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OFFICIAL REPORT
(HANSARD)

Wednesday, May 29, 2013

The Honourable NOËL A. KINSELLA
Speaker

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

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THE SENATE

Wednesday, May 29, 2013

The Senate met at 1:30 p.m., the Speaker in the chair.

Prayers.

[*Translation*]

SENATORS' STATEMENTS

INTERNATIONAL DAY OF UNITED NATIONS PEACEKEEPERS

Hon. Roméo Antonius Dallaire: Honourable senators, today, May 29, we are celebrating International Day of United Nations Peacekeepers. This day is also an opportunity to pay tribute to these peacekeepers who have defended and continue to defend the most vulnerable people in the world at a time when they need it the most.

[*English*]

Today, there are just over 110,000 peacekeepers deployed in 31 different missions around the world. Canada has 45 blue berets deployed.

[*Translation*]

As Canadians, we must celebrate this day and not forget this venerable institution that is devoted to global peace and security. Peacekeeping is deeply rooted in Canadian values and leadership.

The first United Nations peacekeeping mission, an emergency force created in response to the Suez Canal crisis in 1956, came to pass in large part because of the efforts of the Canadian foreign affairs minister at the time, Lester B. Pearson, and at the initiative of the commander of those forces, Lieutenant General E. L. M. "Tommy" Burns, also a Canadian.

Beyond creating the United Nations Peacekeeping Force, Canada translated the idea into action by providing contingents until the 1990s. We have since maintained our commitment without being on the ground, but by remaining one of the main financial contributors to the peacekeeping forces.

[*English*]

Peacekeeping is not for the faint of heart: A peacekeeper must share in the bravery, strength and ability of a battle-hardened soldier. The warrior ethic must remain as a credible force that can be used, if required, to protect. As well, he or she must also maintain the impartiality, the compassion and the friendship of a devoted humanitarian, recognizing the impact of the use of force and the essentiality of protection. This is not an easy task. It is dual, in fact. We have stumbled and, indeed, we have fallen far too often. However, when the object is great — and there can be no greater object than to secure peace for this generation and for future generations — we must pick ourselves back up and continue forward. We must return to peacekeeping in the new era.

This means casting out the cynicism that has, for far too long, infected the narrative of peacekeeping. We are no longer in the early decades of peacekeeping, when the only option when things became difficult was to withdraw or to sit passively while bureaucrats and politicians devised means to mask their impotence and complicity. The era of the blue beret, short pants, baseball bat and no red card or penalty box are over. We must be prepared to use force and to use it credibly and judiciously to protect. This is the new era of peacekeeping — peacemaking.

[*Translation*]

NATIONAL POLICE WEEK

Hon. Jean-Guy Dagenais: Honourable senators, two police officers marked a sad anniversary last week. Twenty years ago on May 22, Lucy Krasowski and Walter Filipas were shot by a crazed gunman right in downtown Montreal. They survived, but their careers ended abruptly on that day in 1993.

I had the opportunity to meet former officer Filipas two weeks ago during a brief ceremony at the Montreal police service headquarters. Unfortunately, his partner from 20 years ago, who now lives in the United States, was unable to participate in the tribute.

The scar from the bullet that hit Constable Filipas right in the forehead is still visible, but he says that he does not remember the events of that night, when he was responding to a report of an assault on a taxi driver at Dorchester Square in Montreal. He was transported to the hospital, where doctors declared him dead.

Fortunately, Mr. Filipas survived, but he was never able to return to active duty. Sadly, he had to leave the police force.

[*English*]

This young Italian-Canadian officer had no choice but to retire from the force.

[*Translation*]

I attended our recent meeting, which coincided with National Police Week, with Senator Jacques Demers, who had good reasons to remember the sad incident.

At the time, Jacques was the head coach of the Montreal Canadiens, the team that went on to win the Stanley Cup that year, but has not won it since. Touched by what happened, Coach Demers asked his players to play in honour of constables Krasowski and Filipas and to pray for them.

History does not tell us whether positive vibes from the players helped the officers survive or whether the wounded officers motivated the Canadiens to win the series. Maybe it was both.

Either way, Mr. Filipas is alive and well today. When I spoke to him the other day, I learned that he has not given up the fight. Let me explain why.

About a month after the events of May 1993, officers arrested Claude Forget, who was tried and convicted in 1994 and sentenced to 20 years in jail for his crime. Next year, he will have served his full sentence and will be released, free as a bird.

(1340)

It is rare for criminals to serve their full sentence. They are usually able to apply for parole, which Forget is not eligible for, since he continues to talk about killing a police officer or corrections officer, according to a National Parole Board report.

Since 2008, Walter Filipas has worked tirelessly to explain to the parole board commissioners why the man who tried to kill him 20 years ago — and who has shown no remorse since he was incarcerated — should not be released on parole. I am sure you can imagine the former police officer's state of mind and how stressful it is for him to think about Forget being released from prison in 2014.

[English]

As Walter said two weeks ago, "It is unbelievable that a beast like Forget could be free in our community even for one day."

[Translation]

That is how our system works.

The tension was palpable among the police officers who attended the ceremony at the Montreal police service headquarters two weeks ago. After hearing Walter Filipas talk about how he exercised his rights as the victim of a crime, I was particularly touched when he closed by saying, "Thank you, Mr. Harper, for victims' rights."

[English]

UNITED WAY OF PEI'S DAY OF CARING

Hon. Catherine S. Callbeck: Honourable senators, on Friday this week, more than one 100 volunteers in my home province of Prince Edward Island will be participating in this year's United Way Day of Caring.

This initiative by the United Way takes place in communities across the country at various times of the year. The Day of Caring brings businesses and non-profit organizations together so that teams of corporate employees can work hands-on at community projects in their local areas. This allows the companies to show support for their communities and, at the same time, make a visible impact. It also provides team-building opportunities for employees and creates awareness of the social issues around them.

With 72 per cent of the population in Canada aged 25 to 54 working full-time, the opportunities for regular volunteering have become less and less. A recent study by Statistics Canada found that just one in five full-time workers were able to be a regular volunteer. That is defined as donating five hours or more

[Senator Dagenais]

a month on a regular basis. In contrast, one in three part-time workers and one in four unemployed persons were regular volunteers.

As the Statistics Canada study says: "To give some of your time by volunteering or helping others, you have to have some time to give." That is why it is so important for employers to participate in programs like Day of Caring, to offer employees the time necessary to give back to their communities.

On Prince Edward Island, seven companies will be participating this year at 10 different locations. Volunteers from the P.E.I. Bag Company will be working at the community park in my home community of Central Bedeque. Staff from the University of P.E.I. will be building a home for Habitat for Humanity. Advantage Communications will be working at two Boys and Girls Clubs, as well as the Canoe Cove Christian Camp with staff from RBC. Novartis is helping out at three different sites, the Town of Stratford will be working at the Re-Store, and Red Shores will be helping at the Family Violence Centre.

Honourable senators, we all know there are individual and collective benefits to volunteering. It is hoped that the Day of Caring will encourage participants to donate even more of their time to assist their own communities and to improve the quality of life of those around them. Please join with me in congratulating this year's volunteers and wishing them the best of luck on Friday.

[Translation]

CULTURE OF GREATER MONTREAL

Hon. Diane Bellemare: Honourable senators, as a senator from Quebec, representing the island of Laval and the eastern half of the Island of Montreal, I am honoured to speak about a cultural event that was held in Montreal on May 3, 2013: the release of *At a glance 2012*. This is the fifth edition of *At a glance* that has been published since 2007 by the Montréal, Cultural Metropolis Steering Committee. This pink document highlights more than 100 cultural achievements from 2012, made possible by the collaboration of individuals from the business and cultural sectors, as well as the three levels of government: the City of Montreal, the Government of Quebec and the Government of Canada. By working together, all of the stakeholders consistently enhance each other's initiatives to help cement Montreal's position as a cultural metropolis.

I had the pleasure of working as part of the Montréal, Cultural Metropolis Steering Committee on behalf of the Honourable James Moore, Minister of Canadian Heritage and Official Languages, and the Honourable Christian Paradis, Minister of Industry and Minister Responsible for Quebec. This committee works to increase cooperation and strengthen Montreal's cultural and creative identity. In the greater Montreal area, there are more than 100,000 culture-related jobs and cultural activities create \$8 billion in direct economic benefits each year. That is nearly 8 per cent of Montreal's GDP.

Since the committee was created in November 2007, the federal government has actively participated in the project with the goal of making Montreal a true cultural metropolis. Since 2007, the Government of Canada has invested a total of more than

\$2 billion in Montreal's cultural sector, and that does not include spending on the CBC. Our government takes its participation in the Montréal, Cultural Metropolis Steering Committee seriously.

At the launch, I was asked to name my favourite out of the 100 or so diverse cultural achievements in *At a glance 2012*. It was impossible for me to choose just one of the many that impressed me. One in particular did stand out, however, and that was a gift from Michael and Renata Horstein, who donated their remarkable collection of Old Masters to the Montreal Museum of Fine Arts. It is the largest private donation to a Quebec museum in modern history.

Honourable senators, I would like to thank you for your attention, and I would ask that you join me in congratulating the Horsteins on their gift, which will give the public access to these priceless works.

[English]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw to your attention the presence in the gallery of His Excellency Kenneth Kaunda, former President of the Republic of Zambia, who is accompanied by His Excellency Bobby Mbunji Samakai, the distinguished High Commissioner for the Republic of Zambia.

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

Hon. Senators: Hear, hear!

REPUBLIC OF ZAMBIA

Hon. Mobina S. B. Jaffer: Honourable senators, today I feel truly privileged to introduce President Kenneth Kaunda. As a young person, he was my mentor, and he is a true leader of Africa. Today, at lunch, he said to me that I should tell all of you he is here in Canada to thank Canadians for the role they played in ending Apartheid in South Africa.

Hon. Senators: Hear, hear!

Senator Jaffer: Honourable senators, we are honoured today by the visit of His Excellency, Kenneth Kaunda, former President of Zambia; and His Excellency Bobby Mbunji Samakai, the High Commissioner of Zambia to Canada.

President Kaunda led what was then called Northern Rhodesia to full independence as Zambia in 1964. He went on to serve as the first President of Zambia from 1964 to 1991. He is widely recognized as one of Africa's founding fathers.

In a 2006 interview, Mr. Harry Kreisler, of the University of California, Berkeley, asked President Kaunda how he learned to work with the different people in his country. His Excellency responded:

You have to love people, first thing.

You have to genuinely have feelings of love for your people.

You look at what is happening in society, all that angers you, disturbs you, and so you decide, "I am going to participate in this fight to establish something better for my people."

Then you ask yourself, "Am I ready to go to prison for my beliefs?"

If this answer is yes, very good, you'll go ahead.

If you can't make it, you must only suit yourself and say, "I'm sorry, I cannot participate in this because I cannot go to prison."

That's how the approach is, or was in those days. I'm sure it still is today.

Honourable senators, rarely has the world seen such limitless passion by a leader for his country and for his people.

In the years that have followed his retirement, His Excellency has devoted much of his time to the battle against the spread of AIDs. In 2003, he was awarded the Grand Order of the Eagle in Zambia by the then President Levy Mwanawasa.

Your Excellency, we are inspired by your commitment to your people and by your struggle against colonialism, war and disease.

• (1350)

We pledge to continue that struggle and to build on the relationship between Canada and Zambia.

Honourable senators, please join me in welcoming His Excellency Kenneth Kaunda and His Excellency Bobby Samakai to the Senate of Canada.

Hon. Senators: Hear, hear.

ROUTINE PROCEEDINGS

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

TWENTY-SIXTH REPORT OF COMMITTEE PRESENTED

Hon. David Tkachuk, Chair of the Standing Committee on Internal Economy, Budgets and Administration, presented the following report:

Wednesday, May 29, 2013

The Standing Committee on Internal Economy, Budgets and Administration has the honour to present its

TWENTY-SIXTH REPORT

Your committee, to which was referred its twenty-second report, has, in obedience to its order of reference of Tuesday, May 21, 2013, examined the said report and now reports as follows:

Your committee recommends that the Twenty-Second report of the Standing Committee on Internal Economy, Budgets and Administration, presented in the Senate on May 9, 2013, respecting the examination of Senator Duffy's primary and secondary residence status, be adopted with the following amendments:

- (1) Replace the paragraph starting with "Your Committee acknowledges", at page 2254 of the *Journals of the Senate*, with the following:

"Your Committee acknowledges Deloitte's finding that criteria for determining primary residence are lacking and this is being addressed by your Committee. However, to claim living expenses in the National Capital Region, any residence owned or rented by a senator must be a secondary residence for use by the senator while in the NCR for Senate business. Your committee considers this language to be unambiguous; and plainly if a senator resides primarily in the NCR, he or she should not be claiming living expenses for the NCR."

- (2) Add the following as a separate paragraph at page 2254 of the *Journals of the Senate*, immediately before the words "Your Committee therefore recommends:":

"It is therefore the conclusion of the Committee that based on the evidence presented in the examination report, while recognizing that Senator Duffy owns a residence in P.E.I. and spends considerable time there, his continued presence at his Ottawa residence over the years does not support such a declaration and is, therefore, contrary to the plain meaning of the word "primary" and to the purpose and intent of the provision of the Living Allowance in the NCR."; and

- (3) Move the word "and" at the end of the first recommendation in the English text to the end of the second recommendation at page 2254 of the *Journals of the Senate*; and add the following recommendation after the second recommendation:

"3. That the Senate request that the proper authorities examine the matters dealt with in this report and related information, including Senator Duffy's repayment of \$90,172.24 to the Receiver General of Canada, and that the Standing Committee on Internal Economy, Budgets and Administration be authorized to refer such documents, as it considers appropriate, to the proper authorities for the purposes of the investigation."

Respectfully submitted,

DAVID TKACHUK
Chair

[Senator Tkachuk]

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

Senator Tkachuk: Honourable senators, with leave, I move that the report be placed on the Orders of the Day for consideration later this day.

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

Hon. Senators: Agreed.

(On motion of Senator Tkachuk, report placed on the Orders of the Day for consideration later this day.)

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, before I proceed further, I would like to draw your attention to the presence in the gallery of 14 members of the Girls Government, which consists of grade 8 female students from various public schools in Ontario, accompanied by four of their teachers.

They are guests of our colleague the Honourable Senator Charette-Poulin. We welcome the students and their teachers to the Senate of Canada.

Hon. Senators: Hear, hear.

QUESTION PERIOD

PRIME MINISTER'S OFFICE

PAYMENT OF FUNDS TO SENATOR DUFFY— INVOLVEMENT OF BENJAMIN PERRIN

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, my question is for the Leader of the Government in the Senate.

Leader, on several occasions I have asked you about one Benjamin Perrin who was, until April, a legal officer in the Prime Minister's office. I asked you about whether you knew — or if you did not know if you would find out — what role if any he played in making the arrangements between Mr. Wright and Senator Duffy with respect to the \$90,000 gift from Mr. Wright to Senator Duffy, which he then used to repay his obligations to the Senate.

You said in response to my questions last week that you did not know anything about this. Yesterday, when I asked you a question, you said:

I informed myself of what Mr. Perrin publicly stated in a written statement and that is the extent to which I did.

The statement that Mr. Perrin made was:

I was not consulted on, and did not participate in, Nigel Wright's decision to write a personal cheque to reimburse Senator Duffy's expenses.

Assuming that is correct, and he was not involved in the decision to write the personal cheque to Senator Duffy, did he know in advance that that was what Mr. Wright was considering doing? If not, when did he first learn that this cheque had been written by Mr. Wright to Senator Duffy?

I assume you are not in a position to answer that question today. If you are not, I would ask you to take it as notice and provide the information as soon as it is available.

Hon. Marjory LeBreton (Leader of the Government): You correctly stated my knowledge of this. Of course, I did read Mr. Perrin's statement, which you have now reread into the record. I think it is pretty clear what Mr. Perrin said.

It is also our understanding that there are no documents or advice with regard to Mr. Wright's decision.

Since no one knew about what Mr. Wright was doing until it appeared on CTV National News and Mr. Perrin is a professor at UBC in British Columbia, I actually think, Senator Cowan, his statement is pretty clear and speaks for itself.

Senator Cowan: I think the statement is clear, does speak for itself and is very carefully worded. It says he was not consulted on and did not participate in Nigel Wright's decision to write the cheque. It does not say he had no involvement in the arrangements with respect to Mr. Wright and Senator Duffy.

Here is a man who holds a position as a legal officer and adviser in the Prime Minister's Office. What was his involvement in these arrangements? If there is no documentation, I accept that too, but if you do not know, I would like you to find out what his involvement was and tell us the nature of that involvement.

Senator LeBreton: First of all, Senator Cowan, this matter is being looked into by the Senate Ethics Officer.

• (1400)

As Mr. Wright indicated in an interview yesterday on CTV, he will fully cooperate with the Ethics Officer — and I am quite sure he will — and this is the person who will determine what transpired around Mr. Wright's decision to write a cheque to Senator Duffy.

Senator Cowan: That may well be, but that does not take anything away from our wish to know, our entitlement to know what that involvement was. It may come out in the course of one of these investigations that we have ongoing, but I am asking you a very direct question. As Leader of the Government in the Senate, will you ascertain what Mr. Perrin's involvement was in the making of these arrangements?

Senator LeBreton: Well, as Leader of the Government in the Senate, I can only say to you that obviously the Ethics Commissioner is looking into this matter, and to the extent that

the Ethics Commissioner is looking into this matter, I do not intend — nor would you want me to — to interfere in that process in any way.

Senator Cowan: I am not asking you to interfere in any process. I am asking you for a specific piece of information. Will you or will you not find out the answer to that question?

Senator LeBreton: Well, I already told you that my understanding is there is no such information available.

Senator Cowan: Well, there has to be. That cannot be true. That cannot be true. Are you denying, is your position that he had no involvement in the making of these arrangements or simply that, as he said, he was not consulted on and did not participate in the decision to write the cheque? Which is it?

Senator LeBreton: Well, I think it is pretty clear. He was not consulted, and if he was not consulted how could he participate in any decision to write the cheque?

Senator Cowan: Is it the position of the government, are you telling us as Government Leader in the Senate, that he had no part in the arrangements between Mr. Wright and Senator Duffy? Is that what you are saying?

Senator LeBreton: Actually, in my position with the government, since we did not know about this, how could we possibly — since we did not know about it, how could you expect me now to answer for something that I did not know about?

Senator Cowan: I am asking you to find out. I accept the fact that you did not know about it. You said that a number of times and I accept that, but what I do not accept is the fact that — and I do not understand why you are unprepared, not prepared to ask what the involvement of a legal and policy adviser in the Prime Minister's office was in the making of these arrangements. We accept the fact that he was not consulted and he did not participate in the decision to write the cheque. We accept that. Did he have any involvement in the arrangements between Senator Duffy and Mr. Wright or not? That is the question, and if you do not know, will you find out?

Senator LeBreton: Well, again, Senator Cowan, I was very clear on this. Obviously, Mr. Perrin said he did not — he was not consulted and did not participate. I do not know what kind of an answer I — I do take him at his word, and I think you are having difficulty. I think you are having difficulty. We did not know about this. That is the truth. I know my answers are not what you want to hear because you are presuming things that are absolutely not true. My answer stands. Mr. Perrin was very clear in what he said. The Prime Minister and the government were not aware of these transactions until Tuesday, May 14. I heard it on CTV News, and of course, as the Prime Minister stated, he confronted Mr. Wright with this on the morning of May 15 and immediately had this information made immediately public. That happens to be the truth.

I cannot give you an answer, and I was always taught — I do believe this — the truth is the best defence.

Senator Cowan: That is a novel approach.

An Hon. Senator: Oh, oh! If you ever found it.

Senator Cowan: If some of your colleagues had followed that approach, perhaps we would not have some of these difficulties we are in right now. The question, and I repeat it again, I accept the fact, as you do, that Mr. Perrin was telling the truth when he said, "I was not consulted on, and did not participate in, Nigel Wright's decision to write a personal cheque to reimburse Senator Duffy's expenses." We agree and we accept — both of us — that that is what Mr. Perrin said and that that is correct. We are not disputing that. My question again: We know that Mr. Perrin was involved in the arrangements between Senator Duffy and Mr. Wright. All I am asking is, will you find out the nature of those arrangements, yes or no?

Senator LeBreton: Excuse me, Senator Cowan. Maybe I should be asking you the questions. You seem to know more than I know. The fact is we —

Senator Carignan: He could be a witness in the inquiry, in the investigation.

Senator LeBreton: In fact, we do not know that —

Senator Cowan: If I did not know, I would try to find out —

Senator LeBreton: Well, we do not know, we do not know, and obviously Mr. Wright, as he said in his television interview yesterday, will fully cooperate with the Ethics Commissioner, and this is the person who will be charged with the responsibility of dealing with all these matters. I do believe with the actions that obviously the Ethics Commissioner or the procedure of the Ethics Commissioner goes through, that these answers will be made available, and he said he would fully cooperate with the Ethics Commissioner. That is all I can say at the moment, Senator Cowan. That is the only answer I have.

FOREIGN AFFAIRS

SYRIA

Hon. Mobina S. B. Jaffer: My question also is to the Leader of the Government in the Senate, and leader, this is on another topic. I had asked you questions on Syria some time ago, and there is not one senator in this place who is not aware of the terrible situation that exists in Syria. I have tracked down figures regarding the help that Canada has been giving as of this morning, so I have a number of questions for you, leader. One is, how will Canada help to make up the Syria Humanitarian Assistance Response Plan's \$190 million deficit?

Hon. Marjory LeBreton (Leader of the Government): Thank you, Senator Jaffer. Canada is continuing to address the humanitarian crisis in Syria, as you know. We have provided more than \$48 million in support to help Syrian refugees in the neighbouring countries such as Turkey and Jordan, and of course we all watch on a daily basis the horrific situation in Syria. If there is further information that you require on this, Senator Jaffer, I would be happy to try and get it for you.

Senator Jaffer: Thank you very much, leader. My next question is what additional funds will the government provide for the terrible situation with regard to water, sanitation, hygiene, sector plan, which is only 9.3 per cent funded as of today?

Senator LeBreton: Well, as you know, Minister Kenney visited the Syrian refugee camps in Turkey and made an announcement that our government is contributing another \$1.5 million to the Red Cross to help those in need, and this funding will help provide food, water and shelter and items such as hygiene kits, blankets, heaters and clothing for up to 170,000 displaced Syrians.

Senator Jaffer: Thank you, leader. I am aware of what Minister Kenney had said. My question to you is, what additional funds is Canada looking to provide for this terrible situation where 3.1 million children are displaced?

Senator LeBreton: The government, of course, and the Department of Foreign Affairs, are working and attempting to respond to the obvious needs, and of course, as you know, this situation worsens by the day. I will take your question as notice, Senator Jaffer, and get up-to-date information as to what is being done to this point in time.

Senator Jaffer: Thank you very much, leader. Leader, today, as I stand here, I remember 40 years ago when I was in the same circumstances under Idi Amin's terrible regime, where Canada came to help, uplift, bring Ugandan Asians to Canada. Are there any programs to help these desperate Syrians to come to Canada?

Senator LeBreton: I will take that question as notice, Senator Jaffer. I am not aware of what exactly — we do have a very good refugee program and to the extent of how it applies to these unfortunate refugees from Syria, I will be happy to provide an answer.

• (1410)

Hon. Hugh Segal: Honourable senators, could the Leader of the Government in the Senate give us any advice on Canada's strategic position relative to the use of aircraft by Syria against its own people? Even as we speak, critical battles are going on where Syrian air force jets are bombarding their own people, with no regard to civilian life or death.

The Russians are supplying late-stage anti-aircraft missiles to the Syrians. The Iranians and various terrorist organizations are supporting the Syrians against the broader population.

I know that the government has taken the view that it will only give humanitarian aid and not engage in any other way. However, is there a point in this charnel house in which the Assad administration is simply allowed to kill people at will whereby Canada and other allies will have to engage at least with respect to a no-fly zone so as to even the odds between the participants in this circumstance?

Senator LeBreton: I thank the honourable senator for his question. He has expressed his concerns on this very topic several times. It certainly is a very grave situation.

I am not aware of the government's intentions. I know that the Minister of Foreign Affairs has been working with his counterparts. There is grave concern over the State of Israel and the impact the situation may have on their safety and security in the Middle East. However, I will be happy to take the honourable senator's question as notice.

Senator Segal: As a supplementary question, I wonder if I could impose upon the minister to use her good offices to facilitate a fresh discussion amongst her cabinet colleagues about this pressing humanitarian and strategic issue in that part of the world.

Senator LeBreton: I thank the honourable senator. I am sure he has also made that pitch to my other cabinet colleague, the Minister of Foreign Affairs. Regardless, I will certainly consult with him and will make the honourable senator's views known, although I am quite sure he does know them.

This is a very grave situation, and every day it seems to worsen. More and more innocent civilian Syrians are killed and more and more are fleeing for safety across the borders of the countries that border Syria.

I will certainly try to provide as much information as possible.

Hon. A. Raynell Andreychuk: Honourable senators, I have a supplementary question. If the leader will be going back to the minister to revisit this issue, I would ask her to include the issue that the United Nations has pointed out, namely, that civilians have been killed by the rebel forces also. All citizens are of equal value in any country. For a proper assessment, the question should be addressed as to what is going on in the country.

I would also like a reaffirmation that it is still our policy to work towards a peace settlement and then a resettlement of people back into their home country before they are again displaced or given an opportunity to go elsewhere. The movement of the refugees is extremely difficult for families, particularly children, so the best hope is a peace settlement and a return of the people to their country.

Senator LeBreton: I thank the honourable senator for her question. She knows that the government has no intention of sending arms to Syria; we are focusing our efforts on humanitarian aid. As has been expressed by the Minister of Foreign Affairs, we are concerned with the involvement of radical jihadists in the Syrian opposition groups and with evidence that they and the Assad regime are receiving outside assistance from various sources. However, we absolutely do remain committed to focusing on the humanitarian side, as well as seeking a political solution.

Hon. Percy E. Downe: Honourable senators, following the excellent question posed by the Chair of the Foreign Affairs and International Trade Committee, I have a question for the minister. Could the minister find out what assistance the Government of Canada is giving our friends and allies, Turkey and Jordan, who are taking in a large number of refugees,

whether that assistance be financial, logistical or anything else to that end? If she does not have that information, could she please report back?

Senator LeBreton: I believe we have been working closely with the Turkish and Jordanian governments, and I will provide the honourable senator with that information.

Hon. Roméo Antonius Dallaire: I, too, have a supplementary question, honourable senators. As we know, the situation is such that the extensive displacement of people internally and also refugees on the borders are a great source of potential friction and recruitment of individuals to be more engaged in the battle.

The fact that we are providing humanitarian assistance is of course commendable; we have been doing that for years in Darfur and we have not solved that one. The civil war is still going on.

What is Canada doing to prevent both sides from being able to access those internally displaced persons, or IDPs, and what are we doing to ensure that there is no movement from the refugee camps into reinforcing either side for continuing the battle? In other words, what are we doing specifically to engage capabilities on the ground to prevent that from happening?

Senator LeBreton: As the honourable senator knows, we have imposed upon the Syrian government 11 rounds of very tough sanctions to further isolate them and increase pressure on the regime. I am sure we will continue to work through the Minister of Foreign Affairs with our allies to continue to address this serious situation.

As I indicated earlier, our focus is on humanitarian assistance. As I responded to Senator Jaffer, we have provided more than \$48 million, such as to help Syrian refugees in neighbouring countries such as Turkey and Jordan.

Senator Dallaire: I agree that we are not engaging in the fight and certainly not reinforcing the fight. However, it is being sustained by forcible recruitment and the continued access by both sides to sources of troops in order to sustain the battle. Without a capability to curtail that, we will not necessarily be able to stop the conflict as it continues to grow and sustain itself.

If we are not putting any capabilities on the ground or are not even suggesting that such a thing happen, can the leader tell us what Canada is doing with the Americans in regard to the upcoming conference with the Russians under this current scenario? Are we actually part of it? Are we sitting in the second row? Have we provided any input? Have we any leadership or any ideas as to how we can assist our allies in bringing a solution to this situation?

Senator LeBreton: I thank the honourable senator for his question. He would know that the Minister of Foreign Affairs, Minister Baird, is actively engaged in this whole file. Some of the things that the senator said in his preamble reinforce the challenges the minister faces.

Beyond that, I agree with everything the honourable senator says. As I already said, we are not entertaining sending arms or soldiers to Syria. However, I can assure the honourable senator

that Minister Baird is actively involved in this file, and I will ensure that he is aware of the honourable senator's input from today.

[*Translation*]

TOURISM

GRAND PRIX MONTREAL

Hon. Jean-Claude Rivest: Honourable senators, my question is for the Leader of the Government in the Senate and pertains to the Canadian Grand Prix in Montreal.

The Greater Montréal Convention and Tourism Bureau, the City of Montreal, the Government of Quebec and the Government of Canada are currently renegotiating a 10-year agreement with Grand Prix organizers.

The Greater Montréal Convention and Tourism Bureau, the City of Montreal and the Government of Quebec have already agreed to a five per cent increase in their funding, but it seems the Government of Canada is not prepared to do so or has not yet made a decision.

I am convinced that the leader and all senators understand just how important it is to the City of Montreal, Quebec and all of Canada to continue holding this great event, which is extremely beneficial to the economy and the governments in place.

Can the Leader of the Government in the Senate tell us whether the Government of Canada will support the Greater Montréal Convention and Tourism Bureau, the City of Montreal and the Government of Quebec in resolving this matter?

• (1420)

[*English*]

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I thank Senator Rivest for the question, which I will take as notice. I am a fan of car racing, including Formula One, IndyCars and NASCAR. I have been to the Grand Prix in Montreal and know how important it is.

I do not know whether a decision has been made on that; I have not been party to one. I will take the question as notice.

PUBLIC SAFETY

CYBER SECURITY

Hon. Wilfred P. Moore: Honourable senators, my question is for the Leader of the Government in the Senate. I want to address an issue that the leader and I have talked about in the past, and that is cyberattacks. Cyber security has become a major problem for Canada and our allies. Reports of cyberattacks emerge daily, and the Government of Canada recently released a plan to combat those attacks on the basis of three pillars: securing governance systems, partnering to secure cybersystems outside the federal government, and helping Canadians to be secure online.

[Senator LeBreton]

My question is on the second pillar, that is, partnering to secure cybersystems outside the federal government. Private companies play a large part in that role in our society through their work on our power grid for defence and otherwise. It is vitally important that the government take the lead in promoting cyber security for these private interests.

Part of the commitment is funding. The United States Government is allocating \$4.7 billion for cyber security in its 2013-14 budget. On April 25 I asked the leader a question about this and she said:

We recently made a significant investment of \$245 million...in our cyber security strategy...

A week before that, the Minister of Public Safety announced that the government would spend \$155 million in additional funding in 2012. The leader spoke of \$245 million. I do not know what fiscal period that covered. It sounds like the \$155 million was in the past.

Could the Leader of the Government in the Senate please clarify that?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, Senator Moore is absolutely right. By the way, it was our government, in 2010, that brought in the first-ever cyber security strategy.

The figure I was referring to was a recent investment of \$245 million in the cyber security strategy. As honourable senators know, this is a moving target in many ways. It changes practically daily. We rely very much on the advice of security experts as we develop policy on cyber security.

My understanding is that the announcement of \$245 million was the last investment, but I will seek clarification on the total amount.

Senator Moore: I would like to know whether that was for one fiscal year or was it spread over a number of fiscal years?

On a supplementary question, we learned earlier this week that in the United States hackers have again compromised the designs for many defence systems. As I mentioned in the past, that happened with the F-35 jet fighter. These attacks have been identified as coming from China. Another report states that the Chinese are hacking private businesses to obtain intellectual property and trade secrets.

As I mentioned on May 1, three of our government departments were hacked in 2011 from a cyberaddress in China.

The President of the United States is set to address this issue with his Chinese counterpart in person in California at a meeting this week. A while ago I asked whether our Prime Minister addressed this issue with the President of China during his recent visit. What steps has our government taken to express its concern about these cyberattacks coming from China?

Senator LeBreton: I will get the breakdown of the figures, as requested. I will also seek an answer to Senator Moore's question about what steps we have taken vis-à-vis the Chinese on this matter.

[Translation]

ANSWER TO ORDER PAPER QUESTION TABLED

NATIONAL REVENUE—CONVICTION DETAILS

Hon. Claude Carignan (Deputy Leader of the Government) tabled the answer to Question No. 68 on the Order Paper by Senator Downe.

[English]

ORDERS OF THE DAY

SPEAKER'S RULING

The Hon. the Speaker: Honourable senators, I am prepared to rule on the point of order raised by the Honourable Senator Moore on Thursday, May 9. His point of order related to the availability of the twenty-fifth report presented that day by the Standing Committee on Internal Economy, Budgets and Administration, the final of four reports presented by the committee that day. The three other reports presented earlier were distributed to all senators in the chamber while they were being read out in full by a clerk at the table. The twenty-fifth report, however, was initially distributed only on request. The object of the Honourable Senator Moore's point of order had to do with the difference in the way these reports were made available to the senators.

[Translation]

In a ruling on November 6, 2012, it was noted "that committee reports that are not for consideration later during the same sitting are not handed out as a matter of course, but can be requested from the pages." The events of May 9 were generally in keeping with current practice. The table was guided by indications given about anticipated proceedings following the presentation of each report. In the end, however, events unfolded differently. This created the confusion. Once it became clear that senators wanted to have copies of the final report distributed, this was done.

[English]

The events of May 9 were in line with current practices. If senators do wish to change current practice, they certainly can be adapted. The issue could be taken up with the Rules Committee

or by consultation through the usual channels. I wish to thank the Honourable Senator Moore for raising this point of order, because there was a bit of confusion that day.

ROYAL CANADIAN MOUNTED POLICE ACT

BILL TO AMEND—THIRD READING—MOTION IN AMENDMENT—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Lang, seconded by the Honourable Senator Martin, for the third reading of Bill C-42, An Act to amend the Royal Canadian Mounted Police Act and to make related and consequential amendments to other Acts;

And on the motion in amendment of the Honourable Senator Day, seconded by the Honourable Senator Hubley, that the Bill C-42 be not now read a third time but that it be amended

(a) in clause 12, on page 9, by replacing line 28 with the following:

"7(1)(e) of that Act, but the categories determined shall include categories of members who perform duties and functions that are substantially the same as the duties and functions performed by officers and by members other than officers on the coming into force of this section.";

(b) in clause 13, on page 9, by replacing line 36 with the following:

"(a) determine categories of members, which shall include categories of members who perform duties and functions that are substantially the same as the duties and functions performed by officers and by members other than officers on the coming into force of this section; and"; and

(c) in clause 86, on page 118,

(i) by replacing line 25 with the following:

"definition reads on that date, other than a member who is a member on the day this Act is assented to, who does not", and

(ii) by replacing line 32 with the following:

"Canadian Mounted Police Act, other than a member who is a member on the day this Act is assented to, who does not".

Hon. Daniel Lang: Honourable senators, I would like to rise to respond to the amendments proposed by the honourable senator from New Brunswick.

I think it is safe to say that all members of the committee share the concerns about civilian members of the RCMP. This issue is not new to any of us. It was first brought to our attention in the committee by the Honourable Senator Nolin.

• (1430)

This particular issue highlights the importance of this chamber because it was not raised in any significant way in the other place. It was raised in the Senate Defence Committee, where a fair examination of the issue and the consequences thereof were considered.

During testimony before the committee on April 15, the Honourable Vic Toews, Minister of Public Safety, directly addressed this issue in response to questions put forward by Senator Nolin. He was clear and unequivocal in his personal support, as a minister of the government, of the future of the 4,000 employees currently with the RCMP and who will continue to be with the RCMP at the end of the day. I refer to the minister's testimony before the committee as it is important that it be put on the record so that honourable senators understand exactly what took place during the committee's consideration of Bill C-42. Minister Toews said:

I want to address one final concern. There is a concern that Bill C-45, the Jobs and Growth Act, 2012, will adversely affect RCMP civilian members converting, specific to the pension amendments increasing the retirement age to 65 for all new public service employees. The Treasury Board, as the employer, will determine whether this will occur and when, and I can assure the committee and RCMP civilian members that this will not occur until RCMP and Treasury Board pension officials have reviewed the policy considerations and mechanics of converting civilian members to public servants in light of the amendments in Bill C-45, the Jobs and Growth Act, 2012.

The committee continued to discuss the issue of civilian members of the RCMP. On May 6, officials from Treasury Board appeared before the committee as they were asked specifically to testify. Ms. Kim Gowing, Director, Program Management and Regulatory Policy, Treasury Board of Canada Secretariat said:

At this time we are currently looking at several options with respect to the civilian members transferring to the public service. With respect to their pension benefits, when options have been developed they will be forwarded to ministers to make a final decision on the pension entitlements for these individuals.

She continued:

I cannot speak to the individual requests, but I can say we are aware of the concerns of members, and this has been brought to our attention through senior officials. We are working collaboratively with the RCMP to develop options that will be fair both to members and to the government, and they will be presented to ministers for a final decision.

Honourable senators, during clause-by-clause consideration, honourable senators from across the aisle appeared to be confident in what they heard from the minister and Treasury

Board officials. I have to say that unlike their colleagues in the other place, who did not propose a single amendment to Bill C-42, honourable senators on the opposite side brought forward three amendments during the committee stage, none of them dealing with clause 86. In fact, it is important for the record once again that all members of the committee unanimously agreed to observations, which accompany the bill back to this chamber. The observations read as follows:

Your committee believes that C-42 will help transform the RCMP into a modern, accountable police force and as such, is supportive of the measures contained in Bill C-42. We do, however, wish to make a few observations.

Your committee feels that cultural transformation in the RCMP is necessary, which requires not only the legislative tools and authorities found in Bill C-42, but strong leadership, clear lines of accountability, guidance, ongoing education, and greater transparency.

To ensure that the policy intentions of Bill C-42 are achieved, your committee requests that a study and review of the implementation of Bill C-42, by the appropriate committees of the Senate and the House of Commons, take place three years after the Bill comes into effect.

Your committee would also urge Treasury Board to consider all aspects of conversion before any actions are taken to convert civilian RCMP members to public service employees, as set out in Section 86 of Bill C-42. The committee recommends that the principle of fairness and vesting of existing rights of current employees guide the Government's decisions in this matter.

Again, I highlight that these are unanimous committee recommendations or observations from both sides of representation in this house. Honourable senators have before the house an amendment that would seriously jeopardize this bill's coming into force. All members of the committee, including the Honourable Senator from New Brunswick, agree that the bill is very important to the transformation of the RCMP. The Honourable Senator Day, in his statement yesterday, said as much, and I quote:

... there are pressing issues within the RCMP that need to be addressed immediately in order to assure Canadians that the RCMP is and will remain the fine policing force that we have come to know and rely upon.

Honourable senators, we have heard concerns about section 86. As I said before, it was the Senate and the Senate Defence Committee that brought this issue to light, highlighted it and examined it. The committee took the time to hear from the minister, to call in witnesses from Treasury Board and to bring forward a unanimous observation, which was appended to the bill, when the committee reported the bill back to the chamber.

All honourable senators should be confident, as I am, that the government will honour its commitment to the Senate and to the civilian members of the RCMP. Accepting the amendment as proposed would undermine the very positive bipartisan work of

the committee and would delay bringing into force important and necessary reforms to the RCMP. For these reasons, we cannot accept the amendment as proposed.

Hon. Roméo Antonius Dallaire: Are honourable senators permitted to debate the motion at this time? I will have my opportunity to respond, of course.

The Hon. the Speaker: The debate is on the motion in amendment, and it is time for questions and comments on the speech made by the Honourable Senator Lang. I recognize Senator Segal.

Hon. Hugh Segal: Will Senator Lang take a question?

Senator Lang: Yes.

Senator Segal: I am appreciative that the honourable senator shared what he believes to be a genuinely broad commitment to ensure that civilian members of the force are not treated unfairly in the process. This may be important in a court proceeding some day in the future: Am I to undertake from what he said that he, as chair of the committee, is giving a commitment that the Government of Canada will not allow regulations to be drafted or arrangements to be put in place that will in any way diminish the existing rights of civilian employees of the Royal Canadian Mounted Police as this bill is implemented? If that is what I understand him to say, I am appreciative of that and very much want that to be on the public record. If he is not saying that, he would be doing the chamber a service by clarifying what he is saying to honourable senators.

Senator Lang: Honourable senators, I am in no position to commit the Government of Canada, as the honourable senator knows full well. I have outlined the evidence that was brought forward before the committee during its consideration of Bill C-42. I quoted verbatim the testimony of the minister responsible for the RCMP so that it is on the record in this house.

• (1440)

The reality of the bill is that nothing can be done until this bill passes through the house so that the various actions by government can be taken with respect to the management of the RCMP, which includes the question of the civilian employees and how they fit in vis-à-vis the RCMP, Treasury Board and the public service. Without passage of the bill, of course, this all becomes moot.

I will clarify for the record. I am saying that, from my point of view, I am comfortable that the minister will do everything in his power, in conjunction with his representation to Treasury Board, to ensure that all employees are dealt with fairly. I cannot stand in my place and try to intimate to you that I have knowledge of the future decision that will be taken. I really do not. I have to say that I, for one, am comfortable that the government will do everything it possibly can, in the name of the minister responsible, to ensure fairness prevails.

Senator Dallaire: I would like to ask a question, if I may, to my chair.

We have had an excellent debate on this bill. It has been first class. It has been very transparent and rarely partisan. In fact, it has been far more about hard content than about trying to posture. For that, the chair proved to be quite patient and, in fact, quite able.

I think it is important, however, as we are discussing this amendment, that Senator Nolin has taken the adjournment on the amendment, which I suspect will stand. We were prepared to speak to this, but we will wait until Senator Nolin finishes speaking on both the amendment and the main bill.

If honourable senators remember, there was a grave concern about this exercise regarding these 10,000 civilians, as they are being moved into the public service, because it was not deemed to be an absolutely essential element of bringing in Bill C-42.

Bill C-42 has all kinds of extraordinary requirements that have to be met and are essential to getting the RCMP back on track. Truly, it is a first step, a significant step.

However, cleaning up the HR problem, an administrative problem of having civilians who are recognized as RCMP civilians, some public servants and so on, by introducing it into this bill when we are not sure, as you said yourself, chair, how Treasury Board will handle this, there is the quite strong possibility that people will lose money. People will be classified lower than they are now and will be penalized by this, and there will be no recourse because it will already be in the bill.

We did acquiesce, ultimately, to the observation without the amendment, but it did not mean that we really believed that this was the essential part of it. At that time, we did not want to hold up the bill because of that, but, certainly, we still feel we have a problem.

I think the senator from New Brunswick had a second look at what he had decided and brought forward this amendment.

Does Senator Lang not feel, however, that the amendment has a basis for an argument that is worthy of being presented in this chamber?

Senator Lang: First of all, honourable senators, I would defend any member's right to bring forward an amendment to any legislative measure that is brought forward in this house if they felt strongly about it.

I have to say that, as chair of the committee, I felt that we had reached an agreement, and I know that, in committee, sometimes compromises are made in order to be able to proceed with the business at hand.

I felt that we had dealt with that issue in the observation that has been presented to you, as well as in the fact that we made the effort to once again bring in witnesses to deal with this particular issue. I would remind honourable senators, again, that that was not done in the other place.

With the work that has been done by our committee and by senators, I think this is an issue that is very much at the forefront of the government and that we will have to deal with. It will not be an issue that can be ignored by those who have to make the final decision.

I think everyone realizes and feels for those 4,000 employees, but, at the same time, we all recognize, especially those who have worked on that committee, how important this piece of legislation is for the well-being of the RCMP.

I feel, as I said earlier, that those employees will be dealt with as fairly as possible, recognizing that change sometimes is difficult. I want to say that this debate and the fact that this amendment is before us is a useful exercise in itself because it once again highlights the issue. I want to remind honourable senators, as a committee chair and as one new to that chair, that when we do go through the exercise of dealing with issues and do come to decisions, I find it difficult when, all of a sudden, I am confronted in a different manner with an issue that we had dealt with and had come to an agreement on and that all members had the right to speak to and put their positions forward on in the committee process.

If we do amend this bill, we know what has to happen. It has to go back to the other place. We are dealing with a consequence of a bill that has been dealt with for, if I am not mistaken, over three years in various forms in the other place, and we are finally here. This is two to three years later, and, as every year is a delay in modern —

The Hon. the Speaker: I am sorry to interrupt, but I must advise that the honourable senator's time has expired.

Senator Lang: May I have five more minutes?

The Hon. the Speaker: He is requesting five more minutes.

Hon. Senators: Agreed.

Senator Lang: Thank you, Your Honour. I will conclude fairly quickly.

The reality of it is that, if we do amend the legislation, with the workload over in the other place, one will have to wonder where it would get into the schedule with respect to once again getting into the parliamentary system. That must be a concern to all of us because this legislation is very important to getting the work done so that the RCMP can get on with the business at hand. In conclusion, I do not believe this amendment should be supported by honourable senators.

Senator Dallaire: I do not think this should be perceived as undermining what we have done. I think what is being presented in this amendment, by, in this case, a member of the committee — because anybody in here who could have presented an amendment — is not a reflection of the debate not having been substantive in committee. Instead, upon second or third reflection, it was felt that it was essential to bring this point back up to debate. Doing so does not undermine any of the work we have done. It simply brings to the fore the essence that the honourable senator who is bringing it to this body feels that

maybe the Senate, as a complete forum, has to review this point and that we will vote on it. I hope that the honourable senator — and I think I warned him that something might be coming — is not perceiving this as the committee not doing its work. On the contrary, I think it is worthy of us to have sober second thought. In the army, we call it an independent double check. If, in so doing, we raise a point, it is worthy of the debate of our team.

I hope that the honourable senator perceives that as not being pejorative to the work but simply possibly reinforcing the position that was taken.

Hon. Pierre Claude Nolin: Will the honourable senator take another question now that we have a little more time?

I think it is important that the observation that we have all agreed to unanimously in the committee is the reflection of principles that we want the government to respect in the future transition of civilian members of the RCMP.

• (1450)

Senator Lang: Honourable senators, that is definitely a principle.

I should add, for the purpose of the record, that I do not know about other members of the committee, but I have taken the time to speak to the ministers responsible for this particular area of concern and put forward this particular observation to them and the concerns expressed at committee. I have dealt not only with the committee, but also, as committee chair, taken it upon myself to bring forward the message that this is of concern and why it is of concern. I think that message is being heard loud and clear by the government.

Senator Nolin: Is the honourable senator saying he consulted with ministers? We had the testimony of Minister Toews before us and he mentioned, as Senator Lang has highlighted, the principle that he wants the government to respect. Has the chair consulted with other ministers?

Senator Lang: Yes, honourable senators, I put this forward to other cabinet ministers whom I have had the opportunity to have discussions with because I think it is of concern to the government as a whole. It is not one particular minister. Just like the committee, it is of concern to us all. I would like to think that other members in this house would also, if they get the opportunity, pass on their concerns to them. Once it is highlighted, it becomes more front and centre from the point of view of the decisions they have to make.

Senator Nolin: Recognizing that it is in the purview of the Treasury Board, a committee of cabinet was dealing with these matters and I will not mention names. I am sure, if asked, the minister the honourable senator has spoken to would have said it is not for him or her, as a minister, to decide, but as a minister he or she will promote the principle offered. Am I summarizing what the honourable senator is telling us?

[Senator Lang]

Senator Lang: I want to assure honourable senators once again that I brought forward the message that is clearly enunciated in this bill and the observations. I brought it forward clearly to members of the government and ministers to say this is an issue and it should be dealt with.

I have done what, in fact, some members of the committee asked me to do. I think I have carried out my responsibilities as chair of this particular committee.

The Hon. the Speaker: Honourable senators, the question that remains before the house is the motion in amendment. Is there further debate on this question?

(On motion of Senator Nolin, debate adjourned.)

[*Translation*]

THE SENATE

MOTION TO DISSOLVE SPECIAL COMMITTEE ON ANTI-TERRORISM—DEBATE ADJOURNED

Hon. Claude Carignan (Deputy Leader of the Government), pursuant to notice of motion of May 22, 2013, moved:

That the Special Senate Committee on Anti-Terrorism be dissolved from the time of the adoption of this motion.

Hon. Serge Joyal: Honourable senators, does the Deputy Leader of the Government intend to provide any explanation as to why this motion is being moved in this context?

Senator Carignan: Honourable senators, this is an ad hoc committee that was created to study a specific bill. The National Security and Defence Committee is the standing committee that is tasked with studying general security issues. We do not feel it is appropriate to maintain a committee that was created on an ad hoc basis to study these matters.

If there are further matters of security that we wish to study, then we will refer them to the standing committee, as per our rules. In the unfortunate event of another request or a specific study relating to terrorism, then we can always re-establish the committee.

Senator Joyal: I would like to draw the attention of the honourable senator to a number of recent facts that I think explain why we should not dissolve the Special Senate Committee on Anti-Terrorism.

I would like to draw your attention to a letter from the Auditor General of Canada, Michael Ferguson, dated May 6, 2013, less than three weeks ago, that Senator Segal and I, as chair and deputy chair of the committee, received. I think this is extremely important. I would like to read this letter, which was addressed to Senator Segal, and on which I was copied.

[*English*]

Dear Senator Segal,

My Spring 2013 Report, recently tabled in Parliament, contains references to government programs or issues that fall within your Committee's purview. The Report includes the following chapter that may be of interest to your Committee.

Chapter 8 — Spending on the Public Security and Anti-Terrorism Initiative.

In this audit, we examined whether the monitoring and reporting of funds spent for the 2001 Public Security and Anti-Terrorism Initiative was accurate, and whether programs were consistent with the Initiative's objectives....

The letter continues:

Departments and agencies reported spending of \$9.8 billion of the \$12.9 billion allocated to PSAT activities.

Though the Secretariat was the only department collecting detailed performance information on public security investments, it did not use this information to generate a government-wide perspective of PSAT spending and results. In the absence of any sort of overall monitoring and reporting, information to explain the difference of \$3.1 billion between the funding allocated to departments and agencies and the amount reported spent was not available.

He continues, and I think it is an important element:

My staff and I would be pleased to meet with your Committee or research staff to discuss the chapter. For further information, please contact....

Yours sincerely,

Michael Ferguson, FCA

Auditor General of Canada

[*Translation*]

The letter is dated May 6. What I think is most important in this letter is that the government is saying, and I want to quote the key phrase:

[*English*]

In the absence of any sort of overall monitoring and reporting, information to explain the difference of \$3 billion between the funding allocated... was not available.

[*Translation*]

In other words, the Auditor General is telling us that there is no overall monitoring of spending. He is telling us that the committee is probably the body of Parliament best able to do that

monitoring. Honourable senators, I think that the events of recent weeks more than justify having the committee continue its work.

Last week, on May 23, 2013 — less than a week ago — President Obama announced a complete overhaul of the U.S. government's anti-terrorism policies. I quote:

[*English*]

The President is:

... calling on policymakers to rethink the nation's battle against terrorism.

[*Translation*]

That was the U.S. President, not a journalist or someone who is passionate about combatting terrorism. All senators in this chamber are well aware that the fight against terrorism in North America is something we think about every day, as do our neighbours to the south. If the President of the United States is asking policymakers to do the following:

[*English*]

... the nation's battle against terrorism.

• (1500)

[*Translation*]

I do not see how we can say that the Americans are addressing the issue and that we should wait until their work is done.

The honourable senator knows what was in the newspapers this week about the situation with Jeffrey Delisle, who was accused of espionage. This week, we learned that the RCMP was informed of the situation not by CSIS, but by the FBI.

It is obvious that there is still a weakness in the system that leaves us quite vulnerable to terrorist attacks. That weakness is the fact that our various agencies work in silos. The left hand does not know what the right hand is doing. The RCMP does not know what CSIS is doing. For all sorts of reasons, two organizations that are vital to our fight against terrorism do not seem to have an established way of working together.

I would refer the honourable senator to the U.S. Congress report that looked at the events of September 2001. One of the fundamental reasons the American system failed — even though the stakeholders had plenty of information about bin Laden — is that the CIA was operating independently of the FBI, the FBI independently of the police, and the police independently of the immigration department.

Of the recent events here in Canada that we learned of this week, one was extremely upsetting in terms of the need to provide monitoring and to ensure that the various agencies involved in the fight against terrorism communicate with one another.

[Senator Joyal]

That is one of the recurring factors that the Senate Anti-terrorism Committee has always looked at. I, along with a number of other senators...

[*English*]

— what we call “seasoned senators” who have been in this chamber for a certain period of time, since September 11, 2001. I see Senator Nolin, Senator Tkachuk, Senator Segal, Senator David Smith, Senator Andreychuk and Senator Furey. We have sat on that committee continuously and have always operated outside of any political allegiance because the objective of the safety and security of Canadians is paramount, in our opinion. We are seasoned senators with the maturity to approach those issues for the good of the objective.

In my opinion, with everything that has happened recently with the soldier in London that was killed, and in the context of unforeseeable prevention, I learned through the media in France that a French soldier was killed in a similar circumstance. A year ago, Mohamed Merah targeted policemen and soldiers in Toulouse with the objective of revenge against the system. We know that the security threat is of a different incarnation today. It is important, as President Obama has said, that we review our approach on those issues because it is different from what it was five or ten years ago. The Auditor General of Canada asked us in his letter three weeks ago to have an overall monitoring capacity. This is the essence of any committee responsible for safety in Canada.

I plead for the government to retain that initiative because I think that it is our role in this chamber to exercise sober second thought on those issues. As a matter of fact, all the experts and scholars who have reviewed the work of our committee have come to the conclusion that when the Special Senate Committee on Anti-terrorism sits, it sits better than in the House of Commons. It is not me who says it, it is Professor Kent Roach who testified regularly in front of our committee and has been able to compare the two committees. He published that conclusion in the University of Ontario review book.

I think, honourable senators, that this is a very serious issue. I ask the government not to wait until something happens in Canada whereby after the fact we will try to put the parts together. It is too serious.

On this issue, honourable senators, the committee has proven in the past that it can sit helpfully for the government. We have recommended amendments to legislation that the government, whatever the stripe, gives effect to. We have recommended adjustments to the program that the government has seriously considered. I beg the government not to, by a stroke of the pen, brush away the committee at the moment when, as I mentioned, the Auditor General of Canada is asking us at least to have an opportunity to come and explain it.

I cannot say more than what I have said already. This is a very serious issue. Let us not wait until something happens in Canada and we find out that CSIS does not speak to the RCMP or the RCMP is not so much attuned with the provincial police forces and does not exercise the coordination that is needed.

Believe me, honourable senators, I am not looking for a job, nor are the other members on the committee. We sit on other committees and have plenty on our plate, but on this one we have always been ready to sit on a Monday when the Senate is not sitting because we thought the objective was paramount.

I humbly ask the government to rethink that initiative because I think it is very serious for the sake of safety for all Canadians.

[Translation]

The Hon. the Speaker: Honourable senators, will Senator Joyal be asking for permission to table the document, the letter from the Auditor General?

[English]

Senator Joyal: With the permission of Senator Segal because, as I stated —

Senator Carignan: We need unanimous agreement. Yes, it is okay.

The Hon. the Speaker: It is agreed that that document be tabled.

Continuing debate.

[Translation]

Senator Carignan: Will the honourable senator take a question? I thought it was his speaking time, not a question he asked me.

Senator Joyal: It is indeed mine, honourable senator.

Senator Carignan: I believe that all honourable senators share Senator Joyal's position on the importance of fighting terrorism.

The problem with his argument is this: which of the points he raised will the Senate Standing Committee on National Security and Defence not be able to study?

I believe that the Senate Standing Committee on National Security and Defence must provide ongoing monitoring of all organizations involved in national security. That will enable them to exercise the coordination the senator was talking about. Also, as I explained earlier, if a particular issue becomes more technical or requires a certain level of expertise, an ad hoc committee can be struck.

In light of everything the senator said, am I to understand that the Senate Standing Committee on National Security and Defence lacks the expertise or skill to do this work?

Senator Joyal: Honourable senators, I would not judge my colleagues on the Senate Standing Committee on National Security and Defence, but since September 2001, we have always referred anti-terrorism issues to a special committee responsible solely for such issues. We have always done so responsibly, and there is the matter of institutional memory

because some senators have served on the committee for a long time, thereby maintaining essential knowledge to provide monitoring and responsible information management.

That feature has made all of our reports useful to both the government and the agencies that appear before us. Given everything going on around the world, I believe that security issues deserve ongoing attention. To be sure, the Standing Senate Committee on National Security and Defence studies other issues too, such as veterans affairs. I know there is an item on the Orders of the Day on this.

• (1510)

The Standing Senate Committee on National Security and Defence has more than just this subject to study, while the anti-terrorism committee only had this topic to focus on.

Over time, we were able to maintain the continuity of the debate. We remember quite clearly the recommendations we made three, four, even seven years ago. When we receive witnesses, we can follow along more closely than if we were just generally informed about what is going on. I think the way this committee is run can be useful to the government.

Again, I want to emphasize that this is not motivated by partisanship. I could make partisan arguments, but I will refrain from doing so this afternoon. I have them right here, honourable senators. That is not my objective. My objective is to help the Senate do what it does best, which is to use senators' experience and memory to ensure that we never lose sight of this objective among the other subjects that are the usual bread and butter on the daily agenda of the Standing Senate Committee on National Security and Defence.

Hon. Pierre Claude Nolin: I have a question for Senator Joyal.

Am I right to believe that a special anti-terrorism committee was created to address a bill before Parliament that would affect the rights of citizens and individuals living in Canada in an effort to prevent an act or acts of terrorism?

Senator Joyal: Yes, that is correct.

Initially, the committee conducted a pre-study for a bill introduced in the House of Commons so that it could be adopted before the end of 2001 because our U.S. partners were pressuring us to adjust our Canadian laws to achieve the most effective approach in the fight against terrorism.

We did so, but made the key recommendation that the committee continue its work afterward in order to monitor all of the initiatives taken by the government. That was what we determined the first time we examined this bill that, as you so clearly pointed out, affected the rights and freedoms of Canadians.

Honourable senators will remember that some of the recommendations that we made were upheld by the courts. This led the government to subsequently amend the bills, which were then brought before us again.

Last year, we examined some government bills and, when we heard from agency representatives at meetings chaired by the Honourable Senator Segal, most of them told us that a coordinated approach was the best way to make the process more effective.

The Auditor General identified the very same thing — the lack of a coordinated approach — as one of the reasons why the government is unable to determine where \$3 billion went.

That does not mean that we are specifically setting out to find fault with the government. That is not the objective. The objective is to ensure that the various officers responsible for security are able to work together effectively so that they can share information and coordinate their activities on a daily and ongoing basis, both within federal agencies and with provincial agencies.

Honourable senators will remember hearing from representatives of the Vancouver and Toronto police forces after 18 terrorists were arrested in Toronto. A coordinated approach is key to the sound management of policies to counter terrorism.

As honourable senators know, the threat of terrorism takes a different form today. We are no longer dealing with groups such as al Qaeda that have powerful overlords who direct soldiers on the ground. Think about the incidents that have occurred recently. We are dealing with individual cells that often arise as a result of indoctrination by religious groups or groups on the Internet. How can we detect these types of mini sleeper cells? Today's reality is completely different.

The Honourable Senator Jaffer mentioned that women are now participating in terrorist activities. The radicalization of women in is a new phenomenon. We are trying to understand it, and in my opinion, the committee is perfectly positioned to do that work, which would justify its existence.

[English]

The Hon. the Speaker: Further debate?

Hon. Wilfred P. Moore: I want to be associated with the remarks of Senator Joyal. Senator Nolin mentioned the fact that this committee came into being because of the effects on the rights of the citizens of Canada. That has not stopped. It might be a new form, where people are attacked like the soldier in Britain earlier this week, and in other incidents that Senator Joyal has mentioned.

However, since last year I have been raising in this chamber the matter of cyberterrorism. If for no other reason, we could have the committee focused on that. It is a new form of terrorism attacking the disruption of our economy, infrastructure, financial systems, stock markets and government departments.

I would like to prepare some remarks. Therefore, I would like to take the adjournment and come back and do a proper speech on this issue.

[Senator Joyal]

The Hon. the Speaker: It was moved by the Honourable Senator Moore, seconded by the Honourable Senator Day, that further debate in this item be continued to the next sitting of the Senate.

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

Hon. Mobina S. B. Jaffer: I apologize, Your Honour. I wanted to ask a question.

The Hon. the Speaker: Did the honourable senator wish to ask a question of Senator Joyal?

Senator Jaffer: Yes.

The Hon. the Speaker: His time had expired, senator.

Senator Jaffer: May I ask Senator Joyal if he would consider asking for more time, so I could ask him a question?

Senator Carignan: You could ask Senator Moore.

The Hon. the Speaker: I think we are at the stage that the motion for the adjournment of the debate is the only question before the house.

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

Hon. Senators: Agreed.

(On motion of Senator Moore, debate adjourned.)

CANADIAN HUMAN RIGHTS ACT CRIMINAL CODE

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Mitchell, seconded by the Honourable Senator Dyck, for the second reading of Bill C-279, An Act to amend the Canadian Human Rights Act and the Criminal Code (gender identity).

Hon. Nancy Ruth: Honourable senators, I speak in my pink shoes today in order to speak against Bill C-279, the Gender Identity Bill. I oppose this bill because proposed section 3 perpetuates a glaring gap. Women and girls in Canada are not protected from hate speech under the Criminal Code, and this bill does not rectify that when it could.

In 1978, when the hate speech provisions were first introduced into the Criminal Code, the government of the day refused to include "sex" in the list of protected and identifiable groups. No government since has remedied this gap; no private member's bill that has proposed adding "sex" has cleared Parliament; and Bill C-30, the Protecting Children from Internet Predators Bill, which does include "sex" as an identifiable group in this section, will not proceed.

• (1520)

For 35 years, across numerous bills, Parliament has told the girls and women of Canada that, despite alarming rates of violence against girls and women, violence that typically includes hate speech, they are not worthy of protection. The omission is not an oversight. In 1985, the federally appointed Special Committee on Pornography and Prostitution said that there was “ample evidence” indicating women were the targets of hate material. The committee recommended that the Criminal Code hate laws be amended to extend protection to women, but no Parliament has done that. Why? I have spoken before in this chamber about this gap in the law.

This bill will privilege men who choose to become women over women who are born female. While I do not question the good intentions of the sponsor and the supporters of the bill, I simply do not understand how they could advance this bill without including all women. Passage of Bill C-279 will mean that only if a woman is born a man who later chooses to identify as a woman will she receive protection, but a woman born a woman will not receive the same protection. This legal difference has legal consequences. Clause 2 of the bill does not answer the question of how the new ground of gender identity will affect the rights of women.

It is important that we respect gender identity choices and acknowledge that they often result in discrimination. At the federal level, at least since the Canadian Human Rights Tribunal decision in 2001 in *Kavanaugh v. Canada (Attorney General)*, Canada has been responsive to the emergence of gender identity as a source of discrimination.

The definition of gender identity in clause 2 of the bill brings together sex and gender identity, but sex, gender and gender identity are not the same thing. Sex is biological, gender is cultural and/or social, and gender roles and relations are learned. What it means to be a woman and a man will vary from time to time and from culture to culture. History shows that most cultures assign greater value to masculinity, but what can be constructed can be deconstructed and reconstructed. Hence, we need to recognize our ideas about masculinity and femininity for what they are, assumptions situated in a time and a place.

Gender identity is a person's private sense and subjective experience of their own gender. In all societies, some individuals do not identify with some or all of the aspects of gender that are assigned to their biological sex. Therefore, they wish to change their sex and assume another gender identity.

Sexual orientation was added to the list of identifiable groups in 2003. That bill did not propose adding “sex,” although Senator Joyal says that he and Senator Lowell Murray discussed it as an amendment 10 years ago. They did not propose it, Senator Joyal says, because they were afraid the amendment would result in the bill being defeated in the other place, thus threatening protection for sexual orientation. The result was that the rights of one smaller group won out over the rights and protection of the majority of Canadians, namely women and girls.

Honourable senators, it is not a matter of either/or, but it is a matter of both/and. Ten years later, this bill is now unacceptable because it continues the exclusion of women from protection against hate crimes and it does not answer how the new ground of gender identity will affect the rights of women and girls.

I hope honourable senators will oppose this bill until it is amended to include women in 318 of the Criminal Code. It would be amended, in clause 3, by replacing lines 26 and 27 with the following: “ethnic origin, sex, gender identity or sexual orientation.” That is all we have to do to include the population of Canada. Thank you. I will be happy for questions.

Hon. Lillian Eva Dyck: Would the honourable senator take a question?

The Hon. the Speaker *pro tempore*: Senator Nancy Ruth, will you accept a question?

Senator Nancy Ruth: Yes.

Senator Dyck: Thank you for your comments. I know you have been a champion for women's rights. I was listening to your speech and maybe did not catch all the points. I believe you made a suggestion as to how women and girls could be included by amending the Criminal Code. My question is simply this: Is there another route whereby you could get at what you are trying to accomplish? Could there be another private member's bill? Could there be another bill that addresses specifically what you are asking for? Is that not an acceptable route?

Senator Nancy Ruth: It is not an acceptable route for me, senator. We have been through this three times now about these identifiable groups in the Criminal Code. If we as senators do not have the guts to stand up and include everyone in this country, and Senator Nolin quoted yesterday from section 15 of the Charter, then be damned all of us. It is now. It is now.

Senator Dyck: Thank you for that answer.

Hon. Don Meredith: Honourable senators, I want also to lend my voice to this debate. Senator Nancy Ruth got to the root cause probably deeper than I can.

I rise today to speak on Bill C-279, An Act to amend the Canadian Human Rights Act and the Criminal Code (gender identity and gender expression.) I am concerned about the hazy definition of the terminology within the bill and the most symbolic reasoning behind the amendment of legislation that already protects the rights of transgendered individuals.

I am also speaking as an advocate for youth when I add my perspective on this bill. The youth of Canada is our future, after all.

Bill C-279 is not new legislation. This private member's bill was introduced as Bill C-389 in May 2009. This bill passed in the other place in February 2011 but died on the Order Paper in the Senate. Similar bills were introduced in the previous sessions as early as May 2005. None of these went as far as this particular bill.

Honourable senators, this bill was not as controversial then as it is now due to the lack of understanding of the terms “gender identity” and “gender expression.” The 42 amendments that have been made to this bill since its introduction indicate that time has not brought about clarity. In fact, the sponsor of this bill, Mr. Randall Garrison, also changed the definition of the terminology included in this bill and proposed a definition of gender identity to be added when it became clear that the terminology still lacked understanding.

Current members of the Standing Committee on Justice and Human Rights expressed concerns over the wording when this bill was first presented. There is a particular concern over the wording derived from the Yogyakarta Principles where the sponsor of this bill obtained the definition of gender identity. This extraction is problematic because it is understood in relation to a person’s deeply felt internal and individual experience, which is highly subjective and difficult to quantify. This definition will very likely lead to court rulings based on speculation and assumption.

It is not the job of tribunals and courts to wade through murky terminology, honourable senators. It is our job to introduce legislation that is clear, concise and meaningful. If we cannot navigate confusing jargon, we cannot reasonably expect tribunals and courts to do so.

The Canadian Human Rights Act and the Criminal Code already ensure that all Canadians are free from discrimination and discriminatory practices. The rights of transgendered individuals are already entrenched within these documents under the subsections of both sex and disability. Adding the terms of “gender identity” and “gender expression” is a largely symbolic measure that will not affect the ways Canadian laws are interpreted or carried out.

When addressing the committee, Mr. Ian Fine, Acting Secretary of the Canadian Human Rights Commission, said:

... the commission, the tribunal, and the courts view gender identity and gender expression as protected by the Canadian Human Rights Act.

This statement directly speaks to the redundancy of this bill. Committee members have repeatedly echoed this message as well.

• (1530)

Honourable senators, the passage of Bill C-279 will take legislation that is clear and potentially translate it into a state of commotion that is of no benefit to the people we are trying to serve. Honourable senators, the addition of these terms will bring about further confusion and could further alienate members of the transgendered community, such as the intergendered, bigendered, cisgendered and cissexual individuals who will not be represented under this wording.

As a parliamentarian, I am not only worried about the wording of this bill but even the necessity of it. As a husband and father, I am worried about the effects of this proposed legislation on my family and on other Canadians, especially on women and children.

[Senator Meredith]

No doubt you are aware that this bill has been jokingly dubbed the “bathroom bill.” There has been much controversy about granting transgendered individuals, especially transgendered men, access to women’s public washroom facilities and locker rooms. Dubbing this concern with a comical name attempts to detract from the severity of the bill. I think honourable senators will agree that this issue is no laughing matter.

A threat to women and children must be dealt with seriously. Ms. Diane Watts, researcher for REAL Women of Canada, expressed the same concerns. She stated in committee:

... This places females and children at a strong disadvantage and at possible risk, since child predators will be able to use cross-dressing as a pretense...

Certainly not all transgendered people are sexual deviants, but it cannot be ignored that there are certain individuals who could use this proposed legislation to prey on society’s most vulnerable — our youth. The sponsor of this bill, Mr. Randall Garrison, has dismissed these concerns and referred to such claims as “offensive.” I strongly disagree.

If anything, honourable senators, it is offensive that people would even consider putting women and children at risk unnecessarily. If passage of this bill results in the potential for exposure to harm of even one woman or child, that is one woman or child too many. I urge honourable senators to join me in voting against Bill C-279.

The Honourable Senator Plett recently spoke in this chamber about the variations of gender identity. When he discussed the interchanging of gender fluidity, he made a valid point. If one considers himself gender fluid, he can decide to use a men’s public washroom or change room one day and then use a woman’s the next. How will this bill help? How will this protect children or women when they are placed in uncomfortable or even dangerous circumstances?

In addition to potentially harming women and children, this proposed legislation also has the potential to hurt the very group that we are told it aims to help: members of the transgendered community. In 2001, the Canadian Human Rights Tribunal ruled sex reassignment surgery as “essential medical treatment.” In 2003, the Federal Court agreed.

Currently, the Canadian government covers the cost for gender reassignment surgery under this categorization of disability. If this labelling no longer applied, transgendered individuals might be forced to pay for their costly hormone therapy treatments and gender reassignment surgeries out of their own pockets. It is estimated that the cost is between \$10,000 and \$60,000. This is a significant amount of money. It is likely that many individuals simply would not have the finances to access such surgeries and, as a result, might seek low-cost, low-quality treatment.

There are many complications and risks associated with changing gender. Many transgendered individuals use silicone injections to alter their appearance. Vanderbilt University Medical Center warns that “the injection of silicon by

non-medical persons is a dangerous practice that can lead to serious health problems.” In addition to disfiguring the body, non-medical grade silicon is often injected using shared needles, which can transmit hepatitis.

I worry about the health and long-term risks of Canadians who will be denied proper medical care due to astronomical costs that are no longer offset by government funding. Bill C-279 will not improve the lives of Canadians. It will confuse lawmakers and enforcers and will place fear in the hearts of parents and grandparents who worry about the safety of their children.

Additionally, this bill continues to add more uncertainty and vagueness by using terms that are not commonly known and not clearly defined in the bill, providing more ambiguity to this poorly thought-out proposed legislation.

The Canadian courts have already recognized that discrimination against transsexuals is a form of sex discrimination. This bill will simply muddy the definitions of “transsexualism,” weakening the laws that are in place.

Honourable senators, it is our job to pass legislation that makes sense to Canadians, not to push through confusing, misunderstood, symbolic bills that will not improve the quality of life of our citizens. Time has not alleviated any of the original concerns associated with the passage of this bill. It is just as problematic, unnecessary and harmful as ever. I hope that my concerns have been conveyed and that honourable senators will reflect on the repercussions of Bill C-279 if it is passed.

Join me in voting against Bill C-279.

The Hon. the Speaker: Further debate? Are honourable senators ready for the question? It was moved by the Honourable Senator Mitchell, seconded by the Honourable Senator Dyck, that Bill C-279, an Act to amend the Canadian Human Rights Act and the Criminal Code (gender identity and gender expression) be read a second time.

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

An Hon. Senator: Agreed.

The Hon. the Speaker: A question of order was asked by the Honourable Senator Furey. It was that Senator Mitchell is not here. The motion was made by Senator Mitchell and seconded by Senator Dyck. The question remains continuously before the house.

The question before the house is this: Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

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

REFERRED TO COMMITTEE

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

(On motion of Senator Tardif, bill referred to the Standing Senate Committee on Human Rights.)

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I would like to draw your attention to the presence in the Governor General’s gallery of Her Majesty’s Canadian Secretary and former Usher of the Black Rod, Mr. Kevin MacLeod. Welcome back to the Senate.

Hon. Senators: Hear, hear.

INTERNAL ECONOMY, BUDGETS
AND ADMINISTRATION

TWENTY-SIXTH REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the twenty-sixth report of the Standing Committee on Internal Economy, Budgets and Administration (*Examination of Senator Duffy’s Primary and Secondary Residence Status*), presented earlier this day.

Hon. David Tkachuk moved the adoption of the report.

He said: Honourable senators, I will say a few words about what took place last evening when we had a public meeting on this matter. I thank all honourable senators who participated in the meeting. It was not the easiest thing to do, but committee members conducted themselves in a business-like manner and dealt with the report quite professionally. It was shown to Canadians on television.

• (1540)

The reference asked that the twenty-second report of the committee not be adopted but be referred back to the committee. At our request, the finance director prepared an analysis of those claims, which was presented to the Commons last night by the Clerk of the Senate.

Let me read to you just the conclusion of the document:

... this review leads to a conclusion that the Deloitte finding in relation to per diems claimed in January 2012, when the senator was in Florida, is not an isolated incident; it represents a pattern that raises concerns.

As shown in the above table, there were 49 days where per diems were claimed in Ottawa during a time period, according to the Deloitte report, that Senator Duffy does not appear to have been in Ottawa.

Senator Duffy has never been interviewed in this regard.

As everyone is aware, our meeting was held in public. Many of our meetings have been, contrary to what the media would have you believe, unless we are, of course, discussing a matter of a nature such as the one before us last night. These are sensitive issues and require that special attention be given to due process. Meetings of this nature that have to do with an individual are usually held in private.

Senator Duffy, though, asked that the meetings be held in public, and we concluded that it would be in the best interests of him and of Canadians if we granted his wish. He chose not to come.

I want to spend a few minutes on some myths that need to be corrected, myths such as the claim that no one has to submit receipts to back up their claims, which has been repeated quite prevalently, both in electronic media and in newspaper reports.

We have to submit receipts for everything. I have been here for 20 years. I have never been able to get an expense rate claim unless I submitted a receipt. The honour system only means that we are honourable in what we are stating in our expense form. It is the same process that is used in business. Every one of us does that with the Canada Revenue Agency every year. We sign a declaration, and we say that what we have put into this income tax form is the truth. We write that down and submit it. That is what we have done here ever since I have been here. I do not know what they did previously. All I know is that this idea that we do not submit receipts and have not submitted receipts is simply not true.

We are also constantly working to tighten the rules. However, even tighter rules cannot prevent everything. It bothers me sometimes when people say, "We hope this will never happen again." You know what? These things always happen. With every accident — every problem — we say, "We have to do something so that it never happens again," but men and women are very creative people and these things do happen again.

The latest changes to the travel policy, adopted yesterday, were terrific and important changes, and I want to thank the leadership — Senator LeBreton — for pushing us to make these changes. We had quite a debate, but in the end we got it done in Internal Economy and passed in this place, almost unanimously.

Let us not forget that the latest changes follow changes that were made in 2012. There were 14 significant travel policy changes passed last year, changes to the rules on travel status, eligible travellers, the need to identify the purpose of travel, international travel and the internal audit process.

This is not all. Let me talk about audits for a minute. Since I have been on Internal Economy, we have had three external audits of our financial statements, and a fourth is under way. We also had the Auditor General in to conduct a performance audit of the Senate Administrative Rules, which was completed last year.

Four internal audits have taken place since I have been chair, plus all of those started by Senator Furey and Deputy Chair Stratton, prior to my becoming the chair.

[Senator Tkachuk]

More importantly, we decided to post our quarterly expenses. Not only that, we added further information to those quarterly expense reports so that people could look up how much travel we did to our home constituencies and how much travel we did outside of our home constituencies.

There is no question that this is what led to the information that led to some of the news stories that led to some of the audits that have taken place.

Honourable senators, we who are doing our jobs here — and those who criticize us — should not lose sight of the fact that, without the Senate, there would not have been a Confederation. We would do well to remember, too, that all great nations have a bicameral system. Those who use this problem to call for an end to the Senate, without thinking of the repercussions are engaging in demagoguery. It is going on in my province as well. Get rid of the place; abolish it. Get rid of the Senate.

Easy to say. Reform, on the other hand, is hard work. We have tried reform. Senator LeBreton has moved bills here. We have had differences of opinion, and they have been very difficult.

However, reform is the way to go and we are going to continue trying. It is hard work, but there is no question that we have to reform the Senate. I think that by now we all should agree that we have to do that. We will have differences of opinion as to how to do it, but I think it is something that we need to do. There is no easy way.

Let me finish with a final word on some of the criticism we have taken, some of it reasonable a lot of it unfair. I take comfort in the words of my former colleague, Senator Lowell Murray — always good for a quote — who once wrote.

... when it comes to shortcomings, I am well qualified to distinguish between real deficiencies and the lurid, uninformed caricatures of the Senate painted by some journalists and other commentators who never come near the place nor pay the slightest attention to what goes on here.

Hon. George J. Furey: I want to begin by thanking Senator Tkachuk for his words today and for his conducting of the meeting last night. It was in very difficult circumstances. I think he did an outstanding job, so thank you, Senator Tkachuk.

I want to just take a moment and thank our administration as well, Dr. O'Brien; Ms. Lucie Lavoie; Ms. Jill Anne Joseph; Director of Finance Ms. Nicole Proulx; and Ms. Bonnie Marga.

Keeping an eye on, following and checking on expenditures is, at the best of times, a very difficult job for so many people in such an institution as this. These people work very hard and very diligently to ensure that taxpayers' money is spent properly and wisely, and I want to thank them for their hard work.

Hon. Senators: Hear, hear!

Senator Furey: Honourable senators will know that improvements in rules and regulations are not an event. It is a process, and Internal Economy, for the number of years I, and the

people before me, have been on it, has continued to try to find ways to improve. We will keep that going. There are always ways to improve. We will continue to look for ways to improve. As I said, improvement is not an event. It is a process, and we will continue that process. I want to encourage all of my colleagues here to support the report tabled by Senator Tkachuk.

The Hon. the Speaker: Further debate?

It is moved by the Honourable Senator Cools, seconded by the Honourable Senator Harb, that further debate on this item be continued at the next sitting of the Senate.

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

Some Hon. Senators: No.

The Hon. the Speaker: Those in favour of the motion will please say yea.

Those opposed to the motion will please say nay.

Hon. Senators: Nay.

The Hon. the Speaker: The motion is defeated.

Are honourable senators ready for the question?

Hon. Senators: Question.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion moved by the Honourable Senator Tkachuk and seconded by the Honourable Senator Nolin?

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

• (1550)

THE SENATE

MOTION TO EXPRESS SUPPORT FOR MALALA YUSUFZAI AND HER FAMILY— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Ataullahjan, seconded by the Honourable Senator Martin:

That the Senate of Canada express its support for Malala Yusufzai in light of her remarkable courage, tenacity and determined support for the right of girls everywhere to an education; offer its best wishes for her full recovery; express its gratitude for the courage of her family and the work of the staff at the Birmingham hospital in the United Kingdom; and offer its solidarity with girls and young women everywhere whose absolute right to equality of opportunity and quality education in every country of the world is and must always be universal and real.

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, we are on Item No. 128. Senator Cools indicated that she wanted to speak to this next week, but perhaps she would like to reset the clock.

Hon. Anne C. Cools: Is this the report of Senator Harb?

Senator Carignan has misunderstood me. I was speaking to Senator Ataullahjan a few moments ago and I said next Tuesday.

The Hon. the Speaker: Item No. 128, at its fifteenth day, resuming debate on the motion of the Honourable Senator Ataullahjan, seconded by the Honourable Senator Martin. The scroll indicates that the last time it was adjourned it was adjourned by the Honourable Senator Cools.

The question has been called. Is there debate? Is Senator Cools rising to speak?

Senator Cools: I am rising to clarify a misunderstanding, I think.

The Hon. the Speaker: Let us deal with the question before the house.

Senator Cools: We cannot, really, because it is in respect of the question.

I will raise it as a point of order, then.

A few minutes ago I was chatting with Senator Ataullahjan and said to her this motion is high on my priority list to speak. I turned around and said to Senator Carignan, as I had said some days ago, to rewind the clock. I said to Senator Ataullahjan I will be dealing with this forthwith on Tuesday. I was prepared to deal with it some days ago, but when I looked up she was not in the chamber. I was making arrangements with her to be here so we could deal with it on Tuesday.

I do not think Senator Carignan is attempting to mislead us. Maybe he did not understand what I said to him when I turned around.

The Hon. the Speaker: Honourable senators do not own an item that is adjourned. Any honourable senator can rise and speak to any item on the Order Paper.

Let me see if I can be helpful.

If the Honourable Senator Cools takes the adjournment, having spoken for a minute or two, we can deal with it as having been spoken to and it is adjourned in Senator Cools' name for the balance of her time. Is that agreed?

Senator Cools: I want Senator Ataullahjan to be here when I am speaking, and we just arranged that a few minutes ago.

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

Hon. Senators: Agreed.

(On motion of Senator Cools, debate adjourned.)

UNIVERSITIES AND POST-SECONDARY INSTITUTIONS

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Cowan, calling the attention of the Senate to the many contributions of Canadian universities and other post-secondary institutions, as well as research institutes, to Canadian innovation and research, and in particular, to those activities they undertake in partnership with the private and not-for-profit sectors, with financial support from domestic and international sources, for the benefit of Canadians and others the world over.

Hon. Daniel Lang: Honourable senators, I would like to speak to the debate on the contributions of our post-secondary institutions to our society.

I am pleased to report that Yukon has an established college that provides a multitude of interprovincial accredited trade programs, as well as ever-expanding post-secondary courses for our local residents.

In fact, we are celebrating the fiftieth anniversary of our post-secondary institution.

Yukon College is an illustration of how a place of learning expands as populations increase and the demands on our educational system change over time. Fifty years ago, a small vocational school was built, and we are now on the threshold of becoming a university. Today, over 1,100 students attend our institution.

For half a century our college has provided the educational tools to train our tradespeople locally, as well as university-accredited courses such as teacher training, social work and other professions that affect our daily lives.

Because of our remoteness and small population, it has to be emphasized that Yukon can take some of the initial credit for successfully introducing the use of video communication to assist in providing our educational programs.

This long-distance educational tool is now commonplace across the country and provides Canada's small and rural communities with access to educational programs that would otherwise not be available to them.

Over the years, the college has entered into numerous agreements with institutions, such as the University of Alaska, University of British Columbia and many others, to provide the educational programs at an affordable cost for the student and, in turn, the college.

For those who have not had an opportunity to visit our region, I am pleased to report that Yukon College is becoming another Canadian post-secondary institution establishing itself in the field of research. Our college is focused on issues that are directly affecting the North and finding solutions to our ever-changing environment and the economy.

Seven years ago, a conscious decision was taken to create the Yukon Research Centre, which has established its presence in the fields of technology innovation, cold climate innovation and northern climate exchange.

Very practical research is under way in converting plastics to oil, providing a permafrost engineering course to graduate students and professional engineers around the world, studying heat-recovery ventilation in northern climates, and monitoring water in the mining cycle with operating mines to help provide more options to meet our environmental responsibilities and to continue to prosper from the mining industry.

While on the subject of mining, it is important to highlight that the college is in the process of creating a centre for northern innovation in mining. Negotiations are under way to cost share with the Government of Canada to bring this extension into reality.

Many other initiatives such as these are under way, providing the foundation for the Yukon College to meet the long-term objective of becoming Canada's first university north of 60.

I direct the attention of honourable senators to a major federal government initiative for the North, which is Canada's science research centre to be located in Cambridge Bay. Yukon College has been very active in the planning strategies of this institution and will be very much involved on an ongoing basis so that the scientific research resulting from the two institutions can be shared and utilized to improve northerners' everyday lives.

Canadians can be proud of this investment in Canada's North: once completed, it will be world-class.

Honourable senators, this is a snapshot of our post-secondary opportunities in Yukon. I must admit I am taken aback when I hear accusations that the Government of Canada is withdrawing from its responsibilities to post-secondary institutions in light of the accomplishments other senators have brought to our attention during the debate on this inquiry.

I know Yukon College would not have made the advancements it has accomplished without the political and financial support of the federal government. In our region of the country, their help is very much appreciated.

Thank you.

Hon. Senators: Hear, hear.

Hon. Andrée Champagne: Honourable senators, I would like to take the adjournment back. There was not enough time for me to say all I had prepared today.

The Hon. the Speaker: Is it agreed, hono'urable senators, that the matter stand adjourned in the name of the Honourable Senator Champagne?

Hon. Senators: Agreed.

(On motion of Senator Champagne, debate adjourned.)

**INCOME TAX ACT
EXCISE TAX ACT
FEDERAL-PROVINCIAL FISCAL ARRANGEMENTS ACT
FIRST NATIONS GOODS AND SERVICES TAX ACT**

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-48, An

Act to amend the Income Tax Act, the Excise Tax Act, the Federal-Provincial Fiscal Arrangements Act, the First Nations Goods and Services Tax Act and related legislation.

(Bill read first time.)

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

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

(The Senate adjourned until Thursday, May 30, 2013, at 1:30 p.m.)

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