucial first step if we are to do better. We can't start soon enough.”

David
Crane

Canada &
the 21st Century



TORONTO—Canada is trying to become a true nation of innovation, as it must. Our future prosperity, including our ability to generate the taxes we need to finance future education, health care and other public goods, depends on our success as innovators.

In fact, the need is now greater than ever. As the growth in the labour force continues to slow, innovation and the productivity growth it can fuel will become

HEALTH



Liberals 'dragging their heels' on pharmacare as COVID ups workers' needs for affordable meds, says labour union

Peeling back the layers: the over-regulation of long-term care

New openness to decolonization also needed in Inuit climate-health research

Pharmacare in Canada: one step forward, two steps back

Will 2022 be the dawn of a new era for long-term care in Canada? Yes, with federal leadership

Let's aim higher for the health care we deserve

What will it take to change long-term care in Canada?

It's time to renew Canada's public health-care partnership

Investing in long-term care will alleviate pressures on the hospital system

Canada needs a national aging strategy that includes older women

Health Policy Briefing



Canada's premiers are united in calling for the federal government to increase its share of health funding through the Canada Health Transfer to 35 per cent and maintain this share of funding. This is aspirational and will no doubt take time, but an important starting point for negotiations. The proposed '25 per cent by 2025' federal contribution pitch by Canada's major health-care stakeholders is a realistic and achievable short-term goal. What is clear is the federal government must re-commit itself as a full funding partner to renew Canada's public healthcare system for the 21st century. *The Hill Times* photograph by Andrew Meade

It's time to renew Canada's public health-care partnership

Canada has just 1.95 acute care hospital beds per 1,000 people, which is fourth worst among the 27 OECD countries.

Don
Davies

Opinion



It is now a truism that while COVID-19 caused many problems, it exposed others already there. One of the latter is the dangerous erosion of capacity in our public health-care system

which began long before the pandemic struck.

Decades of underfunding and neglect have impeded access to care and undermined our ability to respond to an emergency like COVID-19. This has placed tremendous strain on our health-care system, resulted in millions of delayed surgeries and diagnostic procedures, and pushed frontline workers to the edge of their capacities.

Yet, clear warnings were ignored for years prior to the outbreak of this virus. A review of Canada's critical care capacity conducted following H1N1 found that intensive care unit resources vary widely across Canadian provinces, and cautioned that during times of crisis this could result in geographic differences in the ability to care for critically ill patients.

The comparative numbers tell the real story.

Canada has just 1.95 acute care hospital beds per 1,000 people,

fourth worst among the 27 OECD countries. The number of hospital beds in Canada is similarly near the OECD bottom, and has dropped dramatically from 6.9 beds per 1,000 in 1976 to 2.5 beds today. As a result, our country's pre-pandemic acute care bed occupancy rate of 91.6 per cent ranked far higher than the OECD average of 75.7 per cent. The internationally accepted standard for safe hospital capacity is 85 per cent.

Canada ranks 21st of 27 in the per capita number of MRI and CT scanners and 10th out of 10 among similar countries in wait times for surgeries and procedures. While general health outcomes are still fairly good in Canada, that is due more to the skills and talents of Canada's health-care workforce than to the resources we provide them.

Our health-care fiscal framework is a foundational part of the problem.

When medicare was first established in Canada, the federal government agreed to assume

half the costs incurred by provinces and territories. However, at a first ministers meeting in 1976, prime minister Pierre Trudeau put forward a plan to replace the 50-50 cost sharing agreement with a new regime of block grants that exposed the provinces and territories to unilateral federal cuts over the subsequent decades.

Today, the federal share of overall health-care spending in Canada has plummeted from the original 50 per cent to 21.7 per cent. Without immediate action, the federal contribution to provincial and territorial health expenditures is projected to decline even further over the coming years.

When seeking re-election in 2011, Stephen Harper pledged to negotiate a Health Accord with the provinces and territories—but no discussions ensued. Instead, then-finance minister Jim Flaherty simply announced that the Canada Health Transfer escalator effectively would be cut from six per cent to three per cent.

In its 2015 election platform, the Liberal Party pledged to negotiate a new Health Accord with the provinces and territories—but instead adopted the Harper cuts. This decision has deprived our health-care system of an estimated \$36-billion over a decade.

The long-term impact of the Harper/Trudeau funding formula is clear. Because health-care costs across the country are rising at an average of five per cent per year, if the federal government is only increasing spending at three per cent, that is a recipe for fiscal imbalance and cuts. In addition, the Conference Board of Canada estimates that the impacts of the COVID-19 pandemic will result in a further \$80-billion to \$161-billion in health-care expenditures over the next ten years.

Instead of deferring discussions on health transfers to an unspecified date in the future, the federal government should

step up now with the long-term funding needed to protect our health-care system. Federal-provincial-territorial negotiations should begin without further delay so that an agreement can be finalized early this year, ahead of federal, provincial and territorial budgets.

And there is a historic consensus. Canada's premiers are united in calling for the federal government to increase its share of health funding through the Canada Health Transfer to 35 per cent and maintain this share of funding. This is aspirational and will no doubt take time, but an important starting point for negotiations. The proposed "25 per cent by 2025" federal contribution pitch by Canada's major health-care stakeholders is a realistic and achievable short-term goal. What is clear is the federal government must re-commit itself as a full funding partner to renew Canada's public health-care system for the 21st century.

Through federal leadership and collaboration, we can ensure the sustainability of our existing public health-care system, while expanding it to provide desperately needed services and treatments such as better long-term care, pharmacare, dental care, and mental health care.

In doing so, we can emerge from the COVID-19 pandemic with a stronger and more equitable public healthcare system for all Canadians.

NDP MP Don Davies represents Vancouver Kingsway, B.C. He was first elected in 2008, and re-elected in 2011, 2015, 2019 and 2021. He serves as the NDP critic for health and deputy critic for global affairs and international development. Prior to that, he served as official opposition critic for international trade, citizenship and immigration, and multiculturalism, and public safety and national security.

The Hill Times



HOPE IS HARD WORK

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INNOVATIVE
MEDICINES
CANADA

Health Policy Briefing

What will it take to change long-term care in Canada?

Canada has spent millions for reports on long-term care over two decades with the same basic recommendations.

Trina Thorne
& Carole A.
Estabrooks

Opinion



The global pandemic marked Canada as an outlier in one significant, tragic way. While seniors in most countries were hit hard, in Canada, a whopping 81 per cent of all deaths in the initial months of the pandemic happened in long-term care, compared to a mean of 42 per cent in other OECD countries. A more recent, independent assessment has found that of Canada's 30,420 deaths from COVID-19, 18,800

deaths have occurred in 1,871 residential facilities (as of Jan. 9, 2022).

Why were seniors in Canada's long-term care facilities so hard hit compared to elsewhere?

Poor pandemic preparedness, lower daily care hours for residents, poor funding and resources, inconsistent inspections and inadequate integration of health and hospital services are among many factors at play. Most of these problems long predate the pandemic. Governments at all levels have known about the problems in long-term care for decades and have done little to address them.

In a recent study published in F1000 Research, along with our colleagues, we identify more than 80 reports from governments, unions, non-profit organizations and professional societies commissioned to examine the state of long-term care in Canada from 1998 to 2020. The reports range from a few pages to almost 1500 pages; most identify the same basic problems and repeat the same basic recommendations.

What will it take to make changes to long-term care in Canada?

Our study found the report recommendations over the last two decades have been consistent, evidence-based and would have, undoubtedly, saved many lives had they been implemented prior to the pandemic. Inaction set the stage for increased deaths during COVID-19 and contributed to lower quality of life in long-term care homes.

What recommendations have been made recurrently that have been ignored by successive provincial and federal governments?

The three main recommendations across reports spanning over two decades include increasing or redistributing funding to improve staffing, increase direct care and capacity; standardizing, regulating and auditing quality of care; and reforming, standardizing, and regulating education and training for long-term care staff. Improving staff education and training and increasing behavioural supports and modernizing infection control measures were universally recommended in the reports.

Why did these repeated pleas for change in long-term care go unheeded? Issues of understaffing, under-training and the negative impact of for-profit long-

term care homes are repeatedly mentioned in the reports. Countless media articles have also highlighted the findings of these reports over two decades.

In the aftermath of the pandemic's first waves, some changes have happened in long-term care. Several provinces have modestly increased wages and provide more full-time employment to stabilize the workforce. Ontario committed four hours of direct care per day for each resident by 2024, an increase on the national average of 3.3 hours. Alberta's Facility-Based Continuing Care report recommended among other things, 4.5 hours of care, establishing full-time employment benchmarks for the workforce and prioritizing quality of life for residents. The Quebec ombudsman's final report also prioritized full-time jobs to enable a single-site format and limit the use of workers from employment agencies.

Although highly relevant infection control deficiencies are noted and specifics of some recommendations such as hours of care may vary, many of the recommendations have been made many times over. These are solid steps in the right direction, but much more needs to be done, particularly on resident quality of life and staff quality of work life.

While much good could potentially come if the recommendations of the new pandemic reports are implemented, it remains the case that duplicative investiga-

tions of known findings have far less value than implementation of the solid existing recommendations. Had the recurring recommendations been implemented, we would undoubtedly have improved working conditions, quality of care and quality of life in Canada's long-term care homes, as well as, prevented unnecessary deaths due to COVID-19.

Now we must try to introduce increased hours of care amid a growing and increasingly severe shortage of all levels of workers in long-term care.

Now is the time for action. Our governments need to move forward, prioritize recommendations—it cannot all be done at once—and begin the hard work of figuring out implementation, resourcing, and evaluation. This must include identifying and resourcing areas where gaps in knowledge make coherent decision-making impossible and are too major to ignore.

Trina Thorne is a nurse practitioner working in long-term care who is completing her PhD with Dr. Estabrooks and the Translating Research in Elder Care (TREC) program at the University of Alberta. Dr. Carole A. Estabrooks is scientific director of the pan-Canadian Translating Research in Elder Care (TREC) program and professor and Canada Research Chair, College of Health Sciences at the University of Alberta.

The Hill Times

Let's aim higher for the health care we deserve

As we know from history, major disasters are the impetus for important change because they expose the fallacies of sacred cows. After the disaster of COVID, we have a unique opportunity now to make the new investments needed to build the health-care system Canadians want, need and can afford.

Bill
VanGorder

Opinion



HALIFAX—COVID-19 has done many things to us individually and collectively. Perhaps the biggest lesson from the pandemic is the importance of a well-run health system that not only meets our everyday needs but can also rise to unexpected challenges.

Canada's health-care system in its current state failed to meet the challenges of COVID and we all paid a very high price. We continue to pay, as Canadian health-care struggles to catch up with hundreds of thousands postponed surgeries, tests and procedures, including for lethal diseases such as cancer. We are discovering the cost of having neglected to meet some basic needs.

For example, in the year before the pandemic began,

Statistics Canada reported that 4.6 million Canadians over age 12 (14.5 per cent of us) did not have access to "a regular health-care provider they see or talk to when they need care or advice for their health." That's a basic gap and recipe for a lack of prevention and care for problems when they could be most simply dealt with, and at the least cost.

And when health problems do escalate, we are ill-equipped. Compared to other major wealthy countries, we have among the fewest hospital beds per capita and lowest amounts modern equipment such as MRI scanners.

This issue is most vital for Canada's rapidly increasing population of seniors, who not only face the most health challenges but have been disproportionately impacted by the pandemic from deaths, serious illness and confinement, either in their own homes or long-term care facilities, many of which also failed to meet basic needs during the pandemic.

Even more than we did when the pandemic started over two years ago, we need dramatic and innovative changes in our health-care system. Rather than dwell on what we missed or lost, it's time to aim for the health care we deserve—based on increased investments and innovation.

For example, we can do far more now to prevent major health issues and to care for people at home. Yet our current system is built around providing sick-care treatment—not health care—after

the fact, in large, centralized institutions. We need to deliver health care in totally different ways, facilitated by the types of technology we suddenly had to count on during the pandemic so we can prevent health problems as well as treat them.

One positive outcome from the pandemic was the clear demonstration that constructive change is possible when we have the will to make it happen. For example, doctors quickly adopted virtual visits and even hospitals began caring for some of their patients while they remained at home. COVID testing and vaccine programs were rolled out in multiple settings, beyond formal clinics and hospitals including pop-ups where they were most needed. Why not do that to regularly provide things like blood pressure and diabetes testing or healthy eating counselling?

We must also take note that the COVID vaccines and medicines that are our ticket out of the pandemic became available in record time because governments removed the unnecessary roadblocks that delay other treatments and vaccines from getting to patients for many years. This included an exemption from the proposed federal price controls on new drugs. Let's make those speedy processes the norm for all medicines.

Contrary to what many politicians believe, Canadians see the need and are willing—indeed desperate—for important changes to our health system because the

current model has been tested and found very wanting. In a recent survey of CARP members, there was near unanimity that innovative treatments should be available to Canadians at the same time as in other major countries and that applying the model used for COVID vaccines and treatments would be a good way to achieve that.

As we know from history, major disasters are the impetus for important change because they expose the fallacies of sacred cows. After the disaster of COVID, we have a unique opportunity now to make the new investments needed to build the health-care system Canadians want, need and can afford.

We require action now: immediate and specific changes that are made for the 21st century, based on increased investments and embracing new technology and innovation to create new and efficient ways to deliver the care we all deserve.

Bill VanGorder is chief operations officer of CARP, the Canadian Association of Retired Persons. He has been involved in health advocacy for over 30 years both in his present position and as president and CEO of the Lung Association of Nova Scotia, 28 years with the YMCA, and for the final 12 years as the Atlantic area director for the YMCA. VanGorder 'retired' as CEO of The Lung Association of Nova Scotia almost 15 years ago, but has continued to be an advocate for seniors' issues and a speaker on retirement planning.

The Hill Times

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Liberals ‘dragging their heels’ on pharmacare as COVID ups the need for affordable meds, says labour union, NDP

The Canadian Labour Congress and the NDP health critic argue the Liberal government has stalled on universal pharmacare, which would benefit many Canadians by making medications more affordable during the COVID-19 pandemic, thereby reducing the strain on hospitals.

BY JESSE CNOCKAERT

With yet another pandemic federal budget on the horizon, organized labour is pushing for universal pharmacare to help workers who have lost their workplace benefits due to COVID-19 work disruptions.

The prospect of a universal pharmacare program has become all the more important during the COVID-19 pandemic, according to Canada’s largest labour organization, which is hoping the upcoming federal budget will focus on the many Canadians struggling to afford their medications to help reduce the strain on hospitals.

“I don’t think the government is prioritizing it in the same way as they would have prior to the pandemic,” said Bea Bruske, president of the Canadian Labour Congress (CLC), an umbrella organization with a membership of dozens of unions, which together, represent more than three million workers. “We know that when people don’t take their medications, they end up in doctors’ offices [and] they end up in hospitals. Right now, we don’t have the capacity to manage these things, so it’s even more critical to get this thing done.”

The CLC and other stakeholders like the Canadian Doctors for Medicare and the Canadian Federation of Nurses Unions are awaiting the implementation of a universal pharmacare program that would help manage the cost of prescription drugs. Implementation of pharmacare was a 2019 election promise for the federal Liberals, but with no universal pharmacare program yet in place almost three years since then, Bruske said the Liberal government is “dragging its heels.”

The Liberals’ 2021 election platform mentioned the party had been “moving forward on pharmacare,” but did not include a specific renewed commitment towards implementation.

“With everything else that’s been going on, we think the eye has been taken off the ball of pharmacare and it’s no longer as much of a priority as it might have been a few years ago, and that’s a problem,” she said. “We definitely need them to focus on it again and put it into the budget discussions this year. It has a place in our arsenal to keep Canadians healthy, and to keep Canadians out of hospital rooms.”

Bruske said it was appropriate during the pandemic for the health conversation to shift towards issues such as vaccine production, but it is still important for the government to retain attention towards pharmacare. During the last two years of the pandemic, workplace disruptions have made it twice as likely for a worker to lose their prescription drug coverage because of a loss of workplace benefits, according to Bruske.

“We know that workplaces have not yet returned to normal. We know that in the service sector [and] in the hospitality sector, many workers, even though they may be working, are not back to their full hours. If they’re not back to their full hours, many of them don’t meet the threshold set by their employers to be actually eligible for benefits,” she said. “That means that they’ve lost those benefits, and can no longer count on them at a time when they have even more fiscal challenges, in terms of making their household budgets work.”

Bruske cited a study by the Angus Reid Institute (ARI) which stated that millions of Canadians



Bea Bruske, president of the Canadian Labour Congress, says the Liberal government is not prioritizing pharmacare ‘in the same way as they would have prior to the pandemic.’ Photograph courtesy of LinkedIn

are struggling to access needed prescription medicines. During the first year of the pandemic 23 per cent of Canadians decided not to fill or renew a prescription because of high costs, according to the ARI study released on Oct. 29, 2020.

During the first year of the pandemic, Canadians were twice as likely to have lost prescription drug coverage (14 per cent) as to have gained it (seven per cent), and about 26 per cent of Canadians

paid for half or more than half of the cost of their prescription drugs, according to the study.

The ARI study was conducted in partnership with the University of British Columbia’s School of Population and Public Health; St. Michael’s Hospital and University of Toronto; the Carleton University Faculty of Public Affairs and School of Public Policy and Administration; and, the Women’s College Hospital in Toronto.

“We know with inflation and everything else going on Canadians are struggling. Workers are struggling with the cost of living, and [pharmacare] is one way that our federal government could assist,” said Bruske. “Anytime that we have an opportunity to speak with a government minister, we have a whole slew of priorities that we speak about. Pharmacare is always one of the many priorities that we’ve set. It’s an ongoing push for us.”

Former Ontario health minister Dr. Eric Hoskins led an advisory council appointed by the Liberal government in 2018 that examined possible models for implementing a national pharmacare program. The council’s final report, released in June 2019, recommended the federal government opt for a “single-payer” system, which would move all Canadians onto one national public drug plan. This is contrasted with a “mixed-payer” model, which would provide drug coverage through a combination of existing private insurance plans and public plans.

The advisory council report



Health Minister Jean-Yves Duclos, pictured at a Hill press conference on Jan. 7, 2022, was directed to engage with willing provinces and territories towards implementation of national universal pharmacare in his mandate letter on Dec. 16. The Hill Times photograph by Andrew Meade

aligns with the estimates provided in the advisory council report, according to Bruske.

Implementation of national pharmacare has currently exceeded the timeline originally recommended in the Hoskins report. The report suggested that federal, provincial and territorial governments should launch national pharmacare by offering universal coverage for a list of essential medicines by Jan. 1, 2022, which has not occurred.

NDP health critic Don Davies (Vancouver Kingsway, B.C.) told *The Hill Times* that exceeding the timeline in the Hoskins report is an indication that the Liberal government is not committed to implementing universal pharmacare.

“[Pharmacare] is not a new idea. It’s been recommended for decades. There’s been blueprints and studies and task force recommendations and the Hoskins report, which not only gave the Liberals a blueprint, but a timeline, and the Liberal government has ignored both of those things,” said Davies. “Frankly, I think the issue is completely stalled.”

In terms of developing a budget for pharmacare, Davies said to look at universal child care for an example. In the spring of 2021, the federal government announced \$30-billion over five years to help provinces offset the costs of a national child care system. Nunavut became the latest territory to sign

a child-care deal with the federal government on Jan. 24. Under the deal, the federal government will provide \$66-million to the territory over five years, with parent fees for licensed child care expected to be reduced by 50 per cent on average by the end of this year. Ontario is the only province that hasn’t yet reached a deal with Ottawa.

“It’s a very apt comparator, because both of these programs have to be delivered by the provinces, both of them require federal leadership, [and] both of them require federal contributions of funding,” said Davies. “The first thing is, we need a fiscal commitment and a fiscal framework by the federal government. And then, from a programmatic point of view, I think one of the first things to do is to nail down a formulary. That would be the basis for the act.”

Davies said that he views pharmacare as an expansion of the basket of services provided by the public health system.

“What you need in pharmacare is to set out that formulary of covered drugs that you’re asking the provinces and territories to cover according to the principles of universality and comprehensiveness,” said Davies. “I think that’s the next and most important thing. That’s not hard to do because formularies exist all over the place. Insurance companies use them all the time. It’s not that difficult to come up

with an acceptable formulary.” Davies and Bruske both support implementation of the “single-payer” model for pharmacare, in accordance



Former Ontario Health Minister Dr. Eric Hoskins led an advisory council, whose final report in 2019 recommended Canada adopt a ‘single-payer’ pharmacare model. The Hill Times photograph by Andrew Meade

with the Hoskins report. An organization that supports the “mixed-payer” model is the Canadian Life and Health Insurance Association (CLHIA), a trade organization representing life insurance and health insurance providers across Canada. *The Hill Times* reached out to the CLHIA for comment about pharmacare, and was directed to its

pre-budget submission for the 2022 federal budget, which was released on Aug. 6, 2021.

More than 26 million Canadians

same standard coverage no matter where they live and no matter what kind of plan they have. Federal, provincial and territorial governments and private insurers should work together to jointly develop a standard list of medicines that all Canadians can access. It is important that private payers are able to participate in this process to ensure the list meets the needs of Canadians covered through private plans,” said the CLHIA pre-budget submission.

The Hill Times reached out to Health Minister Jean-Yves Duclos (Québec, Que.) to ask where the Trudeau government is currently in regards to implementation of universal pharmacare. An emailed response from Anne Génier, the senior media relations advisor at Health Canada and the Public Health Agency of Canada, said the mandate letter Duclos received on Dec. 16 reiterated the Liberal government’s commitment to engaging with provinces and territories towards national universal pharmacare, while proceeding with a national strategy for drugs for rare diseases and advancing the establishment of the Canadian Drug Agency.

“No Canadian should have to choose between paying for prescription drugs and putting food on the table,” said the emailed statement. “The government of Canada is committed to working with provinces, territories and stakeholders to continue to implement national universal pharmacare so that Canadians have the drug coverage they need.”

As an example of the progress towards the implementation of universal pharmacare, the emailed statement cited an agreement that was signed on Aug. 11, 2021 between the Liberal government and the government of Prince Edward Island (PEI) intended to improve access to and affordability of medications to island residents. The agreement, announced by then-health minister Patty Hajdu, states that the province will receive \$35-million over four years in federal funding to add new drugs to its list of covered drugs, and lower the out-of-pocket costs for drugs covered under existing public plans for Island residents.

In a press release accompanying the signed agreement, the Liberal government stated it would “use early lessons from PEI’s efforts to inform its ongoing work to advance national universal pharmacare.”

The 2019 federal budget set aside \$35-million to establish a Canadian Drug Agency Transition Office to advance discussions surrounding pharmacare and to engage provinces, territories and stakeholders in discussions on the creation of a new Canadian Drug Agency. Susan Fitzpatrick was announced as the head of the Canadian Drug Agency Transition Office on April 1, 2021. Fitzpatrick’s more



NDP health critic Don Davies says the Liberal government has ‘completely stalled’ on implementing universal pharmacare. The Hill Times photograph by Andrew Meade

than three decades of experience in the health-care sector includes serving as the former interim CEO of Ontario Health, and as the former CEO of the Toronto Central Local Health Integration Network. She currently serves as an advisor for Santis Health, a health consultancy in Toronto.

“In addition, work is underway with partners to develop a national formulary. In July 2021, an arms-length organization, the Canadian Agency for Drugs and Technologies in Health (CADTH), established a multidisciplinary national panel to develop a draft formulary framework for consultation this winter. Consultations are currently underway,” said Génier’s emailed statement. “The government remains firmly committed to improving the access to and affordability of quality medicines for Canadians.”

The 2019 federal budget also listed lowering drug prices as part of the groundwork in moving towards implementation of a national pharmacare plan.

The Patented Medicines Pricing Review Board (PMPRB), the agency that regulates drug prices in Canada, is currently awaiting the implementation of new regulations intended to provide better protection to Canadian consumers from excessive prices for patented medicines. The proposed updates include new price regulatory fac-

tors that would need to be considered by the board, and a revised list of countries that should be referenced for setting drug prices.

The updates to the PMPRB, the first substantive updates to the board in more than 30 years, were proposed on July 15, 2021. Duclos announced in a Dec. 23, 2021 press release that the coming-into-force of the new regulations will be delayed by six months and implemented on July 1, 2022.

The Health Canada press release stated the delay is in response to the COVID-19 pandemic, and the spread of new variants of concern that require urgent action.

“This delay provides additional time for impacted stakeholders, including industry, governments, and other parties within the drug reimbursement and distribution system to continue to focus their efforts on responding to the unprecedented challenges presented by the COVID-19 pandemic,” stated Génier’s email, repeating a statement from the Dec. 23 press release.

jcnockaert@hilltimes.com
The Hill Times

Canada prescription drug statistics (as of October, 2020)

- Between 2019 and 2020, nine-in-ten Canadian households (89 per cent) have been prescribed medications by a doctor, and one-in-three (32 per cent) have filled a prescription six or more times
- About 72 per cent of Canadians have most or all of the cost of their prescriptions covered by insurance and government support, but 26 per cent must find money for at least half the cost – or more – on their own
- Lower income households are more than twice as likely as those with household incomes over \$100,000 to have paid more than half of the cost for their prescription(s) out of their own pocket (37 per cent to 15 per cent)
- Among Canadians who received prescriptions, 26 per cent of Canadian households found themselves having to pay \$500 or more for them between 2019 and 2020
- A total of 44 per cent of Canadians say they are at least “somewhat worried” about their ability to afford prescription drugs in 10 years, while 24 per cent say they feel “very confident” that they will always be able to pay for them

Canada prescription drugs statistics (as of June, 2019):

- A total of 7.5 million Canadians either don’t have prescription drug insurance or have inadequate insurance to cover their medication needs
- One in five households reported a family member who had not taken a prescribed medicine due to its cost
- Nearly three million Canadians said they were not able to afford one or more of their prescription drugs
- Almost one million Canadians cut back on food or home heating in order to pay for their medication
- About 60 per cent of Canadians are enrolled in private drug plans (primarily employer-sponsored benefit plans), but these plans cover only 36 per cent of total system-wide spending on prescription drugs

Source: Final Report of the Advisory Council on the Implementation of National Pharmacare, released on June 12, 2019.

Source: A study about prescription drug costs and pharmacare from the Angus Reid Institute released on Oct. 29, 2020.

Health Policy Briefing

New openness to decolonization also needed in Inuit climate-health research

Let us move forward in the right direction and seek to answer the call articulated for ‘Inuit self-determination in climate-health research, response, and governance, with a focus on Inuit knowledge, Inuit-led approaches, and Inuit research leadership to support a climate-resilient and health Inuit Nunaat.’

Monica Ell-Kanayuk

Opinion



Shortly after the new year, a major press conference was held in Ottawa to announce a \$40-billion settlement over the systemic underfunding of child welfare services to Indigenous children. It struck me as critical

that this settlement had finally been made, but also vital was the tone in which Indigenous Crown Relations Minister Marc Miller, and Indigenous Services Minister Patty Hajdu spoke.

In their statements and responses to reporters, they articulated what Indigenous peoples have known for decades: there is systemic racism within the halls of government, and the colonial structures built up over the last 100 years still exist and will take time to dismantle.

So it is in many areas we have had to engage in over the years, such as in the fields of health and climate change, and in the context of both government and research. This point is highlighted in a recent commentary piece that our international ICC Chair, Dalee Sambo Dorough, and our climate change officer, Joanna Petrasek MacDonald, co-authored. Along with fellow authors Sherilee L. Harper, Ashlee Consolo, and Nia King, they argue, in part, that colonial mentalities and structures are, unfortunately, alive and well in the Arctic climate-health research community.

The commentary, published in the journal *One Earth* is titled, ‘Climate Change and Inuit Health: Research Does Not Match Risks Posed’. The paper asks the question, ‘If climate change is the ‘biggest health threat of the century,’ what does this mean for regions experiencing the fastest warming on the planet?’ Seven key risks to Inuit health caused by climate change are identified.

Responding to these seven risks, the authors ‘call for Inuit self-determination in climate-health research, underpinned by Inuit knowledge, Inuit-led approaches, and decolonization of research processes.’



Minister of Crown-Indigenous Relations Marc Miller and Indigenous Services Minister Patty Hajdu, pictured on Jan. 4, 2022, at a Hill press conference, held to provide an update on the negotiations related to compensation and long-term reform of First Nations Child and Family Services concerning the Moushoom and Trout class actions. *The Hill Times* photograph by Andrew Meade

Let me unpack this a bit more and focus on four of the seven key health risks identified as being affected by climate change: nutrition, foodborne illness, mental health, and heat morbidity. These risks interplay with the rapidly changing water, sea ice, and snow conditions.

Changes to our lands and water have impacted migration patterns and the availability of country foods. Across Inuit Nunangat, our Canadian Arctic homelands, Inuit have reported a decline in the availability of fish, whale, ringed seals, and birds. This has a direct effect on our essential nutrient intake.

Warming oceans has meant an increase in foodborne pathogens in seafood. *Vibrio*—a water borne pathogen—was unheard of in the Arctic until recently because the Arctic ocean was previously too cold for this pathogen to survive.

In terms of mental health, the ability to regularly and reliably connect to the land through hunting, fishing, and harvesting is fundamental to our health and well-being. Chronic weather events have resulted in negative mental health impacts for Inuit because they reduce our ability to engage in cultural and livelihood activities.

You likely wouldn’t associate the Arctic with heatwaves, however the authors identified ‘heat morbidity’ as one of the seven key risks noting that ‘increases in heatwave intensity challenges Inuit health.’ Our northern build-

ings were built to keep the cold out. The thought of needing air conditioning in the summer was laughable. Now, just as heatwaves in the south render elders extremely vulnerable in old age homes, we are experiencing similar situations in our Arctic homes and buildings.

In response to the identified health risks to Inuit caused by climate change, the authors expressed concern with the lack of research but, more importantly, with the lack of Inuit partnership, participation, and inclusion in climate decision-making processes. They argue that Inuit are in the best position to develop climate-health research, policies, and actions that affect them.

Returning to the words of Miller and Hajdu, I hope that their acknowledgements of the colonial structures in our past and present, and calls for changes in government are heard around the cabinet table. I hope the messages are also heard by bureaucrats at all levels, and by extension, at Crown corporations and throughout the research community linked to our government structures.

This paper is an example where this new openness to change can be applied. Let us move forward in the right direction and seek to answer the call articulated in this paper for ‘Inuit self-determination in climate-health research, response, and governance, with a focus on Inuit knowledge, Inuit-led approaches, and Inuit research leadership to support a climate-resilient and health Inuit Nunaat.’

Monica Ell-Kanayuk is president of the *Inuit Circumpolar Council—Canada*.
The Hill Times

Peeling back the layers: the over-regulation of long-term care

Layers upon layers of rules, reporting requirements and prohibitions have seemingly paralyzed a workforce whose sole function is to care for our seniors.

Joanna Carroll

Opinion



There are countless problems plaguing long-term care in Canada, but near the top is regula-

tion. Not a lack of regulation, rather an overabundance.

For decades, our response to any crisis, complication or elementary inconvenience in long-term care has been to add more regulation in a misguided attempt to minimize risk, justify funding and protect against perceived threats to resident and staff safety. The result? Layers upon layers of, at times unnecessary, and at others contradictory, rules,

reporting requirements and prohibitions which are not only devoid of good public and health policy, but which have seemingly paralyzed a workforce whose sole function is to care for our seniors near and at the end of their lives.

Consider that in order for any long-term care home to be compliant with applicable regulation, its staff must ensure that all residents are present for breakfast in a prescribed eating area during a mandated, determined and limited period of time. The regulation fails to account for numerous resident complexities, including those arising from dementia let alone individual resident preference and choice.

It has been argued that the current long-term care regulatory scheme has de-prioritized resident individuality and choice. That is to suggest of course that it was ever in its purview. Avoidance of risk (regulation) and freedom of choice are most often always at odds. If we are to truly make strides in improving resident quality of life in long-term care we must, in part, trade rules for risk. Allow residents the freedom to choose the risk of a fall for the freedom to walk unassisted into the arms of a spouse or loved one; to forgo breakfast in favour of fatigue or the time to reflect on a photograph.

Among the many observations and conclusions that can and should be drawn from any over-regulation are the overwhelmingly inescapable ones, which are that the regulators long ago lost sight of that which they were seeking to regulate, and the risk they were seeking to mitigate against. In long-term care, the result of this potentially crushing effect is, as referenced above, the crippling of workers who are required to spend more time on compliance than they are on care.

I am hopeful, as we all must be, that the work the federal

government is undertaking in establishing nationally recognized standards in long-term care will not only be resident-centred and based on compassion, respect, dignity and quality of life, but will necessarily entail the peeling back of years and layers of regulations that no longer are—or ever were—necessary or relevant. Moreover, they must be focused on the people and system they ostensibly seek to protect.

In defining and implementing national standards in long-term care, let us truly seize the opportunity to put our seniors and the people who are devoted to caring for them at the centre of those standards. As we move upward beyond the recent pandemic, may we also grow comfortable with the acceptance of certain risks in favour of quality of life. And in so doing, avoid regulation for regulation’s sake.

Joanna Carroll is a lawyer, the chief administrative officer of *Think Research*, a company focused on transforming health care through integrated digital software solutions and the executive sponsor of the company’s work in seniors care.
The Hill Times

Health Policy Briefing

Pharmacare in Canada: one step forward, two steps back

If Canada did like every other OECD country, except the U.S., universal pharmacare would provide better access to prescription drugs for Canadians, says associate professor Marc-André Gagnon of Carleton University.

Marc-André Gagnon

Opinion



Canadians pay 42 per cent more per capita for prescription drugs than the OECD average. A whopping nine per cent of Canadians do not fill

their prescriptions for financial reasons.

Twelve years ago, I wrote a report making the economic case for universal pharmacare in Canada. In a nutshell, if Canada did like every other OECD country (except the United States), universal pharmacare would provide better access to prescription drugs for Canadians while allowing saving up to 40 per cent in drug costs per capita. Peer-reviewed research and the Parliamentary Budget Office have confirmed these claims.

The House Health Committee studied the issue for two years and published its report in 2018, confirming that universal pharmacare would save money and improve access to prescription drugs. However, every dollar saved by Canadians is a dollar lost by drug companies, insurance companies or pharmacy chains. Unsurprisingly, these stakeholders massively lobby to oppose any rational reform in drug coverage.

In 2018, the Liberal government announced the creation of an Advisory Council on the Implementation of National Pharmacare (ACINP). Revealing the divide among Liberals on this issue, minister of finance Bill Morneau,

who chaired the largest benefits consulting company in Canada for many years, made clear that universal pharmacare was not on the table and ACINP had to focus on preserving current private drug benefits. Nevertheless, ACINP published its final report in 2019 insisting instead on the need to implement universal pharmacare and defining a prudent step-by-step strategy to ensure that the transition could be done smoothly for all stakeholders. In particular, the ACINP report proposes the creation of a Canadian Drug Agency that would manage a national formulary of reimbursed drugs, as well as the development of a national strategy for expensive drugs for rare diseases.

The report builds on co-operation with provinces and territories. Each province would continue providing its own public drug coverage (mostly for seniors and people on social assistance), but coverage of drugs listed on the national formulary would be expanded to the whole population and the federal government would pay for all additional public costs. Provinces and employers could continue providing additional drug benefits in supplement of the national drug

formulary if they wanted to. Nobody would lose their current coverage.

Prime Minister Justin Trudeau accepted the recommendations of the report and more or less committed to implementing it. The Liberals did create the Canadian Drug Agency that will manage the national drug formulary, but did not provide a substantial budget for the initiative. Instead, they simply arrived at an offer to provinces based on the ACINP report, but did nothing to promote a change in the current structures. In the 2021 election, the Liberals acted as if they had already delivered on pharmacare since the offer to provinces was still on the table.

The mandate letter to the new minister of health instructs the minister to “continue engaging with willing provinces and territories towards national universal pharmacare,” but it is clearly not a priority anymore. COVID-19 currently has Canada under the thumb of drug companies that can create a political crisis by delaying deliveries of drugs or vaccines. Because of this, Canada has also postponed the implementation of the new patented drug price regulations four times

already, and opposes technology transfer for covid-19 vaccines to lower income countries.

However, while most people were already giving up on the idea that Canada would finally enter the 21st Century by implementing rational drug coverage for its population, Prince-Edward-Island recently accepted the offer of the Federal Government. The province currently manages more than 25 public drug plans mostly offering coverage based on which disease you get. Prince Edward Island’s move is forcing the federal government to almost reluctantly go forward with the whole initiative of developing a national formulary.

Unfortunately, Prince Edward Island alone is not a sufficient market to develop substantial bargaining capacity to reduce drug prices and lock in the development of the necessary institutional capacities for better drug coverage in Canada. Other provinces must follow. However, in times where foreign drug companies hold unprecedented power, it seems difficult for any policymaker to stand up for their constituents, who will be the ones to pay that price instead.

Marc-André Gagnon is associate professor with the School of Public Policy and Administration at Carleton University (Ottawa). He holds a PhD in political science from York University and a master’s of advanced study in economics from Paris-1 Sorbonne and École Normale Supérieure de Fontenay/St-Cloud.

The Hill Times

Canada needs a national aging strategy that includes older women

The world has given us a template to build our own roadmap. We need to apply these lessons and develop a path forward to address the unique needs of Canadians and build our own age-friendly communities. We need a strategy.

Paula Rochon & Surbhi Kalia

Opinion



There are now more than 6.8 million older adults in Canada. By 2026, we expect our country to become a super-aged society, where 20 per cent of the population will be 65 and over.

Yet Canada is facing a major policy gap: the lack of a national plan to support our aging population.

The impact of the pandemic on older adults, specifically long-term care homes, calls for critical action. Along with long-term care reform, we need a plan to meet the health needs of older Canadians in the community where 93 per cent of older adults live.

Canada has about 304 geriatricians, for example—one geriatrician per 100,000—and a lack of access to primary care, not nearly enough to meet the demand of our older population, particularly in rural areas.

It’s time we had a national aging strategy.

This strategy needs to be inclusive. A one-size-fits-all approach to support healthy aging will leave many Canadians behind, mainly women. Older women comprise the majority of the aging population.



Women have specific and unique health needs that are often unacknowledged by our health system and its care providers. Certain medical conditions such as osteoporosis, thyroid problems, and headaches, for example, present more often in women, and other conditions, like heart disease, present differently and are not always recognized by clinicians. Older women are also more likely to experience side-effects from medications and

may require lower doses of some medications than men.

These health issues are further compounded by the socio-cultural and economic inequities women face throughout life. Older adults, especially older women, do not always have access to non-insured health services, such as dental, vision and hearing care. They are more likely than men to face poverty, and not able to afford proper care options to live in their communities.

An effective aging strategy would enable older adults to actively participate and contribute within their communities, provide affordable options to health care and social services and address systemic inequities based on sex and age.

Healthy aging is a major global priority—it’s on the top of the United Nations and the World Health Organization’s agenda. Countries like Japan and Singapore have made major investments to support their older population such as promoting life-long learning and social integration, as well as building age-friendly home care and assisted living and designing age-friendly technology.

In Arnsberg, Germany, deemed one of the most age-friendly cities in the world, older adults can access affordable housing and care options, contribute and participate in social life and feel connected to their communities.

The world has given us a template to build our own roadmap. We need to apply these lessons and develop a path forward to address the unique needs of Canadians and build our own age-friendly communities.

We need a strategy.

Dr. Paula Rochon is a geriatrician and the founding director and Surbhi Kalia is the strategy lead, of the Women’s Age Lab at Women’s College Hospital.

The Hill Times

Health Policy Briefing

Will 2022 be the dawn of a new era for long-term care in Canada? Yes, with federal leadership

The demand for more care, as our population ages, must be met by an adequate supply of health human resources.

Amy Hsu

Opinion



Like a category five hurricane, the trail of devastation left by COVID-19 is clearly illustrated by the all-too-familiar epidemic curves and graphs of the cumulative deaths from COVID-19 in Canada. Yet, even amid another wave brought on by Omicron, many of us are cautiously optimistic about the pandemic's end and have started to plan our path to recovery.

Those who work and live in long-term care homes are perhaps the most eager among us to see the pandemic end. COVID-19 has not only highlighted the vulnerability of the people who need long-term care but also the

vulnerability of a sector within our healthcare system that has long been overlooked.

The issues facing long-term care extend beyond infrastructure, although there is an indisputable lack of beds and facilities. A 2017 Conference Board of Canada report suggests that the need for long-term care beds will be double our current capacity by 2035. The demand for more care, as our population ages, must also be met by an adequate supply of health human resources. Even before the pandemic, the sector has experienced a persistent shortage of healthcare workers needed to meet the care required by residents in long-term care homes.

There is, however, a silver lining to the fateful impact of the pandemic on long-term care. The pandemic has prompted the development of new national standards on long-term care; an investment of \$1-billion from the federal government through the Safe Long-term Care Fund to address the immediate needs of the sector; as well as a commitment of \$3-billion over the next five years to ensure provinces and territories can meet the national standards set out for long-term care. Provincially, new legislations and infrastructure funding programs have also been introduced to address deficiencies,

including staffing levels, that have existed for at least a decade before the pandemic.

While provincial and territorial governments hold jurisdiction over how long-term care should be administered and decide how the committed funding should be used to meet the needs of their constituents, we need federal leadership to ensure all Canadians needing support in long-term care receive the same high-quality service. Along with the proposition of new federal legislation for long-term care to hold provinces and territories accountable to the national standards, we need to consider the option of amending the Canada Health Act to bring long-term care under its definition of insured health services. Although an amendment to the Canada Health Act would not provide the federal government opportunities to enforce the national standards on care, it offers defence against two-tiered care that currently exists within long-term care. For example, recent research has found that residents who can afford accommodation in a private room within long-term care experienced less fatal outcomes over the pandemic than residents in shared accommodation.

There is an undeniable need for more beds. A key barrier to

entry, especially for independent and non-profit operators, is the capital required to plan, purchase and develop land to build a facility. On top of the current commitments to enforce the newly formed national standards, the federal government—in partnership with the provinces and territories—could provide infrastructure funding or create low-cost capital financing options for non-profit, charitable and municipal or health authority operators, which have demonstrated superior outcomes for residents in their care in comparison to their for-profit counterparts.

Recognizing that current investments in infrastructure and the labour force may not yield positive returns for the sector in the next three to five years, the federal government can also leverage existing initiatives to engender immediate impact. Within our National Dementia Strategy and the Framework on Palliative Care, several actionable recommendations and promising practices exist to improve the health and quality of life for persons living with dementia in Canada and those at the end of life in long-term care. Federal support for these frameworks through the Common Statement of Principles on Shared Health Priorities, and the recent \$3-billion commit-

ment in the 2021 budget, can be leveraged to develop new performance indicators specific to long-term care that align with our new national standards. For example, indicators on access to behavioural support services to enhance care for residents living with dementia, reduction in the use of antipsychotic medication in residents not living with psychosis, and adequate pain and symptom management for residents approaching the end of life are a few of the quality indicators that have been used and reported at provincial and regional levels to inform health system planning.

Even with the uncertainty of when this pandemic will end, we can be confident that the time for action to fix long-term care is now.

Dr. Amy Hsu is the University of Ottawa Brain and Mind-Bruyère Research Institute Chair in Primary Health Care Dementia Research, an investigator at the Bruyère Research Institute, and a faculty member in the Department of Family Medicine at the University of Ottawa. Her research utilizes large, health administrative databases to understand the health-care needs and use by older Canadians across the long-term care continuum, from home care to the end of life.

The Hill Times

Investing in long-term care will alleviate pressures on the hospital system

Canada's health system performance lags when compared to France, Sweden, Australia, and the United Kingdom.

Lisa Halpern & Allan Maslove

Opinion



As it has in other countries, COVID has exposed weaknesses in Canadian health care, especially relating to staffing and capacity issues. The experience of the last two years has prompted calls for more money to be spent on health care in general and on more hospital

beds in particular. There may well be a case for both more money and hospital beds given the continued aging of the population in coming years, but more money alone will not solve the deficiencies in the health care system. We also need to address where and how resources should be allocated.

Canada is already one of the highest per capita spenders in the developed world. Based on OECD Health Statistics 2021, Canada's health spending as a percentage of gross domestic product (GDP) was 10.8 per cent, roughly equivalent to health spending in France (11.1 per cent of GDP), Sweden (10.9 per cent of GDP), Australia (9.4 per cent of GDP), and the United Kingdom (10.2 per cent of GDP).

Yet, Canada's health system performance lags when compared to these countries. The Commonwealth Fund 2021 health-care system performance rankings for Australia, Canada, France, Germany, the Netherlands, New Zealand, Norway, Sweden, Switzerland, the

United Kingdom, and the United States, places Canada tenth out of 11 countries. So, based on international comparisons there is not a strong argument to be made for significantly more spending.

Also, more money often makes it easier, at least for a time, to paper over the systemic issues that require reform. Meaningful reforms in health care can be contentious and hard to accomplish given the incredibly complex organizational interactions and the diffusion of decision-making authorities.

There are a number of structural changes in terms of re-allocation of resources and improved access to specialized services that would likely improve health care outcomes. To illustrate one, consider the interface between acute hospital care and long-term residential or home care. Hospitals are struggling with capacity limits in large part because of "alternative level of care (ALC)" patients. These are people who are not ill enough to be hospital inpatients, but not well enough

to be discharged without some level of care available to them. Because of shortages of long-term care (LTC) beds and/or home care resources they must remain in hospitals occupying valuable acute care beds.

Aside from the human toll, this is very expensive. These patients are occupying beds, staff time, and medical equipment that could be used by people waiting to be admitted from the emergency department (ED) or who have had their surgeries delayed due to lack of hospital space. The average per diem cost of caring for someone in a LTC residence is \$126/day, which is a fraction of the cost of caring for them in a hospital bed at \$842/day. Home care is even less costly at \$42/day. Every ALC patient transferred to a more appropriate care setting effectively frees up a hospital bed and saves money for the health care system at the same time.

Health Quality Ontario reported that in 2015 about 14 per cent of hospital beds were occupied by ALC patients. Current estimates of the ALC patient population vary by province; however policy, industry, and academic leaders are increasingly calling attention to the linkages between long-term care investment and acute care hospitals as an area for positive structural health systems change.

A related issue is leveraging ways to decrease ED visits for seniors living in long-term care settings. That would reduce crowding

in the emergency waiting rooms, reduce wait times for care, and reduce numbers of people waiting for inpatient admission. With better health maintenance and improved access to specialized services in the LTC residences themselves, many ambulatory hospital visits from LTC homes' residents may become preventable and unnecessary. Again, improving the LTC sector benefits the residents of these homes, and can lead to significant savings throughout the hospital system.

We do not minimize the issues that need to be faced in the long-term care sector, most importantly around adequate staffing. The COVID experience has devastatingly revealed these problems. We suggest however, that attention to reducing the use of acute care beds for people who should be in alternative forms of long-term care and reducing the need for LTC residents to visit EDs are reforms that will go a long way towards alleviating pressures on Canada's hospital system.

Lisa Halpern is a PhD candidate in public policy at Carleton University. Her doctoral research focuses on hospital policy and the implications of integration, specialization, and long-term care for public hospitals. Allan Maslove is a Distinguished Research Professor (Emeritus) in the Carleton School of Public Policy and Administration. He was the founding Dean of the Faculty of Public Affairs.

The Hill Times



Erin O'Toole, pictured on Nov. 18, 2021, was ousted as party leader on Feb. 2, 2022. A total of 73 MPs voted to remove him as leader and 43 voted for him to stay. Conservative MP Scott Reid, chair of the national caucus, remained neutral and did not vote. *The Hill Times* photograph by Andrew Meade

A letter to my federal Conservative colleagues

As a Conservative MP, your primary job is to win the next election and install our next leader as the next prime minister of Canada. Compared to the damage that Trudeau is inflicting on Canada, nothing else matters.

Robert Sopuck

Comment



After nine years as a Member of Parliament, my plan was to spend a bucolic retirement in the Manitoba hinterland, but the political addiction remains. So I participated in our leadership campaign as a strong Erin O'Toole supporter and continue

to obsess over public policy and the dynamics of the Conservative caucus. It was with a heavy heart that I watched my friends and colleagues in the Conservative caucus unceremoniously oust, Erin O'Toole, one of the best leaders our party has ever had. However, politics is a blood sport and no prisoners are taken; hence the questions remains; where to go now?

It's a challenge to be a Canadian Conservative. We have the strongest base of any party, the most generous donors, the most talented elected officials, but Conservatives seem uniquely adept at snatching defeat from the jaws of victory. Conservative factions seem more interested in debating each other as opposed to winning elections. Social Conservatives fight libertarian Conservatives, free-market Conservatives clash with cultural Conservatives, and pragmatic Conservatives are at odds with purist Conservatives and so on.

Being a party of ideas, as opposed to the Liberals' obsession with winning at all costs, is both a strength and a weakness. Encouraging the free flow of ideas is a refreshing change from the rigid discipline shown by other parties. But, these intra-Conservative, and very public debates, make us look divided and result in lost

elections. In the last 100 years, Canada was largely governed by the Liberal Party versus the Conservative Party. I rest my case.

Conservative MPs must realize that the Conservative caucus is not a debating society but is more akin to an army whose primary purpose is to win the next election, and save Canada from the incompetent and unprincipled government of Justin Trudeau. Elections, and military battles, are both referred to as "campaigns" for very good reason. All successful campaigns have leaders who must enforce discipline and we had a great one in ex-military man, Erin O'Toole. Too many Conservative MPs think that their job is to debate, challenge the leader, or argue for their pet issues. Conversion therapy? Really? Or some stubbornly think their job is to represent their own factions of the Conservative Party, in public. No it is not. Your job is to win elections and, ultimately, govern. Studies have shown that a voter's party affiliation is more important than the individual candidate's. Canadians vote for you with the goal that you will form government. Period.

An MP must be allowed to present ideas, but behind closed doors, and in caucus. In my nine years attending Conservative

caucus meetings, I witnessed, and participated in, many energetic debates (unlike what occurs in other party caucuses, or so I have been told), but once a direction was decided upon by the leadership and my colleagues, we supported it. The "speak-my-mind" attitude is especially prevalent among social Conservatives who consistently dredge up issues such as abortion and/or gay marriage, in public. For the record, I am pro-choice and fine with gay marriage, two views that I never hid from my rural constituents; and I was elected three times.

But all Conservatives are painted with the same brush when an "independent" social Conservative MP raises these topics in the name of "debate." The persuadable voter, i.e., the ones you need to win elections, then asks, "why do you Conservatives oppose a woman's right to choose and gay marriage?" You respond, "But I am a Conservative and support both," and the damage is done.

Those Conservative MPs who question vaccinations are also not helping matters when almost 80 per cent of Canadians are fully vaccinated. The data on vaccine effectiveness is compelling and Justin Trudeau is no doubt delighted to see Conservatives fighting among themselves over vaccines.

There are thousands of Canadians who would like to vote Conservative, but simply will not over what some Conservative MPs say about abortion, gay marriage, vaccinations, or any of a number of contentious, but settled, issues. Many of those potential Conservative voters are educated suburban women, millennials, and business Liberals who, if they voted Conservative, would elect Conservative governments.

I firmly believe that it is those intransigent Conservative MPs, who refuse to accept settled issues and insist on debating or commenting in public, who prevent us from forming majority Conservative governments. You must be disciplined and focus solely on forming the next government. To those who refuse to be disciplined, I offer a blunt choice. Either support your colleagues, your leader, and all Conservative voters, and refrain from commenting, in public, on contentious, and settled issues, or leave the party and caucus. Some will say that we cannot win without those Conservatives but those few who leave us send a strong signal to the aforementioned independent/persuadable voters who will now flock to the Conservative party.

As a Conservative MP, your primary job is to win the next election and install our next leader as the next prime minister of Canada. Compared to the damage that Trudeau is inflicting on Canada, nothing else matters.

Robert Sopuck was the Conservative Member of Parliament for Dauphin-Swan River-Neepawa from 2010 to 2019.

The Hill Times

News

Reporters covering 'Freedom Convoy' in Ottawa describe safety concerns, intimidation following intense week downtown

What began as a demonstration has now become an occupation of the Parliamentary Precinct, with no end in sight. Parliamentary Press Gallery president Catherine Lévesque, bureau chiefs, the Canadian Association of Journalists and individual reporters have been working day-to-day ensuring members of the media can do their job 'in a safe and secure way,' reporting facts on the ground and bringing news from the nation's capital to Canadians.

BY MIKE LAPOINTE

Parliamentary Press Gallery and local Ottawa media members who have been covering the 'Freedom Convoy' protest that's taken over one of Canada's most famous streets for more than a week have contended with intimidation and harassment and a "pretty intense anti-media sentiment" since downtown Ottawa has been besieged by the protest since Jan. 28, say reporters on the ground.

Parliamentary Press Gallery president Catherine Lévesque, a parliamentary reporter at the *National Post*, told *The Hill Times* that the main priority during the first weekend of the protest was "making sure that members



Hundreds of protesters jam the intersection of Wellington St. and Metcalfe St., in front of the Prime Minister's Office on Jan. 29, 2022 during the 'Freedom Convoy' that descended upon downtown Ottawa in protest of vaccine mandates. *The Hill Times* photograph by Sam Garcia

would have a safe and secure and warm place to work if ever they felt that their security was threatened."

Lévesque said she was "of course concerned" with all the reports seen about reporters being harassed, threatened and berated while doing their job, which is "absolutely unacceptable."



Yves Poirier, a journalist with TVA Montréal, was trying to do a stand-up, with demonstrators immediately circling and following him outside of the Prime Minister's Office on Feb. 1, 2022. As CTV journalist Glen McGregor wrote, "this is a pretty typical example of what it's like trying to cover these protests." *Image courtesy of Twitter*

"That is something that I would encourage everyone to denounce because we as reporters are covering these protests, bringing the news to Canadians, reporting the facts on the ground, so of course we want to do this job in a safe and secure way," said Lévesque.

The Sir John A. Macdonald Building on Wellington Street was made available for journalists covering the events on the Hill last weekend, with "great cooperation" from the Parliamentary Protection Services, said Lévesque, with reporters both normally stationed within the city and those coming from outside Ottawa able to access the building 24 hours a day as events unfolded.

Brent Jolly, president of the Canadian Association of Journalists, told *The Hill Times* that he was concerned that "something bad was going to happen" on the weekend. The CAJ was trying to be proactive because of what happened on the roads in Toronto leading up to the convoy making land-fall in Ottawa.

"We wanted to make sure that this was being taken care of and being addressed really carefully and that there were plans being made," said Jolly. "You don't know what kind of organization these individuals have, what tactics they are going to employ, and we've seen

this already from several videos on Twitter—the intimidation, the vitriol. The unnecessary hostility towards the media and journalists who are just there to document events and are there to tell a story."

It seemed like that the group of protesters there in downtown Ottawa "we're trying to convict the media of some kind of crime," but it's so counter to what is actually true and the role of media and journalism in a democratic society, he added.

"Around the world, people look to media as a signpost of the spread of democracy and democratic culture, and here, we're doing exactly the opposite," said Jolly.

The CAJ released a statement on Jan. 28 as the truckers were making their way into downtown Ottawa, encouraging newsroom leaders to take "pre-emptive action to ensure the safety of journalists is protected in the wake of increasing threats made against reporters covering the ongoing trucker's convoy."

Among the recommendations from the CAJ, included filming or photographing from a distance rather than approaching the crowd, working in pairs or small groups, avoiding live hits from the protest, and "prioritizing your

safety as a reporter above trying to get the story."

No end in sight as trucks continue to jam Wellington Street

Trucks began rolling in late on Thursday evening on Jan. 28, with the largest protest so far unfolding the following Saturday. Since then, many trucks have stayed put as the crowds have thinned out. But the demonstration has now become an occupation of the Parliamentary Precinct, with no end in sight.

This *Hill Times* reporter, who has been on the ground since the demonstration began, has been consistently asking police services—whether they're affiliated with the RCMP, the Parliamentary Protective Service, the OPP, or the Ottawa Police Service—what the 'end game' looks like in this situation. A response on timing or tactics has not been given by officers on the street in more than a week after multiple inquiries.

According to the *Toronto Star*, Ottawa police chief Peter Sloly, who was mindful that Ottawa was preparing for another influx of protesters for a second week in a row, said all options to bring the protest to an end were on the table, including involvement by the Canadian military.

"None of the options create a beautiful, elegant, simple, safe solution. They all come with massive risks, and that option in particular could come with massive risks," he said.

But Prime Minister Justin Trudeau (Papineau, Que.) said deploying the military in situations directly engaging Canadians "is not something that anyone should enter into lightly," during a press conference on Feb. 3, in the wake of Sloly's comments a day earlier that policing options may not be enough to end the protest.

The police chief also noted that the police service was "now aware of a significant element from the United States in the funding, organizing," of the protest, who have plans for "more to come." The convoy group raised \$10-million through GoFundMe in a week.

A Feb. 3 poll, released by Abacus Data, found that 68 per cent interviewed in their latest nationwide poll found that they have "very little in common with how the protesters in Ottawa see things," but with 32 per cent saying "they have a lot in common."

'Pretty intense anti-media sentiment' within the crowd, say journos

Toronto Star reporters Raisa Patel and Alex Ballingall covered the protest on Jan. 29, with Patel telling *The Hill Times* that she noticed a "pretty intense anti-media sentiment" dispersed throughout the crowd.

"That was not unexpected of course, but a secondary and tertiary concern of this protest was that we were walking into an atmosphere that was very much against what we were doing, so that was something that we needed

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to be really conscious of and to be alert for," said Patel.

In one incident, after identifying themselves as journalists with *The Toronto Star*, "someone did respond in an aggressive manner and said that we were publishing lies and we should get out of there and should have X's on our backs," said Patel. "I don't really know how you read that as interpreting it as a death threat."

"On a more personal note, I'm a racialized woman, and my presence at these protests is different than if I were a white man, for example," Patel said. "There are people in these crowds with racist symbols and connections to white supremacy, and I have to have some conversations about what risk am I putting myself in by being there and knowing that these protests could get worse."

"We're so used to protecting journalists when they go out into war zones and conflict spaces, and the notion that we might have to do that in Canada's capital in our own backyard is frankly shocking, but it's a necessary conversation that we need to have," Patel said.

Ballingall, a long-time reporter for *The Star* also covered the event as it unfolded throughout the week, including Saturday, Monday, and Wednesday last week.

"I think the general vibe is that anything could happen, it feels like. It could be me projecting on to the crowd or is that vibe I'm picking up from the crowd," said Ballingall. "But I certainly felt that given the mood and the things that people were saying that you would talk to, including people who are raving about Satan and talking about how God will return to the Earth, it just felt like at any point, anybody around you could do something dangerous."

"In that sense, I felt not an acute sense of fear, but a simmering sense of unease in the crowd," said Ballingall, who noted that as someone wearing a mask "you're getting a lot of looks" from people.

In response to questions about preparations for the protest from *The Hill Times*, Ottawa bureau chief for *The Globe and Mail* Bob Fife, said "use common sense, stay away from the TV cameras because they're targets of these people."

"Don't engage with anybody that's angry, try not to make yourself noticeable as a journalist," said Fife. "It seemed to work."

Globe and Mail reporters Marieke Walsh and Janice Dickson were on the scene early on in the protest, according to Fife.

When asked about comparisons to what's happening in downtown Ottawa currently, Fife said Canada and Canadian journalists have experienced violent protests in the past, when journalists were targeted, pointing to the APEC summit in Québec City "when they were throwing steel balls and stuff like that at journalists."

"There have been lots of protests, like the G7 and the G20, where protests where people came and were very violent," said Fife. "But this is not something that's unusual."

Fife also said he didn't believe allowing the protesters to stay over a week "is a very good move on behalf of the police," but there hasn't been the kind of violence that he's seen at other events.

"But for people living in this city, when you have to live with that constant honking—if anybody did have any support for them, I think the people of the city have lost it, except for the few Conservative MPs who seem to think that what these guys are doing is great," said Fife.

'Keep as low profile as possible'

Justin Ling, a freelance reporter who covered the early days of the protest, said that he's covered a lot of protests through-



"Today has not been easy. Protesters were mostly peaceful Saturday. Today has been different. Setting up for a live hit with @CP24, we were yelled at and swarmed by a group of protesters within seconds. We can't get close without this happening," writes CTV journalist Jeremie Charron, on Jan. 30. *Image courtesy of Twitter*

out his career, across the political spectrum, and that his strategy when he goes into these events "is to keep as low profile as possible."

Although he didn't receive any harassment on his end, he knows that some of his colleagues did, including the harassment of a French-language TVA journalist trying to do a hit downtown, as well as CTV journalist Evan Solomon, who "almost got clocked in the head with a beer can."

"The crowd was by no means receptive to journalists, and I think my choice as trying to stay as inconspicuous was probably the right one," said Ling. "The crowd went out of their way to try and be as jovial and friendly as possible, but I think it became pretty obvious from some of the other reports of citizens walking by and journalists in the crowd that they got plenty confrontational when they felt like it," said Ling.

Ottawa bureau chief for CBC, Chris Carter, said conversations were had about the logistics of covering the protest with disruptions in traffic, with the noise and amount of people and vehicles on the

street, and on the safety of journalists and camera operators—both on the French and English side of the organization.

"Our journalists are trained to deal with difficult situations, and we were also careful to ensure that there's security and safety when they were out covering this event," said Carter.

In the first few days of the protest, Carter said for the most part, CBC journalists dealt with some "extra attention" on the part of the protesters, with an occasional verbal engagement.

"But for the most part, they avoided any kind of physical altercation or threat," said Carter.

"We've certainly seen a greater scrutiny or attention given to the media as we try to do our jobs, to cover news of all types, particularly political news. And news about protests or social movements is part of that, in recent years, not just in the pandemic," said Carter. "People who are upset about things that they feel are beyond their control, upset about the decisions made by politicians or big corporations might, for some reason, lump in the media into their criticism or into their anger about the general place that they find themselves in."

Carter said that all the media can do is "to continue to do our jobs telling stories fairly and accurately, trying to bring them the information they need to know and taking the steps to ensure that our journalists are safe when they do it."

In recent years as well, Carter said the media has had to concern themselves with combatting disinformation and misinformation about the stories that are covered and the media's role in covering them.

'National NewsMedia Council responds to 'deluge of complaints'

The National NewsMedia Council (NNC), in a note released on Feb. 3, said that as the convoy of truckers and other demonstrators descended on Ottawa to protest COVID-related restrictions, they "received

and responded to a deluge of more than 350 complaints from concerned Canadians."

"Many, for example, emphasized their concern about a lack of coverage of the "Freedom Convoy" and its message of rolling back vaccine mandates," according to the NCC. "Others also expressed their displeasure that their perspectives were not adequately reflected in 'mainstream' news coverage."



'Fun times shooting on-cams last night' wrote CTV national reporter Glen McGregor, left, on Jan. 30, after trying to do his stand-up in the midst of the trucker convoy in downtown Ottawa. *Image courtesy of Twitter*

The vast majority of complaints zeroed in on broadcast outlets, including CBC, CTV and Global News.

"Generally speaking, news organizations in Canada adhere to widely-accepted journalistic standards when reporting and opining on the news," wrote the NCC. "We recognize that the pandemic has been challenging for journalists on a number of levels, and news organizations have risen to the challenge of dealing with fast-developing information, complex data, and sometimes conflicting perspectives."

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The Hill Times



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News

‘That horn is designed to be a wake-up call’: a journey through the streets of Ottawa during the ‘Freedom Rally’ occupation

Many of the protesters say they are attempting to be respectful, but Ottawa residents are fed up with noise, traffic, and hateful incidents, and they want their city back.

BY MATT HORWOOD

As I walked through the streets of downtown Ottawa on Feb. 3, where the city’s Parliament Hill and its surrounding neighbourhood have been occupied since Jan. 29 by protesters who say they won’t leave until the COVID-19 restrictions are lifted, there were people cheering, dancing, waving flags, and warmly conversing with one another.

It was loud, but as one protester put it, the horns are intended to be a “wake-up call” to the concerns of some truckers and the other protesters who joined them. The issue, of course, is that the “wake-up call” is keeping up the city’s residents all night long. Some have characterized the week-long demonstration as an extended party, but the events of the last six days have been nothing to celebrate for residents of downtown Ottawa, who are fed up with constant honking, snarled traffic, business closures, and daily incidents of hate.

At least three different trucks had train horns installed, which give off a distinct, earsplitting sound that many downtown Ottawa residents have specifically complained about. After one trucker blared his train horn, the rest of the truckers lined on Kent Street joined in, creating a thunderous chorus that lasted for over 20 minutes.

Many of the trucks and protesters arrived in Ottawa on Jan. 28 and 29 to protest against various COVID-19 restrictions and vaccine mandates, particularly mandates that require truckers to be vaccinated in order to cross the Canadian border from the United States (the U.S. also has a similar mandate for truckers crossing south-bound). Nearly a week later, hundreds of vehicles continue to be parked along Wellington Street just outside Parliament Hill, on the streets of Kent, Queen, Bank, O’Connor, Bay, and Nicholas, as well as on the Sir John A. Macdonald Parkway in front of the Ottawa War Museum. Prime Minister Justin Trudeau (Papineau, Que.) has said the vaccination mandate for truckers crossing international borders is not going to change, so what the resolution to this demonstration—which some are now calling an occupation—will be remains to be seen.



Dozens and dozens of transports, pickup trucks, cars, and even tractors lined Kent Street, packed so tightly together that no traffic could get by. The intersec-



Freedom Convoy supporters, pictured Jan. 31, 2022, in front of the Prime Minister’s Office on Wellington Street in downtown Ottawa. *The Hill Times* photograph by Andrew Meade

tions running from west to east were kept clear, with some truckers attempting to direct traffic. Several tables, tents, and truck beds were set up to receive donations, and were packed with fuel, food, water, and sanitary products like toilet paper and tissue.

The parked trucks brandished various flags, such as those of the provinces, Canadian and American flags, the Thin Blue Line police flag, the Gadsden ‘Don’t Tread On Me’ flag, and ‘Fuck Trudeau’ flags. The Thin Blue Line police flag and the Gadsden flag feature prominently in American right-wing protests, and were also present at the siege of Capitol Hill on Jan. 6, 2021. One truck was decorated with a sign suggesting that “traitors to this country” (presumably those who supported vaccine mandates) should be hanged, while another called for Prime Minister Trudeau to be jailed.

Despite heavy snowfall the night before, most of the streets were cleared and salted. Many truckers were placing down salt or shovelling the remaining snow off sidewalks, as Ottawa’s snow-

‘You’ll get a few bad apples wherever you go’

Ottawa’s police presence was heavy throughout the protest, with cops seen idling in their vehicles or patrolling the streets in groups. But police officers continued to have a hands-off approach, seemingly refusing to engage with the protesters for any reason. When one police officer was asked if they would attempt to enforce noise bylaws, he put his hands up, shook his head, and replied, “What can you do?”

On the corner of Queen Street and Lyon Street, truckers were baking fresh pizzas to serve to pedestrians passing by.

Jake Klassen, a trucker from Saskatoon, said he is in Ottawa because “we are fighting World War Three,” and because “with the way Trudeau has been spending money, my grand-babies are going to be paying this debt off, and that’s not right.” When asked how the last week had been, Klassen said “the word ‘overwhelming’ has not even come close to what the scale is.”

“It is just so over the top that you can’t explain it in words. There are great guys around here and the people have been totally supportive.”

When asked about the unsavoury moments that have happened since the protests began, including Nazi flags being flown and urine-soaked snow on the War Memorial, Klassen dismissed them by saying “you’ll get a few bad apples wherever you go.” He added that the

truckers have been told by convoy organizers that from 11 p.m. at night to 7 a.m. in the morning, they are not supposed to make any noise. “We are trying to abide

by that, but the problem is that some truckers don’t have VHF radios,” he said.

Many Ottawa residents are fed up with rowdy protestors and police inaction

The “few bad apples” have long ago spoiled the bunch for city residents and local businesses that have reported incidents of harassment, intimidation, and physical aggression since the protests began on Jan. 28.

Some people were seen flying flags with racist symbols like the swastika and Confederate flags around Ottawa. Other protesters harassed staff and volunteers at the Shepherds of Good Hope, a local homeless shelter, Saturday, demanding food from their soup kitchen on Jan. 29.

Cornerstone, an emergency shelter for women, reported that noise from the trucks has caused “significant anxiety and distress” for staff and shelter residents, adding that several women have admitted themselves to the hospital due to the noise having triggered a trauma response.

The Hill Times also heard from people who have been accosted, and in some cases assaulted, for choosing to wear masks. Others have had racist and homophobic slurs yelled at them while walking downtown. And the incessant honking and nightly fireworks have deprived sleep and frayed the nerves of hundreds living in and near the downtown core.

This reporter chose not to wear a mask while walking the streets of Ottawa so as not to be accosted as others have been, but also to increase the chances the protesters would share their stories with me.

Ottawa police have been criticized for largely remaining idle during the protests, with many people online accusing members of supporting the truckers. Ottawa Police Chief Peter Sloly said on Feb. 3 that the protests have been “intolerable” and “unprecedented,” and that more charges

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would be laid against people “no matter where they’re from.” But Sloly added that while there had been discussions about calling in the military for assistance, that would come with a “massive risk.”

“There is a process. It’s extremely well-established. It’s extremely well-governed and extremely rare,” Sloly said, noting that the War Measures Act had only been invoked in Canada during the 1970 October Crisis. It was repealed in 1988 and replaced by the Emergencies Act, which was used in 1990 to send the military to the Oka Crisis. Sloly added that while he recently received approval for additional RCMP resources, the Mounties are not the police of jurisdiction for the protest.

On Feb. 4, the Ottawa Police Service released a statement indicating it would be implementing a “surge and contain strategy” to restore order and protect neighbourhoods. “The hatred, violence, and illegal acts that Ottawa residents and businesses have endured over the last week is unacceptable in any circumstance,” it said in a statement. “The Ottawa Police Service and the City of Ottawa are bringing significantly greater resources to restore order, hold offenders to account and protect our neighbourhoods.”

The statement said that despite “significant success” in reducing the number of demonstrators while preventing riots, injuries and death, the Ottawa Police take “no solace” in these operational successes. “The demonstrators in this red zone area remain highly organized, well-funded, and extremely committed to resisting efforts to end the demonstration safely. This remains a very volatile and very dangerous demonstration.”

‘A lot of us here want this to be classy’

Sparks Street was relatively quiet and free of foot traffic, since most businesses on the street and in the surrounding area have been closed since Jan. 28. The scene was completely different one street over, with hundreds of people on Wellington waving flags, holding signs, and occasionally stopping to talk with truckers or offer them food and drinks. Crowds of people conversed near open fires, played musical instruments, and danced in the streets.

While few in number, masked counter-protesters braved potential backlash to attend the demonstrations. One man held a sign that said, “Enough Is Enough,” and said Parliament should pass the Emergencies Act in order to clear out the protestors. Hundreds of Ottawa residents are planning to stage a counter-protest on Saturday in hopes that Ottawa police will take action to remove the protestors.



Protesters, pictured Feb. 3, 2022, playing hockey on Wellington Street in front of the Supreme Court of Canada. *The Hill Times* photograph by Andrew Meade

Unsurprisingly, the noise was greatest directly in front of Parliament, with several truckers refusing to let off their horns even for a second. At the plaza directly in



Three massive trucks on Metcalfe Street, pictured Feb. 2, 2022. *The Hill Times* photograph by Andrew Meade

front of the Parliament Buildings, people gathered in front of open fires or inside tents to stay warm. The Terry Fox Statue and the Tomb of the Unknown Soldier, both of which were desecrated in the first few days of the protest, had flowers placed on top of them.

Hundreds of signs and artwork have been placed against the fence in front of Parliament Hill, saying things like, “No Mandates, No Vax Pass, Freedom,” “Unity In Our Community,” “Occupy Pfizer,” “My Body, My Choice,” and “Where is Trudeau?”

On the grounds of Parliament Hill, there was a gathering of approximately 100 to 200 supporters of Romana Didulo, a QAnon figure with 77,000 followers on the social media site Telegram. Didulo, who claims to be the rightful “Queen of Canada,” was detained by the RCMP in Dec. 2021 for encouraging her followers to shoot health-care workers responsible for administering COVID-19 vaccines.

One woman said that after Didulo spoke at 3 p.m., someone would climb a nearby crane, take down the Canadian flag from the top of Parliament Hill, and replace it with their own, thereby creating a new “Kingdom of Canada.” This did not happen, with the group instead burning the Canadian flag and “symbolically” raising their own flag.

The intersection of Sussex Drive and Rideau Street was closed down by honking trucks and people dancing to music. The nearby CF Rideau Centre has remained closed since maskless protestors swarmed the mall last Saturday. The Retail Council of Canada estimates the week-long closure of the Rideau Centre could cost the downtown Ottawa mall \$19.7 million in lost revenue.

A street hockey game was set up on Wellington Street in front of the Supreme Court of Canada, with a scoreboard and a trophy placed on the nearby sidewalk.

Jeremiah Jost, a contractor from Alberta, said he has been attempting to independently report on the protests from the frontlines.

Jost said the media and people online have been unfairly characterizing the protests as hate-filled and violent, whereas he has seen many truckers picking up garbage, shovelling sidewalks, and attempting to have respectful conversations with local Ottawans. Jost added that he saw protestors tell the man who brought a Confederate flag to Parliament Hill to leave.

“A lot of us here want this to be classy, and I’m personally not even for the ‘F Trudeau’ flags. I’m a Christian and I believe we’re called to pray for our leaders.

Trudeau is a human being and God loves him just as much as he loves me,” he said.

Jost said he has spoken to several cops who privately expressed support for the protestors, including one who said “everyone’s been unreal here.” Jost said he has also attempted to engage with many of the counter-protesters. “Like, what are your opinions? Let’s hear what you have to say. You’ve got to have a dialogue.”

Jost and his wife Christina said they have both chosen not to get vaccinated due to fears surrounding myocarditis—inflammation of the heart muscle—and infertility.

The Centers for Disease Control and Prevention (CDC) says there are rare instances of myocarditis in adolescent males and young adults after COVID-19 vaccination, but that “most patients with myocarditis or pericarditis who received care responded well to medicine and rest and felt better quickly.” Public Health Ontario and the CDC say there is no evidence of a risk to male or female fertility with the COVID-19 vaccines.

“COVID-19 vaccination is recommended for people who are trying to get pregnant now or might become pregnant in the future, as well as their partners,” reads the CDC website.

“We’re not asking for million-dollar payouts, we’re asking for our right to choose and to not be discriminated against,” Jost said. “I have every right to say no to that treatment. I know so many people like me who have a unique medical background, and that’s why we have the Canada Privacy Act, so as not to discriminate.”

Canadians do retain the right to decline treatment; the vaccines are only mandatory if folks wish to participate in certain activities or work that requires them to do things like cross the border.

“And now after two years, these peaceful Canadians have had enough and they’ve moved in and are protesting peacefully, which are within their rights as Canadians. And honestly, that horn is designed to be a wake-up call.”

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THE HILL TIMES CAREERS



Executive Director, Government Relations Lakehead University

Lakehead University is seeking an experienced and dynamic **Executive Director, Government Relations** to lead **Government Relations** for the University. This is an exceptional opportunity for a government relations professional with a proven track record of developing and building effective relationships and driving collaborative strategies within a values-based multi-stakeholder diverse environment.

The Executive Director will serve as an ambassador for Lakehead University and an influential communication thought leader to passionately cultivate and advance Lakehead’s relationships and standing with all levels of government by promoting the relevance of academia, research, and innovation which will contribute to the University’s success for many years to come.

As one of the President’s direct reports, the Executive Director will work in close collaboration with members of the Executive Team. As such, the Executive Director represents a critical role and voice for the University and will act as the primary contact for high profile government officials in support of Lakehead’s financial sustainability and growth. A strategic leader with strong relationship building abilities and superior communications skills, the Executive Director will be responsible for enhancing Lakehead’s government relations by focusing on institutional priorities and emerging public policy issues, as well as planning and implementing a comprehensive, metric-driven government fundraising strategy. Working closely with the Vice-President External Relations, the Executive Director is an ex-officio member of the External Relations Senior Leadership Team (SLT) and will collaborate with the SLT on efforts to develop and execute proposals that will have a substantial impact on donor outreach and cultivation to advocate for university priorities and secure financial support.

The Executive Director, Government Relations leads the engagement and lobbying activities with all levels of government, including provincial, federal, regional, and municipal governments for Lakehead University and its campuses. This includes developing strategy and executing the University’s agenda to achieve tangible, measurable results. Cultivating productive relationships and strong lines of communication with Queen’s Park, Parliament Hill, and the regions of Northwestern Ontario and Central Ontario is essential, in addition to enhancing and building capacity for Lakehead University in the important market of Toronto and our campuses’ respective local communities.

FOR MORE INFORMATION

KCI (Ketchum Canada Inc.) has been retained to conduct this search on behalf of Lakehead University. For more information about this new role, please contact Tara George, Partner / Lead, KCI Search + Talent or Helena Debnam, Senior Search Consultant at Lakehead@kctalent.com.

All inquiries and applications will be held in strict confidence. Interested candidates should send resume and letter of interest to the email address listed above by **March 16, 2022**.

To view the full Executive Brief, please visit: www.kctalent.com

Lakehead University is committed to creating a diverse and inclusive environment and welcomes applications from all

qualified individuals including women, members of racialized groups/visible minorities, Indigenous persons and persons with disabilities, and persons of any sexual orientation, gender identity or gender expression.

Lakehead University is committed to supporting an accessible environment and will accommodate job applicants with disabilities during the selection process. Applicants requiring accommodation during the interview process should contact Tara George or Helena Debnam with any enquiries or for assistance.

The position offers a competitive salary, and a comprehensive benefits and pension package. The position will be based in either Thunder Bay or Toronto, with acknowledgment of regular travel to the University’s campuses in Thunder Bay and Orillia, and surrounding municipalities, as well as to meet with government in the GTA and Ottawa as needed.

News

Chagger brings past successes and lingering ghosts to new role as PROC chair

To do a good job as the new chair of the Procedure and House Affairs Committee, Bardish Chagger will have to be willing to ‘bend,’ says Angela Wright.

BY ALICE CHEN

Left out of the cabinet lineup last October, Liberal MP Bardish Chagger is now chair of the all-important Procedure and House Affairs Committee, and while some politicians don't perceive the move as a personal slight, and laud her skills and experience, others question whether she's the best fit for the role.

While committee chairs are technically elected—with the governing party given the chair in all but four House committees—such decisions are generally done deals before the establishing meetings begin. The choice of Chagger (Waterloo, Ont.) as chair of the busy and central House Affairs Committee suggests she has the trust of Prime Minister Justin Trudeau (Papineau, Que.), said Angela Wright, a political analyst and former Conservative staffer.

“It's the committee that oversees matters related to conflicts of interest ... so the government really wants someone [trustworthy]. Bardish Chagger has defended the prime minister and the government very strongly in previous conflict of interest investigations,” she said, pointing specifically the SNC-Lavalin affair in 2019, which occurred when Chagger was government House leader.

Along with oversight of the MP conflict of interest code, the House Affairs Committee, also known as PROC, tackles the Canada Elections Act (and Elections Canada), the decennial electoral boundary readjustment process (the next riding rejig is currently in its early stages), the administration and broadcasting of the House of Commons, the Standing Orders, and more. It's also the body to which things like *prima facie* questions of privilege are referred. And, amid COVID, it was PROC that was tasked with helping sort out the details of how a hybrid Parliament, and remote voting, could work.

Chagger was a rookie MP when she was first named to the Liberal government's front bench as minister of small business and tourism in November 2015. She added on the title of government House leader in 2016, juggling both roles until 2018, when she dropped the former. After the 2019 election, she was named minister of diversity, inclusion and youth, her most recent portfolio.

the face of opposition attacks—to mixed reviews. Also during her time as House leader, in June 2017, Chagger found herself in hot water after being seen at the entrance of the Senate Chamber ahead of evening voting on amendments to the government's budget implementation bill, creating the implication of pressure on Independent Senators to vote a certain way. Chagger initially had told *The Hill Times* she'd



Liberal MP Bardish Chagger, who was previously minister of diversity, inclusion, and youth, is pictured speaking with reporters outside the West Block on July 22, 2020. She officially became chair of the House Affairs Committee on Dec. 3, 2021. *The Hill Times* photograph by Andrew Meade

Wright said she doesn't see Chagger's swap out of cabinet as anything personal.

“What the prime minister's cabinet picks really show us is that he's made an acknowledgment that government is in a vulnerable position,” owing to not winning the majority they were hoping for, she said, hence the strategic placement of new ministers and the front bench's “good regional representation.”

Chagger herself, when asked about being left out of cabinet, said it was the “prerogative” of Trudeau.

Chagger's committee chair appointment was a “little bit” of a surprise, said Yaroslav Baran, national communications lead for Earncliffe Strategy and a former Harper-era staffer.

“She had a very difficult run when she was government House leader,” he said.

Chagger served as the government's point person in the House during the height of the SNC-Lavalin scandal, holding and repeating the Liberal line in

scandal found that Trudeau had contravened the federal Conflict of Interest Act.

Chagger aims for ‘open-door policy’ at PROC

In her new role as chair of PROC, Chagger said she intends to keep open lines of communication.

“I'm going to try my hardest to do whatever I can do to keep an open-door policy and have important conversations,” and work to achieve consensus wherever possible, she said.

Wright suggested a weakness Chagger may have as chair is her “unwavering support in the past for the prime minister and the government.”

“When you're chairing PROC in a minority government, you have to be willing to bend a bit more, and so I would say that she will likely need to find ways to be a little less gung-ho ... and be more open to collaborating and more open to making changes,” she continued.

But that trait is also a strength in Wright's eyes: “She really showed that she's willing to be a team player.”

And, with past experience as a member of the Board of the Internal Economy during her time as House leader, she said Chagger's had in “important and influential roles in terms of parliamentary affairs ... so making her the chair of PROC makes a lot of sense.”

Liberal MP Greg Fergus, a member of the House Affairs Committee (Hull-Aylmer, Que.), described Chagger as a shooting star, pointing to her rise up from a grassroots campaign to win the party's nomination ahead of the 2015 election, all the way to her cabinet roles and now role as committee chair.

“Her entire political involvement has been a success,” said Fergus.

Of course, he said, you can expect a certain level of partisanship, but Fergus said he gives a lot of credit to Chagger for being able to collaborate across party lines.

“I think the biggest thing she's been doing is talking to everybody,” he said.

“I also think it helps that we have people like our vice chairs, and [Rachel Blaney] from the NDP who I also think are pretty darn straight shooters, so it's a wonderful confluence,” he continued. “The stars are aligned for some straight talk.”

Conservative MP Eric Duncan (Stormont-Dundas-South Glenarry, Ont.), his party's caucus secretary, and Bloc Québécois MP Alain Thérien (La Prairie, Que.), his party's House leader, are PROC's two vice-chairs this Parliament.

With the House back this week, PROC has already embarked on an overdue review of the MP conflict of interest code and received a briefing on renovations on Parliament Hill, including the Centre Block, on Feb. 1. Other work also on the committee's to-do list is a briefing from the Chief Electoral Officer and a study on adding Indigenous languages to federal ballots.

Fergus couldn't comment on the in-camera discussions held around what the committee is going to work on, but Wright speculated that they will likely have to tackle COVID-19 and how to function properly in a continuing hybrid parliament.

Liberal MP Tim Louis (Kitchener-Conestoga, Ont.), who's known Chagger since they both won nominations in 2015, said he expects great things from her.

“I know that she's done a good job at every level she's been at, and I expect that to continue. She serves the people well in Waterloo, and she did well as House leader, and I'm sure she'll be great at PROC,” he said.

Involved in politics since she was 13, Chagger is eager to give back

Chagger has been involved in politics since she was just 13 years old.

Coming from India, the world's largest democracy by population, she said her dad got involved in politics in Canada early, and learned to navigate Western systems, such as ensuring she had access to a French immersion school.

Active with the Liberal Party, her dad encouraged her to get involved in their local riding association when she started pushing on issues that were important to her.

“Part of it was having a voice; there weren't many people who looked like my family,” she said. She also advocated for mental health issues, same-sex marriage, and the fight for medical assistance in dying, then known as dying with dignity. These issues are still important to her today, she said.

“My motivation is: it's an amazing country and I'm a child of immigrants and this country has really given me and my family a lot, but there's still so much more that that we can do,” she said.

As a person, Fergus describes Chagger as “funny, sometimes irreverent,” “passionate,” and “really smart.”

“I think what you see is what you get with Bardish, there's not a lot of pretense there,” he said.

She's also a good listener, Louis said.

“When you're speaking with her you feel like you have her attention and I think that's admirable, and you kind of feel like ‘she's my friend,’” he said.

He echoed Fergus in noting that her public persona matches her personal one.

“She's got an incredible amount of energy and that energy is there 24/7, which I think is fantastic,” he said. “I wish I had more of that myself.”

Chagger notes, of course, that she's not perfect.

“I believe education is lifelong and we can always learn ... I welcome constructive feedback and constructive advice, if I can do anything to better the way I operate or our committee operates, I'm open,” she said.

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Liberals eye carbon capture tax credit as key piece of net-zero plan, but critics see more fossil-fuel subsidies on horizon

Supporters and opponents of the controversial emissions-reduction technology are jockeying to have their priorities reflected in the design of the Finance Department's promised tax credit.

BY KEVIN PHILIPUPILLAI

Look to Finance Minister Chrystia Freeland to introduce a tax credit for carbon capture projects in this year's budget, say observers, flagging that the credit's final design will be a signal of just how much weight the government is putting behind the initiative.

Supporters of the promised tax credit for carbon capture, utilization, and storage (CCUS)—proposed in last year's budget—call it an investment in a vital set of technologies that Canada has been a leader in developing. Opponents, including more than 400 academics who signed a recent open letter, say it would prolong the life of the fossil fuel industry and give it a leg up against cleaner alternatives.

Conservative MP Greg McLean (Calgary Centre, Alta.) introduced a private members' bill in December 2020 that called for tax incentives for CCUS. He told *The Hill Times* that the tax credit would level the playing field between Canadian companies and American companies, which have had their own version of this tax credit since 2008.

McLean said Canada has been a world leader in the technology and use of CCUS, but that American companies are overtaking domestic ones because the American tax credit makes deploying and using the technology "more economically efficient" in the United States. He added that Canada has lost CCUS technology jobs across the border in recent years, "and that has to stop."

"We can't be serious about having a livable world if we're building fossil fuel infrastructure of any kind," countered Elizabeth May (Saanich—Gulf Islands, B.C.), the Green Party finance critic. May called CCUS "an unproven technology" that encourages complacency because it allows people to believe there will be "a magical solution in the

future" that pulls greenhouse gas emissions out of the atmosphere.

"We should not have any public money going to subsidize anything that allows us to pretend," said May. She pointed to a Green Party statement from Jan. 20 that warned that the federal government's messaging around "net zero by 2050" is an attempt to draw focus away from its more pressing 2030 commitments, replacing them with a goal "that is more acceptable to Canada's fossil fuel industry."

Canadian oil and gas companies have said that it will cost \$75-billion to develop and implement CCUS technologies in Canada. Reuters reported in October 2021 that the Canadian Association of Petroleum Producers had asked the government to cover 75 per cent of that cost, making the request to the Finance Department before the September federal election.

Existing carbon capture measures reduce Canada's carbon dioxide emissions by four megatonnes annually, according to last year's budget. The tax credit is intended to support a reduction of at least 15 megatonnes annually. Canada's total greenhouse gas emissions were 730 megatonnes of carbon dioxide equivalent in 2019, with 191 megatonnes of that coming from the oil and gas sector.

The 2021 budget also set aside \$319-million over seven years for Natural Resources Canada, the lead department for CCUS, for research and development to improve the commercial viability of these technologies.

Enhanced oil recovery 'a red line' for Liberal government

McLean's bill was defeated at second reading in June 2021, around the time the Finance Department began a 90-day consultation on its own version of the tax credit, with support from other departments. Finance Canada officials did not respond to questions from *The Hill Times*

about the design of the tax credit and the progress of the consultations, but McLean said Freeland (University—Rosedale, Ont.) has been talking to the same people in industry that he talked with when writing his bill.

One key difference between the tax credit that McLean proposed and the approach the finance department has taken so far is whether enhanced oil recovery projects will be eligible for the tax credit. This is where pressurized carbon dioxide is

used to boost oil production.

"Enhanced oil recovery is a red line for this government," said Carlene Variyan, an associate vice-president at Summa Strategies. "They've been pretty consistent in that position for about a year now."

Variyan joined Summa Strategies in December 2021 after serving as deputy chief of staff to then-natural resources minister Seamus O'Regan (St. John's South—Mount Pearl, N.L.), and then as chief of staff to Jim Carr (Winnipeg South Centre, Man.) when he was the special representative for the prairies.

"Much like many other policy areas," said Variyan, "you can't please everybody. Some people don't like that the new tax credit can be available for a broad range of CCUS applications, including sub-sectors like concrete or plastics. Some people don't like that it includes blue hydrogen projects as well as direct air capture. But on the other side, you have those who are upset that enhanced oil recovery projects aren't allowed."

A fundamental disagreement over the future of fossil fuels

Opposition to the tax credit comes in two forms—some are skeptical of the technology as a whole, while others believe it has potential but wonder why profitable energy companies need government money to develop it.

"What we need is a managed wind-down of fossil fuels, and the tax credit instead prolongs our dependence," Laura Tozer told *The Hill Times*. Tozer was one of the authors of a Jan. 19 open letter opposing the tax credit for CCUS, and is an assistant professor in the department of physical and environmental sciences at the University of Toronto Scarborough.

More than 400 academics and experts signed the letter, which called the tax credit a subsidy for the fossil fuel industry. "As long as Canada continues to underwrite the oil and gas industry," said Tozer, "we can't make meaningful progress on the economic transition that's needed to address climate change."

"Most credible independent authorities see carbon capture and storage as pretty critical to achieving net zero by 2050," responded Variyan, adding that oil production is a component of "all of the serious net-zero scenarios... If you want to be able to cut those emissions right at the production level, you need CCUS."

Variyan pointed to an International Energy Agency report on the roadmap to 2050 that said that "a failure to develop CCUS for

fossil fuels would substantially increase the risk of stranded assets and would require around US\$15-trillion of additional investment in wind, solar, and electrolyser capacity to achieve the same level of emissions reductions."

"There is fairly broad consensus around the promise of the technology in general," said Variyan, referring also to statements from the Pembina Institute and the Institute for Climate Choices. "I do think we are far past the point of calling into question the value of the technology, which is why I was a little surprised when reading this letter."

A governmental thumb on the scale

"My concern here also is that we're putting a lot of attention towards a technology that may or may not work as expected, that's further out on the time horizon. We need to put more effort into technologies that are ready to go right now," said Christina Hoicka, a lead author of the open letter. "Are we paying attention to the 2030 target or are we paying more attention to the 2050 target?"

Hoicka is the Canada Research Chair in urban planning for climate change, and an associate professor in geography and civil engineering at the University of Victoria. She said tax credits, rebates, and other policy instruments all play a role in determining which emerging technologies become viable, and which lag behind.

"The IEA has identified that there are 38 technologies that are completely market-ready and ready to scale right now, and the problem is they are not diffusing enough," said Hoicka, saying that public dialogue in Canada does not reflect the range of technologies that are ready and scalable right now.

Even if they are pulling in opposite directions, one thing supporters and opponents of the CCUS tax credit share is a sense of urgency.

"There was a good bill in front of Parliament, that would have been a better bill if it was a government bill," said McLean. "A year has passed. A year of delays means a year of technological advancement in other jurisdictions," especially the U.S.

"We're looking at the impacts of the climate emergency in real time, in real life, at a global average temperature increase of 1.1 degrees Celsius," said May, referring to the extreme flooding and landslides that hit southern B.C. in November, and to the wildfires and heat dome that killed nearly 600 people in B.C. last summer.

"We know what 1.1 looks like, we should be scared to death of 1.5." kphilipupillai@hilltimes.com
The Hill Times



Oil companies and environmentalists will be watching to see how Finance Minister Chrystia Freeland's new tax credit compares with the American equivalent. *The Hill Times* Photograph by Andrew Meade

injected back into older oil wells to flush out additional oil that could not be recovered during the primary and secondary phases of extraction.

"[Enhanced oil recovery] is a pretty important part of making CCUS economic in the early stages," said McLean. "Nobody's going to do this for free, at the end of the day."

McLean added that keeping enhanced oil recovery out of the Canadian version of the tax credit would penalize Canadian companies, since it is included within the American tax credit.

U.S. Democratic Congressman Ro Khanna introduced a bill in December to remove enhanced oil recovery from the American tax credit, citing data from a pro-carbon capture think tank that says 95 per cent of CCUS capacity in the U.S. is used for this purpose. Khanna acknowledged at the time that his amendment was unlikely to pass.

Finance Canada's consultation materials from June 2021 say that the tax credit is not intended to include enhanced oil recovery, and asked for input on how best to claw back the tax relief if this condition is violated. Natural Resources Minister Jonathan Wilkinson (North Vancouver, B.C.) reinforced this on Jan. 13 when he told Bloomberg News that the credit would exclude car-

News

Harmonization with provinces will be key when introducing new data privacy legislation, say privacy experts

Provinces such as Quebec and British Columbia have updated their online data privacy regimes, which the federal government may want to take into account in developing its own privacy legislation.

BY JESSE CNOCKAERT

Highly-anticipated legislation to update Canada's online privacy laws, expected to be introduced in the current session of Parliament, will need to harmonize with the data protection regimes introduced in provinces in recent months in order to prevent a regulatory burden on businesses, according to internet and privacy experts.

"What we don't want to see is a massive patchwork of legislation that is too burdensome on businesses," said Josh Tabish, the public affairs manager with the Canadian Internet Registration Authority. "I think that's something that the federal government is going to need to consult widely on, not just with industry stakeholders and privacy experts, but also with provinces to understand where their revamped privacy legislation fits, given that the terrain has changed so much, even just in the last year."

In the previous Parliament, then-innovation minister Navdeep Bains introduced the former Bill C-11 on Sept. 23, 2020, which proposed to modernize Canadian privacy law by providing Canadians with greater control over the data they share while online. The bill aimed to repeal parts of the Personal Information Protection and Electronic Documents Act (PIPEDA) and replace them with a new legislative regime governing the collection, use, and disclosure of personal information for commercial activity in Canada. The bill reached second reading in the House, but died on the Order Paper in August 2021 when Parliament was dissolved for the September federal election.

Any legislation in the current Parliamentary session that attempts to pick up where the previous bill left off will need to address the provinces that have moved ahead with their own updates to privacy laws since 2020 when the former Bill C-11 was introduced, according to Tabish.



Innovation Minister François-Philippe Champagne was directed to introduce legislation to advance the Digital Charter and strengthen privacy protections for consumers in his mandate letter on Dec. 16. *The Hill Times* photograph by Andrew Meade

On Sept. 22, 2021, the Quebec National Assembly adopted Bill 64, which updated the province's privacy laws with changes including a requirement for organizations to develop privacy governance policies and practices, and to publish summaries of those policies and practices on the organization's websites.



Josh Tabish, the public affairs manager with the Canadian Internet Registration Authority, says Canada doesn't want a 'massive patchwork of legislation that is too burdensome on businesses.' *Photograph courtesy of Josh Tabish*

On Nov. 25, 2021, the B.C. Legislative Assembly passed Bill 22, which enacted changes to the Freedom of Information and Protection of Privacy Act (FIPPA) which governs the collection, use, and disclosure of personal information by public bodies. Changes include repealing a prohibition on the storage and access to personal information outside of Canada, and introducing new privacy offenses and penalties that apply to individuals, service providers, their employees and associates.

How data privacy laws vary between provinces and the federal level may not matter very much to a business that is only operating locally, but the differences could be very important for businesses

seeking to operate interprovincially, according to Tabish.

"How each province's privacy legislation varies affects how you collect analytics and information about users in that province. You're trying to sell ads nationally, but you can only collect so much information in Quebec, a different type of information in Ontario, [and] a different type of information in Manitoba and Saskatchewan. This creates a lot of compliance obligations for companies selling nationally," said Tabish. "Not only does it create compliance obligations, these organizations have to figure out whether or not these provincial laws even apply to them."

To make online business interactions easier, Canada's privacy laws would need to be not only harmonious internally, but harmonious with major international trading partners such as Europe, according to Tabish.

Europe updated its online privacy laws in 2018 with the implementation of the General Data Protection Regulation (GDPR), which can be enforced on any company that collects personal information from residents in Europe.

Constantine Karbaliotis, a lawyer with the Toronto office of privacy law firm nNovation LLP, said that the GDPR "raises the bar globally for privacy laws," and many countries are updating their legislation, or creating new legislation, because they want to continue doing business with Europe.

"One of the purposes of [the] European GDPR ... was to enable the free flow of data within the European Union, and we want that within Canada. We don't need more non-tariff barriers to having trade within our own country," said Karbaliotis. "Canadian businesses are not big in comparison to what you see in the U.S. We're a nation

of small [and] medium enterprises. You want not to have unduly complicated, [and] big differences between federal and provincial rules, because that just adds to the burden of compliance."

Karbaliotis said that more deviation in privacy regulations between provinces, the federal level, and internationally will mean more for businesses to keep track of.



Constantine Karbaliotis, a lawyer with the privacy law firm nNovation LLP, says Europe's General Data Protection Regulation 'raises the bar globally for privacy laws.' *Photograph courtesy of Constantine Karbaliotis*

"It just adds to the burden of businesses just interacting with individuals if you have fundamentally different kinds of rights in different provinces," said Karbaliotis. "Any set of policies are usually drafted with regulations and laws that you have to comply with, and it just makes things more complex the more differences there are."

The Government of Ontario is also considering changes to its data privacy regime. On June 17, 2021, Ontario released a white paper as part of a consultation to seek public feedback on how to improve privacy protections in the province. The consultation period ended on Sept. 3, 2021.

The Hill Times reached out to Innovation Minister François-Philippe Champagne (Saint-Maurice—Champlain, Que.) for a comment on plans for introducing legislation to update the Digital Charter. Laurie Bouchard, the senior manager of communications in Champagne's office, responded by email on Feb. 3 that reform of the private sector privacy law is "a top priority" for this session of Parliament.

Any new legislation will take into consideration public comments on the former Bill C-11, including feedback pertaining to "the need for harmonization and interoperability" of privacy laws in Canada, according to the emailed statement.

"Our government is aware that harmonization helps address regulatory burden for organizations operating in Canada, ensuring that they remain competitive in a data-driven economy and that Canadians expect strong privacy protection from coast to coast to coast," said Bouchard in the email.

Sara Clodman, vice-president of public affairs with the Canadian Marketing Association (CMA), told *The Hill Times* that legislation to update Canada's online privacy laws should address "consent fatigue."

"You may even notice it here as a Canadian when you click on websites for companies based in Europe, for example. You have to consent before you go into the website," she said. "It is typical for consumers to just click on that without even reading what they're consenting to. We do not think that's a quality kind of consent that is benefiting consumers. In fact, consumers are just automatically consenting, and that hasn't really achieved anything, but it is creating a lot of annoyance."

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The lessons we can learn from the Afghanistan situation

Canada and China have more in common than we often think

Pine nuts are widely consumed across Canada, just as they are in China. In traditional Chinese culture, pine nuts are said to aid in longevity and good health and are found in many of the best recipes across the country. As of late 2021, over a thousand tons of Afghani pine nuts had been exported to China via the reopened "Pine Nut Air Corridor". They were widely loved by Chinese consumers and generated over 16 million US dollars in revenue for Afghanistan. I am sure that there will be more products from Afghanistan sold to China in the future, which will undoubtedly help address the economic and livelihood difficulties faced by people in Afghanistan currently.

Afghanistan was one of the pearls of the ancient Silk Road, the crossroads between East and West, and to this day is a place full of culture and history. Sadly, Afghanistan has for countless years suffered through war and strife, its people facing unimaginable and almost never-ending humanitarian crises and hardships. There is a great need for the international community to work together to help Afghanistan.

Chinese traditional virtues emphasize helping people in difficulty. More than 2,000 years ago, Confucius rightly pointed out that "The man of perfect virtue is one who, desiring to turn his own merits to account, helps others to turn theirs to account." This culture has been deeply integrated into the blood of the Chinese nation. China's diplomacy has also inherited the above-mentioned tradition and maintained a global vision. As a friendly neighbor of Afghanistan, China always respects Afghanistan's sovereignty, independence, and territorial integrity, and supports the Afghan people in independently determining their own destiny and choosing the development path, and we are willing to support the stability of Afghanistan as it rebuilds after so many years of war.

China is currently working to provide Afghanistan with humanitarian aid worth over 200 million Chinese yuan (equivalent to about 40 million Canadian dollars), including more than 5,000 tons of grain, as well as 3 million doses of Covid-19 vaccine, among other medical support and winter supplies. China is also taking a variety of measures to help Afghanistan solve its longer-term economic challenges, so that the country can gradually become economically self-sufficient.

As we look to a more hopeful future for Afghanistan and help pull the country out of its current crisis as quickly as possible, it is also important to think about what lessons can be learned from the Afghanistan situation. I think there are at least 3 lessons to be learned:

The first is that mutual respect between countries is extremely important. We need to seek common ground and shelve differences. The instability and harm caused by hegemonism are clearly visible in the failure of the US in Afghanistan. For 20 years, more than 100,000 Afghan civilians have been killed or wounded in

the gunfire of US troops and its ally forces, and more than 10 million people have been displaced. The Afghan War caused an average loss of 60 million US dollars on a daily basis. About 72% of the people of Afghanistan live below the poverty line, and the unemployment rate reached 38%.

No two leaves in the world are identical, and no country can force its own standards, its own culture, and its own social systems upon others. History has shown time and again that violent interference and invasions only lead to disaster. All countries should aim for peaceful co-existence above all else, respecting our differences while celebrating our commonalities. This is true for Afghanistan as well as all other countries around the world.

The second lesson is that we need international cooperation now more than ever. Covid-19 is still ravaging the globe, with new variants such as Omicron causing countless challenges to every country. For underdeveloped countries like Afghanistan, it is even more important that the international community work together to help them get through these challenging times. We are all humans living on this pale blue dot together. All countries in the world are on the same boat and part of the community with a shared future for mankind. In the face of global challenges such as the pandemic and climate change, no country can go it alone. We shouldn't be trying to trip each other up or benefit at the expense of one another. Rather, we should respect each other, and cooperate with honest good intentions to make life better for everyone around the world.

The third lesson is that China and Canada should collaborate, can collaborate, and will benefit greatly from collaboration. China and Canada both pay great attention to the situation in Afghanistan, and we both believe that the humanitarian challenges there need to be urgently addressed. China is willing to strengthen communication and cooperation with Canada in this regard.

In fact, whether it be bilateral matters or international affairs, China and Canada can find common understandings to expand cooperation and partnerships around the world, to make the world a better place, and help both of our countries prosper. China and Canada can collaborate in many ways, including trade, dealing with the pandemic, responding to climate change, promoting sustainable development, and more. Canada and China share many common understandings and common goals.

Afghanistan is a long way from North America, but the experience of Afghanistan is something we can all learn from. China hopes to approach the China-Canada relationship from a perspective of mutual respect and shared success toward a better future for both of our countries, and the world as well.

H.E. Chinese Ambassador to Canada Mr. Cong Peiwu

For more information please visit <http://ca.china-embassy.org/eng/>

Photos: 1. 20 November 2021 a freight train loaded with more than 1,000 tons of humanitarian aid departed from Urumqi West Railway Station in north-west China's Xinjiang Uygur Autonomous Region, and is set to arrive in Mazar-i-Sharif, Afghanistan, in 12 days. The goods on the train include naan and milk tea powder as well as such winter supplies as cotton-padded clothes, cotton shoes and blankets. 2. Staff members unload COVID-19 vaccines and syringes donated by the Chinese government at Kabul international airport in Kabul, capital of Afghanistan, Dec. 8, 2021.



News

Three years on, feds still working to ‘institutionalize’ Wilson-Raybould’s litigation rules: Miller

Weeks from announcing a \$40-billion settlement, Crown-Indigenous Relations Minister Marc Miller says he and Justice Minister David Lametti have been scrutinizing the government’s legal arguments carefully. Lawyers for First Nations are split on whether much has changed in the courtroom.

BY PETER MAZEREEUW
& SAMANTHA WRIGHT ALLEN

The federal Justice Department is still coming to grips with a set of fair-play rules for its legal battles with First Nations, three years after they were issued by then-justice minister Jody Wilson-Raybould, says Crown-Indigenous Relations Minister Marc Miller.

Miller (Ville-Marie-Le Sud-Ouest-Île-des-Soeurs, Que.) said he and Justice Minister David Lametti (LaSalle-Émard-Verdun, Que.) had spent “an exhausting amount of time” reviewing individual legal arguments, and how Justice Department lawyers are representing the government in court battles with Indigenous peoples, in an interview on *The Hill Times’ Hotroom* podcast in January.

He said the acid test is whether or not the government’s legal strategy lives up to the “honour of the Crown,” a term that the government has defined to mean acting with “honour, integrity, good faith, and fairness in all of its dealings with Indigenous peoples.”

“What that means on the ground,” said Miller, “is our pleadings have to be respectful of that relationship, they cannot be frivolous in nature. They cannot ... reflect a deviation from that honour.”

“It makes parsing through arguments quite difficult. And I would say to you that that reflex has not been institutionalized yet, which is very frustrating to me, and indeed frustrating to the attorney general [Lametti].”

Some lawyers who represent First Nations in suits against the government told *The Hill Times* that they’d noticed a positive change in how Justice Department lawyers argue in the courtroom. Others said that they had not, pointing to what they call time-wasting tactics, or pointless appeals of judicial decisions.

‘Simplify and expedite’

In January of 2019, Wilson-Raybould issued the Directive on Civil Litigation Involving Indigenous Peoples, a set of instructions to lawyers in the Justice Department that she was then leading. It was one of her last actions in the role, before she was shuffled to the Veterans Affairs portfolio and replaced with Lametti amid the SNC-Lavalin scandal.

Settling disputes with Indigenous litigants out of court, wherever possible, is a key theme in the directive issued by Wilson-Raybould. The directive also requires that lawyers in Justice Department try to “simplify and expedite” litigation, instead of dragging out cases longer than necessary. It instructs government lawyers not to continue legal battles they are unlikely to win, and to make sure that winning a court battle doesn’t undermine the government’s bigger-picture goal of reconciliation.

Up until that point, Justice Department lawyers had often taken a win-at-all-costs approach to defending the government in court against lawsuits from First Nations and Indigenous litigants, lawyers who represent them told *The Hill Times*.

That included using courtroom tactics often employed by lawyers defending clients with deeper pockets than their opponents: slowing the progress of the case

through the court; appealing every decision; forcing the opposing legal team to prove every claim in court—including asking their client to prove their status as a First Nation, and prove their historical ties to the territory on which they lived.



Crown-Indigenous Relations Minister Marc Miller, left, and Justice Minister David Lametti, right, are, along with Indigenous Services Minister Patty Hajdu, the government’s key decision-makers when it comes to interactions with Indigenous peoples. *The Hill Times* photographs by Andrew Meade

The objective of those tactics was to run up a First Nation’s legal bills until they couldn’t afford to continue the suit, said Scott Robertson, a former president of the Indigenous Bar Association and a lawyer with the firm Nahwegahbow Corbiere.

Lametti pledged to implement Wilson-Raybould’s directive, after then-clerk of the privy council Michael Wernick warned a House of Commons committee that it could be “guttured at the stroke of a pen” by new political masters.

The Liberal government came under heavy criticism in the years that followed, however, for continuing to fight an order from the Canadian Human Rights Tribunal to compensate Indigenous children who had been put through underfunded and inadequate child services agencies.

“

This directive to all Government of Canada litigators could mark a profound change in Canada’s legal landscape. However, it could be repealed or gutted at the stroke of a pen, and all that work turned to ashes, so I think now that all political parties need to be clear with Canadians on the future of that directive.”—former clerk of the Privy Council Michael Wernick, during his testimony before the House Justice Committee on March 6, 2019

Then, on Jan. 4, Miller and Indigenous Services Minister Patty Hajdu (Thunder Bay-Superior North, Ont.) announced that the



ment lawyers against Indigenous communities that have “to a large extent—and rightly so—highly sophisticated legal counsel.”

“That is not a forum that is conducive to reconciliation,” he said.

Still, many disputes do end up in one court or another. Miller said he, and lawyers who work for him, spend time scrutinizing the “daily ins and outs” of some of the cases in which the government is involved, including the arguments Justice Department lawyers are making.

“The foot that our lawyers put forward in the courtroom has not always been its best. And I think we need to recognize that,” he said.

Miller said he and Lametti have tried to change that, in part by evaluating how, on a case-by-case basis, the Justice Department was applying the 20 guidelines for litigation included in Wilson-Raybould’s directive.

Justice Minister Lametti was not available for an interview, according to his office. He issued a statement to *The Hill Times*, in which he said his department was

government had negotiated a landmark, \$40-billion agreement to compensate Indigenous victims of those under-funded family services programs, and fix the gaps in the system.

Case by case review

Miller was only appointed as the minister for Crown-Indigenous relations in October, after serving for two years as the minister in charge of Indigenous services. He worked as a corporate lawyer before running for and winning his seat in the House in 2015.

In his Jan. 13 interview on *The Hot Room*, Miller, who is now in charge of government-to-First Nation negotiations, said that litigation is by its nature an adversarial process: one that pits govern-

committed to implementing the directive on civil litigation, and pointing to the \$40-billion family services settlement as an example. He also acknowledged that “there is still more work to do.”

In another statement, Lametti’s spokesperson, Chantalle Aubertin, wrote that “over the last three years, every legal proceeding that engages litigation with Indigenous Peoples has been approached through the lens of the Directive.”

“Counsel continue to engage in efforts for resolution early and often, exploring all reasonable avenues for narrowing the issues and settling the dispute.”

“Where litigation is unavoidable, the Guidelines will provide direction on how counsel prepare

Continued on page 35

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their pleadings and submissions, including the language and terminology to be used and the admissions to be made. This has resulted in, for example, the consistent practice of concisely stating Canada's position and narrowing the issues in Canada's court documents to plainly explain Canada's position, including what is in issue and what is not in issue at the outset. It has also resulted in new admissions made by Canada, where it is possible to narrow the scope of the litigation."

She also pointed to the recent settlements over underfunded Indigenous child services and residential day schools as examples of the government settling disputes outside of the courtroom.

Has anything changed? Lawyers are split

Cindy Blackstock, one of the key players on the other side of the family services settlement, said she isn't convinced that the government has turned over a new leaf in the courtroom.

Blackstock is the executive director of the First Nations Child and Family Caring Society of Canada, which fought the government for 15 years to deal with funding shortfalls for First Nations family services. She noted that the government had continued to defy orders from the Canadian Human Rights Tribunal to start paying compensation to Indigenous children put through the underfunded child welfare programs, and that it had appealed that order in court, right up until the \$40-billion settlement was announced. She pointed out that one of the directives on civil litigation requires that the government not drag out litigation when it has a weak legal case.

"In our case, they have lost every single one of these rulings. So either the [legal] advice is really bad over there and somebody thinks that they're actually going to be successful, or they're not implementing [the directives]," she said.

Steven Carey is a lawyer with the Calgary firm Maurice Law who represents First Nations in front of the Specific Claims Tribunal, a quasi-judicial body that settles treaty disputes when negotiations fail. He told *The Hill Times* that he hasn't seen government lawyers change their approach to litigation since the directives were issued in 2019.

He recently won a decision at the Tribunal for Saskatchewan's Red Pheasant Cree Nation. The government had fought to split the court proceedings into two phases, instead of one—Carey called it a time-wasting tactic—and to require the Nation to spend tens of thousands of dollars to recreate an expert report that had been commissioned by both sides during a failed negotiation before they went to court. The Tribunal ruled in favour of Red Pheasant on both counts.

"I'm really not finding that there is a real meaningful attempt on behalf of the department of justice to try to work expeditious-



Marc Miller was only appointed as the minister for Crown-Indigenous relations in October, after serving for two years as the minister in charge of Indigenous services. He worked as a corporate lawyer before running for and winning his seat in the House in 2015. *The Hill Times* photograph by Jake Wright

ly. It's a fight, it's like any lawsuit in any court anywhere, there's no special treatment given to these files, at all," he said.

'Different approach' to courtroom

Robertson, the lawyer with Nahwegahbow Corbiere, said he has seen progress in the government's approach to litigation since the directives on civil litigation were issued.

Robertson has represented members of the Anishinabek Nation in a years-long court battle with the federal and Ontario governments over a treaty that dates back to 1850, in a case known as *Restoule v. Canada*.

"They have certainly tried to work within that mandate," said Robertson.

When the Ontario Court of Appeal ruled in favour of his clients last fall, the Ontario government appealed the ruling, but the federal government did not, said Robertson, who called that decision a "tangible example" of the government following the litigation guidelines, which instruct lawyers, among other things, not to pursue weak legal positions, or those that are at odds with its broader goal of reconciliation.

Lawyer Christopher Devlin, whose B.C.-based practice focuses on aboriginal and treaty law on behalf of First Nations, said he's witnessed a change in



The federal Justice Department is still coming to grips with a set of fair-play rules for its legal battles with First Nations, three years after they were issued by then-justice minister Jody Wilson-Raybould, pictured, Crown-Indigenous Relations Minister Marc Miller told *The Hill Times*. *The Hill Times* photograph by Jake Wright

At issue is a pair of treaties signed in 1850, which committed the government to pay the Anishinabe of the Upper Great Lakes region a set sum per person each year. That payment was supposed to be increased under certain conditions, but it hasn't been raised since 1875, when it was set at \$4 a head.

The federal government has respected the terms of the litigation directive in court, said Robertson.

the way Crown lawyers conduct themselves with Indigenous litigants. That shift has a "strong correlation" with the directive coming in.

The Department of Justice counsel "are far more mindful of their role as the Crown and the directive and I've noticed a different tone and a different approach," he said—one that keeps in mind Ottawa's "reconciliation objective, even in the

litigation experience, and that there's an ongoing relationship" between Canada and Indigenous Peoples.

"There's much more care and attention to the pleadings to really drill down to specific legal issues rather than just blanket denials," he said. "And I think that's very helpful."

Ottawa 'not transparent': 'rigorous reporting' on directive needed, says Turpel-Lafond

Other lawyers who represent Indigenous groups facing off in court with the feds paint a less rosy picture.

If the directive were being broadly applied, its impact would be more evident, with more "massive settlements" to show for it three years later, said Mary Ellen Turpel-Lafond, who is a senior associate counsel with extensive experience in aboriginal law, member of the Indigenous Bar Association, and former Saskatchewan provincial court judge.

"This was a very important start, it has been very slow and there's no evidence of any kind of rigorous reporting on what is happening behind the curtains," said Turpel-Lafond, who has dealt with the government on many cases in the directives' first few years.

The government previously published annual reports on its litigation, but has not published such a report since 2018. Lametti's office did not respond by deadline on Jan. 31 when asked why it had stopped issuing those reports.

Both Miller and Lametti demonstrate a clear commitment to, and "acute understanding" of the principles in the directive, said Turpel-Lafond, but when it comes to its application in courtrooms across the country, "there is a disconnect."

"It's hard for me to see a coherent strategy there, because there's no reporting, there's no understanding, and certainly I don't see the degree of engagement with the Indigenous bar or the lawyers arguing key rights cases. We don't have a collaborative forum where there are these discussions," she said.

"There may be a lot happening inside the government, but it's not transparent to any of us. For us to know the impact, we need to see that."

Devlin echoed that call for more clarity from the Justice Department.

"It would be helpful to have a little bit more transparency about what is the professional legal education that's occurring internal to Justice on the directive," he said. "What it takes is a lot more legal education, a lot more direct application, and experience will really be the proof of its effectiveness. And that just takes time."

In her statement to *The Hill Times*, Lametti's spokesperson said that more than 2,000 Justice Department lawyers and employees have been trained on the directive through 41 different "guidance sessions."

The directive, Devlin said, is a "great step forward" in the "right direction" but the government needs to "go further down that path."

The First Nations child welfare case is a high-profile example where the directive may have made a difference, but Turpel-Lafond said there are still "many title and rights cases where there have been no settlement discussions with Canada." Turpel-Lafond pointed to the Cowichan Nation Alliance case that has been before the B.C. Supreme Court since September 2019, where she said chiefs have invited settlement discussions, but they haven't taken place.

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The attorney general of Canada's directive on civil litigation involving Indigenous peoples

Litigation Guidelines (source: Justice Department of Canada)

- 1: Counsel must understand the Principles and apply them throughout a file's lifespan.
- 2: Litigation strategy must reflect a whole-of-government approach.
- 3: Early and continuous engagement with legal services counsel and client departments is necessary to seek to avoid litigation.
- 4: Counsel should vigorously pursue all appropriate forms of resolution throughout the litigation process.
- 5: Recognizing aboriginal rights advances reconciliation.
- 6: Positions must be thoroughly vetted and counsel should not advise client departments and agencies to pursue weak legal positions.
- 7: Counsel must seek to simplify and expedite the litigation as much as possible.
- 8: All communication and submissions must be regarded as an important tool for pursuing reconciliation.
- 9: Counsel must use respectful and clear language in their written work.
- 10: Legal terminology must be consistent with constitutional and statutory language.
- 11: Overviews must be used to concisely state Canada's position and narrow the issues.
- 12: To narrow the scope of litigation, admissions ought to be made, where possible.
- 13: Denials must be reviewed throughout the litigation process.
- 14: Limitations and equitable defences should be pleaded only where there is a principled basis and evidence to support the defence.
- 15: A large and liberal approach should be taken to the question of who is the proper rights holder.
- 16: Where litigation involves Federal and Provincial jurisdiction, counsel should seek to ensure that the litigation focuses as much as possible on the substance of the complaint.
- 17: Oral history evidence should be a matter of weight, not admissibility.
- 18: Decisions on judicial reviews and appeals should be subject to full consultation within government and be limited to important questions.
- 19: Intervention should be used to pursue important questions of principle.
- 20: All files must be reviewed to determine what lessons can be learned about how the Principles can best be applied in litigation.

News

Patrick Brown not ruling out running for federal Conservative leadership election

The Conservative Party's national council has struck an ad hoc committee to come up with the names for the Leadership Election Organization Committee, says party president Rob Batherson.

BY ABBAS RANA

Brampton Mayor Patrick Brown, who also served as a federal MP and Ontario PC leader in the past, is not ruling out running for the federal Conservative Party's top job that opened up last week after the caucus ousted Erin O'Toole as party leader.

"Well, it's premature for me to speculate at this time," said Brown in a phone interview last week. "Right now, I'm just focused on Brampton. But I continue to follow federal politics and will continue to follow what's happening in the Conservative Party."

The Ontario municipal election is scheduled to take place on Oct. 24 and if Brown is interested in seeking another term as the mayor for Brampton, he will have to run in that election.

Some Conservative sources told *The Hill Times* last week that Brown has reached out to Conservative organizers to let them know that he might throw his hat in the ring.

Brown declined to comment on O'Toole's ouster as party leader last week.

"I have no comment on that," said Brown. "I'm focused on my job in Brampton right now and, Erin is a friend, I served with him in Ottawa. And I certainly wish him the best."

Brown represented the riding of Barrie, Ont., for three terms between 2006 and 2015, before moving to Ontario provincial politics. He was elected as the Ontario provincial leader the same year, but stepped down as party leader in 2018 after facing sexual misconduct allegations. Brown, however, has strenuously denied these allegations. He ran in the municipal election in 2018 and was elected as the mayor of Brampton and his popularity has increased. Now, he's up for re-election in the Oct. 24 municipal election.

In their first post-election caucus meeting in early October, Conservative MPs gave themselves the power to oust their leader, should they decide to hold a leadership review of their



Let's do this: After Erin O'Toole's ouster as party leader, some of the potential candidates who could seek the party's top job include: Brampton Mayor Patrick Brown, top left, Conservative MPs Pierre Poilievre, Leslyn Lewis, Marilyn Gladu, Michelle Rempel Garner and Michael Chong. Former Conservative cabinet minister Peter MacKay, former Quebec premier Jean Charest, and former Saskatchewan premier Brad Wall could also throw their hats into the ring. *The Hill Times* file photographs

leader. This was the first time in the Conservative Party's history and since the Reform Act came into force in 2015 that any of the three major party caucuses have done this.

In order for the leadership review to occur, under the Reform Act, 20 per cent of the caucus has to sign a written notice and submit it to the caucus chair. Once that happens, caucus members would vote on whether they want to keep the leader in place or remove him. If a majority of the caucus chooses to oust the leader, they would elect a new interim leader. Last week's caucus leadership review vote was held after 35 MPs submitted a signed letter to the caucus chair asking for a leadership review.

Of the 119 MPs in the Conservative caucus, 73 voted against O'Toole and 45 in favour on Feb. 2.

Conservative caucus chair Scott Reid (Lanark-Frontenac-Kingston, Ont.) did not vote.

Before O'Toole, Andrew Scheer (Regina-Qu'Appelle, Sask.) also had to step down for failing to unseat Trudeau in the 2019 election.

A significant number of grassroots members of the party, including Conservative MPs, mostly from Western and rural Canada, were upset with O'Toole for running as a "True Blue" Conservative in the leadership election, but pivoting to the centre after winning the leadership. They said that this was done to expand the base of the party and win more seats in the 2021 election. Instead, the party ended up losing two seats and received half a million fewer votes compared to the 2019 election.

It's not unusual for governing and official opposition parties in Canada to switch their leaders if they fail to win an election. The

only exception is Stephen Harper who stayed on as party leader after losing the 2004 election. Harper lost the 2004 election but stayed in control of the party, and went on to win the 2006 election ousting the Paul Martin Liberals. After that, the Conservatives stayed in power until 2015.

In recent history, the Liberals elected new leaders after the 2006, 2008, and 2011 elections, following their party's loss in those elections. Prime Minister Justin Trudeau (Papineau, Que.) was elected as the party leader in 2013, and won the 2015, 2019, and 2021 elections for the Liberals.

Similarly, the federal NDP booted Tom Mulcair when they went from second to third place after the 2015 election.

After O'Toole's ouster, the Conservatives elected Candice Bergen (Portage-Lisgar, Man.) as their interim leader on Feb. 2.

Other than Brown, some of the other Conservatives who could run for the party's top job include:

Conservative MPs Pierre Poilievre (Carleton, Ont.), Leslyn Lewis (Haldimand-Norfolk, Ont.), Marilyn Gladu (Sarnia-Lambton, Ont.), Michelle Rempel (Calgary Nosehill, Alta.) and Michael Chong (Wellington-Halton Hills, Ont.). Former cabinet minister Peter MacKay, former Quebec premier Jean Charest, and former Saskatchewan premier Brad Wall could also run in the leadership election.

In the last leadership election, MacKay, who was seen as the favourite going into the contest, came in second place, and Lewis third place. At the start of the last leadership election, Poilievre was expected to run but decided to pull out on the day of his campaign launch, citing family reasons.

None of the potential candidates have so far announced publicly that they will run for the

leadership as everyone is awaiting for the details from the party about when it will be held and what the rules for the leadership election will be.

Meanwhile, the powerful national council of the Conservative Party held its first meeting after O'Toole's departure on the evening of Feb. 3 and started the process to come up with the rules for the leadership convention.

Conservative Party president Rob Batherson told *The Hill Times* that the national council already set up an ad hoc committee to make recommendations for the Leadership Election Organization Committee (LEOC) members. Based on the recommendations of LEOC, the national council will finalize the membership of LEOC that will in turn come up with rules and the process for the leadership election, including the spending limits, the number of debates, formats and their locations, Batherson said.

This will be the party's second leadership convention during the COVID-19 pandemic, and the LEOC will incorporate the lessons learned from the last leadership process once it finalizes the rules, he said. Also, Batherson pointed out that considering the fact that in a minority government, an election could happen at any time, the national council will also be planning for a situation if Trudeau triggers an election during the leadership election process. At the same time, the party wants to provide a fair chance to all candidates to run their campaigns and give time to party members to consider their options carefully and thoughtfully.

The national council is planning on meeting in two weeks to finalize the names of LEOC members.

"We had a preliminary discussion, there's a lot of interest to

join LEOC. That's always the case," said Batherson. "We had a lot of interest to join LEOC in 2020. But it's a big job. It's a job that requires a lot of work, time commitment, the ability to work with our great staff at headquarters, who have a lot of experience, overseeing elections, and overseeing leadership elections in pandemics. That was done in 2020, and we want to make sure we make good choices around who will be on the Leadership Election Organization Committee."

This will be the Conservatives' third leadership since the election of 2015 when they lost to the Liberals.

Meanwhile, in his election campaign post-mortem report two weeks ago, former Conservative MP James Cumming, who led the report, recommended that the Conservative Party eliminate the party membership fee. It currently charges a fee of \$15 for one person a year and \$50 for five years.

The Liberal Party eliminated its membership fee four years ago. Batherson said that the Conservative Party's national council has not discussed this issue yet, but he predicted that it's highly unlikely the party will make any decision before the August 2023 biennial convention as it would require a change in membership bylaws and a constitutional amendment.

During any party's leadership and nominations, membership fees bring in a significant amount of money in the party coffers. As an example, if all the Conservative Party leadership candidates sign up a total of 100,000 new members in the upcoming contest, that could mean \$1.5-million in revenue for the party. This would also mean more members and more contact information to raise funds from.

At the same time, free membership plays a critical role in changing the dynamics of leadership elections as it's much easier to sign up members with no fee. Otherwise, in almost every nomination and leadership election, there're complaints that candidates pay the membership fees of their supporters.

"We have not done a thorough assessment at this point and there are lots of pros and cons to consider before making a change of that significance," said Batherson.

"There would be certainly a revenue hit to to Conservative Fund Canada and also to our electoral district associations who get a percentage of memberships. But the benefit of free memberships as has been articulated is you get to expand your data and able to generate revenue through other means, because your data information is more broad than it would be through paid memberships," said Batherson.

The Hill Times

Trucker-protest paralysis reveals need for leadership in the capital

Angus Reid says a ‘bifurcation’ has occurred in the country as a result of the style that Justin Trudeau and his cronies have brought to Canadian politics, which is virtue signalling and largely ignoring great chunks of Western Canada, and says the country’s top leadership can’t continue to dismiss this group as a bunch of hooligans.

Continued from page 1

rhetoric, violence towards fellow citizens, and a disrespect not just of science, but of the frontline health workers—and quite frankly, the 90 per cent of truckers who have been doing the right thing to keep Canadians safe, to put food on our tables.”

“This is a moment for responsible leaders to think carefully about where they stand and who they stand with,” Trudeau said.

It could also be a moment for the federal Conservatives to possibly play a role following the ouster of their leader, Erin O’Toole (Durham, Ont.), by his caucus last Wednesday, according to Reid, who is the founder and chairman of the Vancouver-based Angus Reid Institute.

“A new leader of the Conservative Party should be able to give voice to a lot of the frustrations that we see with the truckers and others, and stand up in front of this group and say, ‘Okay, everybody go home, but we do hear you,’ and not just say, ‘You guys are just a bunch of hooligans,’” he said.

Some of those frustrations were reflected in the results of a poll conducted by Reid’s company and released last Monday.

It found that a majority—54 per cent—of Canadians want COVID-19 restrictions removed and allow them to “manage their own level of risk,” a 15-percentage-point increase since early January.

But the bigger concerns, which have played out on the streets of Ottawa, involve truckers and their supporters, mainly from Western Canada and rural Ontario and Quebec, said Reid.

“The one thing that unites them is they don’t like Trudeau



Prime Minister Justin Trudeau ruled out meeting with any of the organizers behind the massively disruptive demonstration initially crafted as a display of opposition to the cross-border vaccination requirement for long-haul truck drivers. *The Hill Times photograph by Andrew Meade*

very much,” he said. “We’ve been polling over the last six years of the Trudeau government, and 35 to 40 per cent of Canadians intensely dislike this guy, and they are more likely to come from where these truckers come from.”

Reid said that “a bifurcation has occurred in the country as a result of the style that Justin Trudeau and his cronies have brought to Canadian politics, which is virtue signalling and largely ignoring great chunks of Western Canada.”

“Right now, the right-of-centre in Canada—which is fairly significant—has really suffered from no leadership,” he said. “These are people whose Conservative Party in the last two elections won the popular vote, but virtually have no access to any influence.”

“Despite very high levels of unpopularity, Justin Trudeau has been able to maintain a stranglehold on power in this country because of the disarray of the Conservative Party of Canada,” he explained. “I suspect the so-called Canadian right will calm down a lot if these guys can find the right leader and bring them out of the wilderness.”

In Reid’s view, when protesters use the word “freedom” to highlight the rights they feel are being violated by COVID measures, they are more so revealing that they “are really as mad as hell,” and that the freedom they seek is from “the wokeness of the prime minister and his entourage in Ottawa.”

“The vaccination thing has become a kind of lynchpin to ignite a lot of these emotions, which are about people feeling powerless, frustrated and left out,” he said, noting that another issue will be the pushback from those frustrated with the protesters.

“At what point are very nice, polite Canadians going to say ‘This is enough’ and start asking for more law and order,” said 74-year-old Reid. “We’re at a time of a great deal of civil disturbance that I have not seen in my career [dating back to 1969].”

The results of a survey by the Innovative Research Group Inc., also released last Monday, found that 46 per cent of respondents opposed the truckers’ protest, while 31 per cent supported it. Only 29 per cent approved of the way the truckers are protesting, while 44 per cent disapproved.

At the political level, 24 per cent approved of how the federal Liberals have handled the protests, while 34 per cent disapproved.



Ottawa mayor Jim Watson, pictured in this file photograph, said he sees a lack of leadership from the organizers of the so-called freedom convoy, insofar as they have failed to rebuke a spate of incidents that ‘are not acceptable in a civil society.’ Justin Trudeau has said he won’t meet with the protesters because of these same incidents. *The Hill Times photograph by Andrew Meade*

“The good news for the Liberals is that the Tory numbers are even worse,” said Innovative Research founder and president Greg Lyle. Only 12 per cent of respondents to the poll said they approved of the Conservative response to the protest.

Last Thursday, *The Globe and Mail* reported that newly elected federal Conservative interim leader Candice Bergen (Portage-Lisgar, Man.) sent an email to then-leader O’Toole’s senior caucus team last Monday advocating against “asking [protesters] to go home.”

“We need to turn this into the PM’s problem,” she reportedly wrote.

Trudeau’s problem in Lyle’s view, is that he missed an opportunity to “break the connection between those who support the sentiment of the protests and the leaders of the protest, who have pretty negative agendas.”

“People need to believe that the government hears them and understands them and is doing its best for them. But when people feel they have been lumped in with people with Nazi flags, they are going to get angry,” said Lyle, who served as principal secretary to former Manitoba Progressive Conservative premier Gary Filmon.

“For public-health leadership in a pandemic, you can’t have 31 per cent of the public opposed to you for long.”

Lyle said that the Liberals could benefit from the Conservatives “playing footsie with what could be a pretty extreme group of people.” The organizers could also benefit if they “harvest the data off the protest” and collect names and contact information from social media and engage these “angry and populist people” who can play a role in the selection of the next federal Tory leader, he added.

Missing in the discussion over the truckers’ protest, according to federal interim Green Party Leader Amita Kuttner, is “a



Ottawa mayor Jim Watson, pictured in this file photograph, said he sees a lack of leadership from the organizers of the so-called freedom convoy, insofar as they have failed to rebuke a spate of incidents that ‘are not acceptable in a civil society.’ Justin Trudeau has said he won’t meet with the protesters because of these same incidents. *The Hill Times photograph by Andrew Meade*

conversation about rights versus privileges,” and that “people are struggling and are tired—and that’s not getting properly addressed.”

The federal government has not shown leadership during the trucker standoff in the capital by failing to acknowledge the “growing frustration” of people struggling through the pandemic and who have supported the protest, said Kuttner, Canada’s first national leader who is both transgender and of East Asian descent.

Blame also has to be shared with the protest’s organizers, “who had to have known” the simmering anger would have boiled

over into a display of swastikas and the desecration of the Tomb of the Unknown Soldier, and resulted in “a show of fascism,” said Kuttner, who also understood why the prime minister targeted this outlier group in his condemnation.

But he should have also shown “compassion” and recognized that many people in the country “feel powerless,” Kuttner said. “People have raw feelings [and] they don’t have a place to put them, [so they] latch onto something like the protest.”

“When you’re dealing with something like this, you have two different ways to go: either go down the road of division and social control, or go down the road where people get to care about each other and build community, and learn to find the shared humanity with people you disagree with,” Kuttner said.

The guide to either path is built on leadership, which in Ottawa Mayor Jim Watson’s opinion, has been “missing in action” on the convoy side. The demonstration’s leaders have failed to rebuke a spate of incidents, including “swastikas on flags, getting free meals from the Shepherds of Good Hope, or urinating at the War Memorial and dancing on the Tomb of the Unknown Soldier, harassing people in coffee shops by not wearing masks, truckers honking their horns at all hours of the day—the list goes on and on. It’s just not acceptable in a civil society.”

Watson, who prior to entering politics worked on Parliament Hill as communications director for then-House of Commons speakers John Bosley and John Fraser, and was press secretary to Progressive Conservative sports minister Otto Jelinek in the 1980s, had some harsh words for parliamentarians too.

Last week, Conservative MP Kevin Waugh (Saskatoon-Grasswood, Sask.) tweeted a photo of himself with fellow Saskatchewan Tory MPs Rosemarie Falk (Battlefords-Lloydminster), former Conservative leader and House speaker Andrew Scheer (Regina-Qu’Appelle), Warren Steinley (Regina-Lewvan) and Fraser Tolmie (Moose Jaw-Lake Centre-Lanigan), along with Conservative Saskatchewan Senator Denise Batters in front of one of the protest trucks.

“A few of our SK Caucus members went to show our appreciation for the hardworking, patriotic truckers who have kept our supply chains healthy & grocery shelves stocked for the past two years,” said Waugh on Twitter. “It’s great to see Canadians championing freedom on Parliament Hill. #freedomconvoy22”

In reply, Watson tweeted: “This is an absolute disgrace that you would come out & praise this illegal action that has caused stress and hardship to residents who have been putting up with horns blasting throughout the night and residents harassed for wearing a mask & businesses forced to close. Apologize.”

The Hill Times



Laura Ryckewaert Hill Climbers

Promotions and new hires post-election in Justice Minister Lametti's office

Justice Minister **David Lametti** was one of nine ministers who didn't switch cabinet assignments last fall, but the post-election staff shuffle has nonetheless led to movement in his office, with three new staffers on board along with a handful of promotions, including **Lisa Jørgensen's** elevation to director of policy.



Lisa Jørgensen is now policy director to the justice minister. Photograph courtesy of LinkedIn

As previously reported, **Alexander Steinhouse** continues as chief of staff to Lametti. Jørgensen has been working for Lametti since December 2020, previously as a policy adviser focused on criminal law.

She spent the year leading up to joining the justice minister's team as a criminal and regulatory defence lawyer with Ruby Shiller Enenajor DiGiuseppe Barristers in Toronto, where she was a partner, after almost four years doing the same with Cooper Jørgensen, another law firm in the city.

Jørgensen is also a former associate with Lockyer Campbell Posner and with McCarthy Tétrault, and a former clerk for the justices of the Court of Appeal for Ontario. On the volunteer side, she's an ex-director of the Criminal Lawyers' Association and of Breakaway Addiction Services, among other things. She has a law degree from the University of British Columbia, along with a bachelor's degree in political studies from Queen's University.

Nicholas Daube, who was previously director of policy and of litigation in the office, is no longer working for the minister. **Hill Climbers** understands he has left the Hill.

In turn, along with Jørgensen's promotion, **Bennett Jensen** is now director of litigation to Lametti.

Jensen started in the minister's office as a policy and litigation adviser about a month before Jørgensen in November 2020. Before then, he'd spent seven years practicing law with Paul, Weiss, Rifkind, Wharton & Garrison LLP in New York, starting there as a litigation association and ending as a pro bono attorney with the firm. When he became a pro bono associate in 2016, he was the firm's first-ever, and helped launched its pro bono practice. As previously noted by **Hill Climbers**, Jensen's pro bono work included leading the firm's involvement in the American Civil Liberties Association's federal litigation on immigrant family separation, "focusing on meeting the needs of parents who were deported from the United States without their children," as described in a 2019 write-up by the American Bar Association.

In 2020, Jensen was named to the LGBT Bar Association's Best 40 LGBTQ+ Lawyers Under 40 list.

From 2011 to 2013, Jensen was a judicial law clerk with the Federal Court of Canada. He has a law degree from McGill University, along with a bachelor's degree in international development and environmental studies from Queen's University.

The rest of Lametti's team of directors have remained in place: **Tania Monaghan** as director of rights implementation, **Seth Pickard-Tattrie** as director of parliamentary affairs, and **David Taylor** as director of communications



Tania Monaghan remains as David Lametti's director of rights implementation. Photograph courtesy of LinkedIn

Monaghan is a member of the Cree Nation of Wemindji, Eeyou Istchee (Quebec) and joined Lametti's office in August 2021, fresh from two years as a senior legal adviser for the Inuit Tapiriit Kanatami. She's also a former senior policy analyst for the Assembly of First Nations, and an ex-analyst with the Grand Council of the Crees.

Pickard-Tattrie has been working for Lametti since 2019, starting as a special assistant for operations, and was promoted to lead parliamentary affairs for the minister at the beginning of 2021. Before joining the justice minister's office, he briefly worked as an operations assistant to then-Treasury Board president **Scott Brison**. He's also a former Nova Scotia Liberal staffer and lawyer with Blois, Nickerson, and Bryson LLP.

A former foreign editor for CTV News, Taylor has been working for the Trudeau government since leaving journalism in 2017, starting as communications director to then-justice minister **Jody Wilson-Raybould**. He left the office at the end of 2019 and spent almost a year leading communications for then-infrastructure minister **Catherine McKenna** before returning to do the same for Lametti as justice minister in September 2020.

Chantalle Aubertin continues as press secretary to Lametti, a role she's filled since May 2021. Before then, Aubertin spent roughly three years working for McKenna, starting in 2018 as a ministerial aide in her office as then-environment minister. She



Chantalle Aubertin continues as Lametti's press secretary. Photograph courtesy of LinkedIn

stuck with McKenna after the minister shuffled into the infrastructure and communities portfolio, becoming a communications and issues adviser, and later press secretary, overlapping with Taylor's time in the office for almost a year in all. In other political experience, Aubertin spent a year between 2017 and 2018 as a constituency assistant to then-Ontario MPP **Yasir Naqvi**, who now represents Ottawa Centre, Ont., federally in the House of Commons.

Also continuing on Lametti's communications team is **Elizabeth Normandeau-Bertrand** as a special assistant for issues and communications. She started out as a part-time communications assistant in February 2020 and by the summer was a full-time staffer to the minister. Before joining Lametti's team, Normandeau-Bertrand spent about two years working for the municipal political party, Ensemble Montréal. She's also a former communications co-ordinator for the Retail Council of Canada's Quebec division.

Diana Ebadi is a new addition to the team, as a special assistant for communications, focused on social media. She's a former assistant to Manitoba Liberal MP **Terry Duguid** and an ex-page in the House of Commons.

Keiran Gibbs has stuck to the justice minister's office, staying as a policy adviser under Jørgensen. She joined Lametti's team in April 2021 after almost six years as an associate lawyer with Hutchins Legal in Montreal. Gibbs has a law degree from McGill University and did legal internships with Lawyers without Borders and Disability Rights International in Mexico, amongst other past experience.

Anushua Nag is one of three new additions to Lametti's team this Parliament, and started on the job as a policy adviser on Jan. 24. She comes fresh from the Senate, where she's spent the last roughly three-and-a-half years working for Quebec Senator **Pierre Dalphond**, a member of the Progressive Senate Group (PSG). Nag started with the Senator in the fall of 2018 as a parliamentary research assistant and worked her way up to lead parliamentary affairs in his office.



Anushua Nag is a new addition to Lametti's team. Photograph courtesy of LinkedIn

Nag studied law at both the University of Montreal (for her bachelor's) and York University (doctor of law), and has been a law clerk with the Superior Court of Quebec, a student-at-law with Gowling Lafleur Henderson LLP, and an articling student and later associate with Gowling WLG Canada. She's also previously spent roughly five months each working as an information management officer for the Correctional Service of Canada and, before then, with the political section of the U.S. Embassy in Canada, amongst other past experience.

François Giroux has held fast as a judicial affairs adviser to the justice minister, a role he's filled since Wilson-Raybould's time in the post, starting in May 2018. Before then, he worked for the federal justice department. Giroux is also a former aide to Chrétien-era justice ministers **Anne McLellan** and **Martin Cauchon**, and was a judicial affairs adviser to Cauchon's successor, **Irwin Cotler**, who was minister under **Paul Martin's** government.

In another post-election promotion, **Sarah Assoum** is now a parliamentary affairs adviser and assistant to Lametti's

parliamentary secretary, Liberal MP **Gary Anandasangaree**. Assoum first joined the justice minister's office as a special assistant for parliamentary affairs in February 2021, landing fresh from then-innovation minister **Navdeep Bains'** office, where she'd spent about a year as a regional affairs adviser for Quebec. A former marketing co-ordinator with Montelle Intimates, Assoum began working on the Hill in early 2019, spending her first year as a Quebec regional adviser to then-health minister **Patty Hajdu** before joining Bains' team.

Morgan MacDougall-Milne remains a parliamentary affairs and litigation adviser. A member of the Law Society of Ontario, MacDougall-Milne joined Lametti's team in his early days as justice minister after the 2019 federal election, starting as a special assistant for parliamentary affairs and adding "senior" to her title by the latter half of 2020. She's also a former assistant to Liberal MP **Julie Dabrusin**.

Fatima Said has switched gears in the office since the election and is now a parliamentary affairs and Ontario regional adviser to Lametti. She's been working for the minister since July 2020, starting as a special assistant for parliamentary affairs after roughly two years as an assistant to Ottawa Liberal MP **Anita Vandenberg**. Most recently, Said was a special assistant for operations to Lametti.



Fatima Said now covers the Ontario desk for Lametti, along with parliamentary affairs. Photograph courtesy of LinkedIn

Before joining Vandenberg's office, Said worked for Ottawa's Pinecrest-Queensway Community Health Centre, including as a program assistant and community youth worker. Her LinkedIn profile indicates she's expected to graduate with a master's degree in international affairs, focused on conflict analysis and resolution, from Carleton University, from which she already has a bachelor's in communications and media studies.

New to the parliamentary affairs team this Parliament is **Chantal Tshimanga**, who's been hired as a parliamentary affairs assistant and regional adviser for the West and North, after roughly two years as a special assistant in the Prime Minister's Office's human resources unit. Between the fall of 2016 and 2018, Tshimanga was a constituency assistant to B.C. Liberal MP **Terry Beech**. She joined the PMO after spending the 2019 election working on Liberal MP **Ken Hardie's** successful re-election campaign in Fleetwood-Port Kells, B.C.

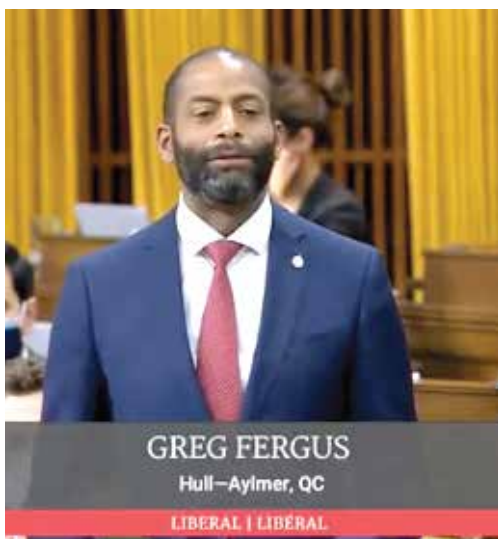
Capping off the current list of Lametti staffers is **Alicia Castelli**, who is now operations manager and senior Quebec regional affairs adviser to the minister.

Castelli began working in the justice minister's office under Lametti as a Quebec adviser in February 2019, after a few months spent as Quebec adviser and assistant to the parliamentary secretary in then-border security and organized crime reduction minister **Bill Blair's** office. Prior to joining Blair's team, she spent about a year and a half as an assistant to Lametti as the Liberal MP for LaSalle-Émard-Verdun, Que., during which time he was also parliamentary secretary to the innovation minister. She's also a former legislative and parliamentary researcher for Quebec PSG Senator **Dennis Dawson**.

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Parliamentary Calendar

It's Black History Month



Liberal MP Greg Fergus, who represents Hull-Aylmer, Que., delivered this SO 31 statement in the House on Feb. 2: 'Mr. Speaker, every February, I normally rise to encourage parliamentarians and Canadians to celebrate Black History Month. These are not normal times. This past weekend, a small minority thought it acceptable to bring swastikas and Confederate flags to Parliament Hill. Let us not mince words: The Confederate flag is a symbol for slavery. Whips deformed Black bodies. Forced labour mangled limbs. Torture almost always preceded lynchings. Intellectually, I know that very few people today would support what the Confederate flag represented. I will assume that the Confederate flag was tolerated this weekend out of respect for the individuals' freedom of expression. However, in my heart I was left wondering who else supports this flag. Without real-time denunciations, how am I to know? That is what scares me. Even 188 years after the abolition of slavery in Canada, in some people's eyes I am not equal, nor should I be free. This is why I celebrate Black history, and Black Canadian history, every February and throughout the year.' *Image screen capture courtesy of Parlvu*

The Parliamentary Calendar is a free events listing. Send in your political, cultural, diplomatic, or governmental event in a paragraph with all the relevant details under the subject line 'Parliamentary Calendar' to news@hilltimes.com by Wednesday at noon before the Monday paper or by Friday at noon for the Wednesday paper.

MONDAY, FEB. 7

Black History Month—Every February, people across Canada participate in Black History Month events and festivities that honour the legacy of Black Canadians and their communities. The 2022 theme for Black History Month is: "February and Forever: Celebrating Black History today and every day," which focuses on recognizing the daily contributions that Black Canadians make to Canada. No matter where you live, we invite all Canadians to learn more about these communities, and how they continue to help shape the story of Canada.

House Sitting—The House of Commons returned in a hybrid format on Monday, Jan. 31, and will sit every weekday from Jan. 31 to Friday, Feb. 18. It will return again a week later on Feb. 28 and will sit for one week. It will break again for two weeks, from March 7-18, and will resume sitting on March 21-April 8. It will take a two-week break, April 11-22, and will return on April 25-May 20. It will break from May 23-27, and will sit May 30-June 23. It will break for the summer on June 23 and will return on Sept. 19 and will sit Sept. 19-Oct. 7, will break for one week, Oct. 10-Oct. 14, and will sit for three straight weeks, Oct. 17-Nov. 4. It will take a one-week break, Nov. 7-11. It will return on Nov. 14 and will sit for five straight weeks, Nov. 14-Dec. 16. And that's the House calendar for 2022.

TUESDAY, FEB. 8

A Conversation With Michael Adams—As Canadians look at some deepening cleavages in the United States, it may be comforting for some that there is a growing cultural divergence between our two countries. What does this mean? Is this new or has it been coming for a while? Are the same cleavages happening here? The Pearson Centre is hosting this conversation on Feb. 8, 2 p.m.-3 p.m. with Michael Adams, president of the Environics Institute, a long-time Canadian pollster and leading thinker about Canadian values and Canada-U.S. issues, our similarities and differences. Register here: <https://register.gotowebinar.com/register/7851999982593028876>

In Conversation with Canada's Ambassador To Israel Lisa Stadelbauer—Canada's ambassador to Israel, Lisa Stadelbauer, will take part in a conversation hosted by the Canadian International Council's Young Professionals Network. Tuesday, Feb. 8, 11 a.m. to noon. For information and to register, visit thecic.org.

Indigenous Governance—What's the Difference?—Queen's University hosts a lecture, "Indigenous Governance—What's the difference?" featuring public policy professor Daniel Brant. Colonization efforts to suppress Indigenous governance systems have been asserted for centuries, but the roots of the Indigenous systems are still in the hearts and minds of most Indigenous leaders and communities. Brant will explore the differences, and what it means for a reconciliation agenda. Tuesday, Feb. 8, 4:30-6 p.m. Register at queensu.ca.

WEDNESDAY, FEB. 9

Canada 360° Economic Summit 2022—The Canadian Chamber of Commerce hosts its Canada 360° Economic Summit on the theme "The Future of Economic Growth." Speakers include Innovation Minister François-Philippe Champagne, Bank of Canada Governor

Tiff Macklem, and Canadian public opinion pollster Nik Nanos. Wednesday, Feb. 9, 9 a.m. to 5 p.m. To register, visit: chamber.ca/event/canada-360-summit/.

THURSDAY, FEB. 17

Black History Month Virtual Celebration—Organized by Heritage Canada, tune in to the Black History Month virtual celebration on Facebook Live at 7 p.m. (ET), Feb. 17, 2022. This live virtual event highlighting this year's theme will feature performances, tributes, interviews and much more. Join Heritage Canada's event on Facebook Live at 7 p.m. (ET) on Feb. 17. <https://www.facebook.com/CdnHeritage>

THURSDAY, JUNE 2

Ontario Election—Voters in Ontario go to the polls on Thursday, June 2.

SATURDAY, AUG. 20—FRIDAY, AUG. 26, 2022

65th Commonwealth Parliamentary Conference—One of the largest annual gatherings of Commonwealth Parliamentarians will take place in Aug. 20-26, 2022, at the 65th Commonwealth Parliamentary Conference (CPC) hosted by the CPA Canada Region in Halifax. The annual flagship event will bring together over 500 Parliamentarians, parliamentary staff, and decision makers from across the Commonwealth for this unique conference and networking opportunity. The conference will be hosted by the CPA president (2019-2021), House Speaker Anthony Rota. All eligible CPA Branches will be contacted with further information and invitations.

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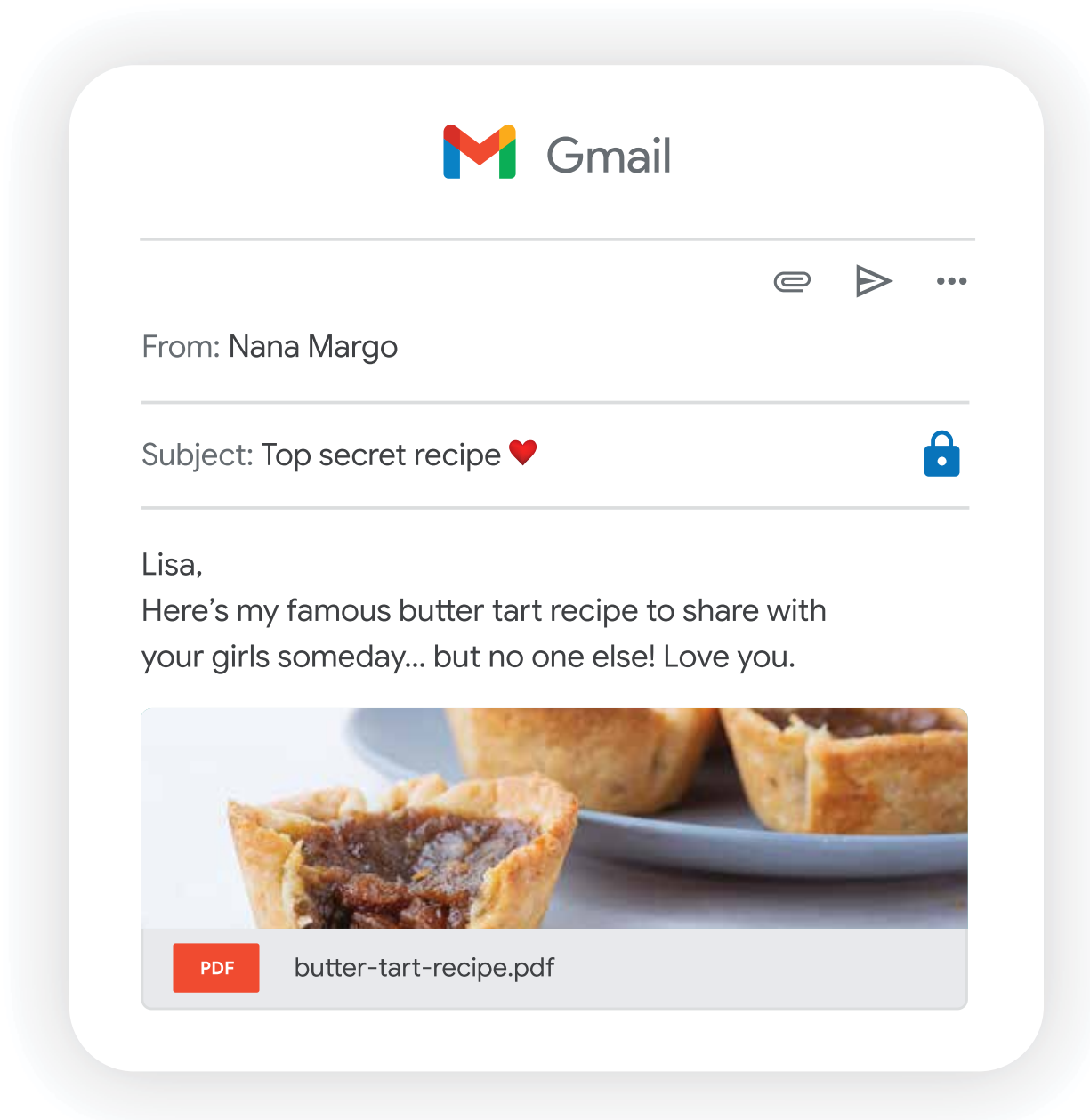
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