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THE HONOURABLE ROSE-MARIE LOSIER-COOL
SPEAKER *PRO TEMPORE*

CONTENTS

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THE SENATE

Tuesday, April 16, 2002

The Senate met at 2 p.m., the Speaker *pro tempore* in the Chair. [Translation]

Prayers.

NEW SENATORS

The Hon. the Speaker *pro tempore*: Honourable senators, I have the honour to inform the Senate that the Clerk has received certificates from the Registrar General of Canada showing that the following persons, respectively, have been summoned to the Senate:

George S. Baker
Raymond Lavigne

INTRODUCTION

The Hon. the Speaker *pro tempore* having informed the Senate that there were senators without, waiting to be introduced:

The following honourable senators were introduced; presented Her Majesty's writs of summons; took the oath prescribed by law, which was administered by the Clerk; and were seated:

Hon. George S. Baker, of Gander, Newfoundland and Labrador, introduced between Hon. Sharon Carstairs, P.C., and Hon. Bill Rompkey, P.C.

Hon. Raymond Lavigne, of Verdun, Quebec, introduced between Hon. Sharon Carstairs, P.C., and Hon. Céline Hervieux-Payette, P.C.

• (1410)

The Hon. the Speaker *pro tempore* informed the Senate that each of the honourable senators named above had made and subscribed the declaration of qualification required by the Constitution Act, 1867, in the presence of the Clerk of the Senate, the Commissioner appointed to receive and witness the said declaration.

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, it is with great pleasure that I rise today to welcome two new colleagues to the Senate.

Senator George Baker was Chief Clerk of the Newfoundland House of Assembly before his election to Parliament in 1975, when he became the Parliamentary Secretary to the Minister of Transport. He went on to serve as Parliamentary Secretary to the Minister of Fisheries and the Environment and to the Minister of National Revenue.

In opposition, Senator Baker served as Party Critic for Atlantic Development and Associate Party Critic for the Treasury Board. In 1999, Senator Baker was appointed Minister of Veterans Affairs. Senator Baker was a member of several committees in the other place, including fisheries and oceans, transport, finance and procedure, and house affairs.

Senator Raymond Lavigne was also a member of Parliament. He was elected in 1993 and re-elected twice. Senator Lavigne is an independent businessman. He began as a plant worker, before acquiring many furniture stores that employed 28 people. On behalf of their new colleagues, I wish to congratulate senators Baker and Lavigne.

[English]

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, I am pleased to join with the Leader of the Government in the Senate to welcome our new colleagues.

[Translation]

I want to wish them every success, as they prepare to take up their new responsibilities.

[English]

The fact that Senator Baker and Senator Lavigne are recent long-serving members of the other place, a distinction shared by many senators, led me to request certain information from the Library of Parliament that I should like to share with honourable senators. As of now, 300 former members of the House of Commons have been summoned to the Senate since 1867. The number of senators who were actually MPs when appointed cannot be determined now because I requested the information only a few days ago. Suffice it to say, however, that this is a most impressive figure when one realizes that 847 senators have been appointed since 1867.

• (1420)

Honourable senators, on the other hand, only two senators resigned and won election to the House of Commons. Time did not permit to find out how many resigned and failed in their election attempt, but it is assumed that they are few in number. It is quite obvious that once one makes the major leagues, there is not much incentive to go back to the minors.

[Translation]

I reiterate my sincere congratulations and I wish a warm welcome to our two new colleagues.

Hon. Marcel Prud'homme: Honourable senators, I am very pleased, and that is an understatement, by the arrival of our two new colleagues, Senator Baker and Senator Lavigne.

One day, a woman sitting in the gallery told me, "I work for you, but I want to introduce my political godson." That was in 1988, and the person was Mr. Lavigne.

[English]

Why am I so happy? It is because I know Senator Baker and Senator Lavigne, who are both independent-minded people. Honourable senators will see how true a statement this is in the months to come.

Welcome!

SENATORS' STATEMENTS

WINTER OLYMPICS AND PARALYMPICS, 2002

CEREMONY TO HONOUR ATHLETES

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, yesterday I gathered with so many Canadians, 2,000 in number, along with our Prime Minister, the Minister of Canadian Heritage, the Honourable Sheila Copps, the Secretary of State for Amateur Sport, the Honourable Paul DeVillers, and the Minister of the Environment, who is apparently the only Olympic medalist to sit in the House of Commons, to pay special tribute to both Olympians and Paralympians.

Honourable senators, what we fail to recognize in this chamber is that the Honourable Senator Joyce Fairbairn attended the Paralympics. According to the young woman who addressed the ceremony yesterday, Senator Fairbairn was at the finish line of every single event with two Canadian flags in her hands so that she could pay special tribute to these special Olympians. They are both special, whether they are Olympians in the traditional sense or Paralympians who work under conditions in which other athletes do not have to engage.

Honourable senators, I should like to express how proud I was to be a Canadian while watching that ceremony yesterday afternoon. It can be said without any exaggeration that there was jubilation across the country when first our women's and then our men's hockey teams won gold medals. I have never been a hockey fan, but I watched both of those games from the beginning to the end.

Canada ranked fourth in total medals, and we held 46 top-eight finishes, our best performance ever in terms of the Olympics, 15 more than in Nagano.

If I can be given some licence here, Clara Hughes, from my home city of Winnipeg, is the first Canadian to win medals in both the Summer Olympics, where she participates in cycling, and the Winter Olympics, where she participates in skating. She told me yesterday that she has now gone back to cycling so that she can participate in the Commonwealth Games. This is truly a young woman with enormous athletic potential.

Based on our combined performance at the last Summer and Winter Olympics, Canada ranks eleventh among all nations in medals and eighth among all nations in points. Given the size of

our population relative to other nations, I believe this is truly a remarkable achievement.

However, honourable senators, we must remember that medals are only one measure of excellence in sporting events. We sent numerous members of our Canadian family to the Olympics and the Paralympics, many of whom did not win medals, yet they displayed the finest in teamwork and sportsmanship.

While many of our athletes hail from Calgary, Montreal and other large cities, many represented towns such as Fernie and Whitby, small communities that are just as much a part of our national identity. Canadians from all our big cities and small towns were privileged to take part with our athletes in this ageless celebration of human endeavour.

Honourable senators, I sincerely hope that this achievement by all of our athletes will inspire young Canadians to strive for excellence, whether their talent is in sports, academics or in making their communities better places to live. Our athletes, Paralympians and Olympians, were heroic and gracious ambassadors for Canada. We hope they will always remember their experience in Salt Lake City, because we will. They have made us very proud.

Hon. Terry Stratton: Honourable senators, I should like to ask the question: Where were you in 1972? It is a common question for those who remember Paul Henderson's critical goal against the Soviets. The question for the new millennium is: Where were you in 2002?

I will remember the Salt Lake Olympics, where the drought ended and Canada not only recovered the Olympic gold medal in men's hockey after an absence of 50 years, but marvellously and wonderfully also acquired the Olympic gold medal in women's hockey. The nineteenth Winter Olympics will be remembered as a moment when Canada established a new record for the number of medals taken home by those who represent this great country. It will be remembered for the 17 medals won by Canadians who realized they had a dream, one that became a reality when they stepped on to the podium.

For most of the athletes at the Olympic Games, simply participating in the Olympic experience was a significant part of their dream coming true. For those who managed it, winning a medal was just icing on the cake.

Our 314 Canadian team members were superb representatives of the nation, with the 156 who actually engaged in the competitions demonstrating courage and aplomb both when they won medals and when they finished short of the top three places.

Honourable senators, there were trying times, controversy and excitement throughout. Those who finished out of the medals were no less important to the impression that Canada made during the course of the nineteenth Winter Olympics.

This was a hard act to follow, but our Paralympic team, with 27 athletes and 27 support staff, was more than equal to the occasion. In a brilliant effort, they nevertheless matched the record 15 medals of the Nagano Paralympics.

Future teams will be hard pressed to surpass the accomplishments of our 2002 Canada Olympic and Paralympic teams. They represented our nation with dignity and grace. They were sorely tested by the best in the world and they performed magnificently.

Hon. Joyce Fairbairn: Honourable senators, we have, as Canadians, celebrated the excellence of our Olympic and Paralympic athletes many times following their competitions, but never as publicly, gloriously and inclusively as happened yesterday at the ceremony at the Museum of Civilization and later on the floor of the House of Commons. I commend everyone over there for permitting the athletes to come into that chamber and receive an absolutely tumultuous ovation.

Our athletes represent the best in Canada and the best in the world. I have enormous respect and admiration for all of them, for their talent, commitment to their sport and their delight in competing for their country. One cannot even imagine the effort that leads them to that podium and those medals — the time and strain involved, the expenses and the pressures on their families.

• (1430)

As the Leader of the Government said, and I thank her for it, and as many of you know, I have a strong bond of pride and affection for our Paralympians; not just for what they do in competition, which is absolutely outstanding, but also for what they give back by encouraging and supporting young Canadians, particularly those young Canadians with disabilities. Our Paralympians do not merely encourage young people to dream. By their very example, they show young people how to live those dreams.

The eight Paralympians were here in Ottawa representing a wonderful team, as were the Olympic athletes. It is fair to say that the efforts that they have all made honour each one of us, and bring admiration, respect and enthusiasm to Canada and all its citizens.

BATTLE OF VIMY RIDGE

EIGHTY-FIFTH ANNIVERSARY

Hon. Michael A. Meighen: Honourable senators, at 9:30 a.m. on April 9, 1917, German forces at Vimy, France and throughout Europe received a wake-up call. That wake-up call was delivered for the most part by 850 Canadian guns accompanied by 280 British guns. Thus began, 85 years ago last week, the bloody assault on Vimy Ridge. Those guns have since been silenced, and most, if not all, of those brave men who manned the guns have now passed on. However, the memory of what they did on that day and on the few days that followed is with us still.

In the overall scheme of the First World War, it is easy to underestimate the contribution of the Vimy engagement. The Canadian assault that day was no more than a diversion for the much larger attack by the French forces to the south at Reims and Soissons and by the British forces at Arras. The offensive quickly stalled, and the breakthrough that they were seeking would not come for another 15 months.

Judged on its own, the assault at Vimy was a remarkable achievement that marked a turning point in Canadian history. Indeed, for the first time in battle, all four divisions of the Canadian corps acted together as a single fighting force.

In many respects, the assault at Vimy represents our coming of age as a nation. What a remarkable achievement it was.

[Translation]

During World War I, Vimy Ridge was a vital stronghold in the German defence system. The Germans had held this position since 1914, in spite of many assaults. In 1915, more than 130,000 French soldiers were killed or injured while trying to capture the ridge.

Canadians arrived in the fall of 1916 and spent the war's coldest winter meticulously developing the planning and training required to take Vimy Ridge.

[English]

The planning was so fine that Private Donald Fraser who took part in the assault would write later in his diary,

...when the actual test came I had absolutely no difficulty in making for my objective without the least deviation. Everything loomed up as clear as crystal — the wire, the roads, the village, the cemetery, the separate woods and the railway embankment beyond.

The lion's share of the fighting was done by noon on April 12, and Vimy Ridge was fully secured by April 14. While the Canadians suffered casualties by the thousands, including 3,600 killed, that casualty rate was considered low relative to those suffered in similar battles of the Great War.

Indeed, honourable senators, the father of our colleague Senator Atkins was one of those who fought and survived the horrors of Vimy ridge, although he was later wounded three times during his service overseas.

[Translation]

Honourable senators, it is for good reason that the assault on Vimy Ridge is considered the single most important battle fought by Canadians in the 20th century. Its name is synonymous with heroism and sacrifice. These qualities deserve to be mentioned today, as our armed forces are again being deployed for an overseas combat mission and are carrying out their duties with honour.

[English]

SEARCH AND RESCUE

COORDINATION BETWEEN AGENCIES TO IMPROVE METHODS

Hon. Gerry St. Germain: Honourable senators, I rise today to bring to the attention of the Senate the request and suggestion that the time has come to once again review our search and rescue capabilities in this country. I will briefly recount an unfortunate aviation accident that occurred in British Columbia.

On March 2, 2000, pilot and World War II veteran pilot Herb Brown departed the Langley airport on a short flight to Chilliwack, B.C., a flight that normally took 30 minutes. The plane encountered bad weather, and it disappeared. Later that day, Mr. Brown and his plane were reported missing. Search and rescue forces searched for six days but did not find a trace of the plane.

The case was turned over to the local police and filed as a missing persons case. With no positive search results, Mr. Brown's son, Ron Brown, a retired Vancouver police officer, realized that the only way his father would be found was by continuing the search on behalf of the family, himself. The *Vancouver Province* summed up the efforts of Ron Brown as follows:

In July 2002, after a month-long battle with NAVCANADA, Ron Brown finally got his hands on the tape recordings of his father's final words to the control tower and of the ELT transmission from the downed airplane.

After careful analysis of the tapes, the search area was narrowed down considerably and thousands of leaflets were distributed to homes in the target area. Shortly thereafter, on September 2 last year, some residents who had seen the leaflets found the plane on a hillside near a trail.

Honourable senators, I left out much of the detail of the 17-month search for Herb Brown. I have raised the case because something needs to be done. We must review how search and rescue activities are done in this country. In this case, NAVCANADA refused to hand over the voice and ELT tapes for the searches by the RCMP and Mr. Brown.

The Transportation Safety Board only gets involved once a plane is found. It is not involved during the active search or investigation. The National Search and Rescue Secretariat, Transport Canada, NAVCAN, TSB and the RCMP are not to blame. Each agency followed its procedures.

I do not believe a lack of financial resources is the culprit either. Ron Brown spent \$20,000 to find his father. The search and rescue effort cost taxpayers \$1.2 million. Mr. Brown approached

me with many concerns relating to the lack of investigative experience of the agencies involved in the search. In this case, key evidence was avoided and not questioned. Expert examination of the tapes was not undertaken.

Honourable senators, a message must be sent to the government to better coordinate the current agencies or to create a comprehensive integrated agency that uses all available resources and sees each search and rescue effort through to a proper conclusion. I believe that the Standing Senate Committee on Transport and Communications should consider, at the earliest opportunity, means to improve the search and investigative methods used in search and rescue exercises in this country.

• (1440)

ROUTINE PROCEEDINGS

CANADIAN HUMAN RIGHTS TRIBUNAL

REPORT TABLED

The Hon. The Speaker *pro tempore*: Honourable senators, I have the honour to table the report of the Canadian Human Rights Tribunal for the year 2001, pursuant to the Canadian Human Rights Act, SC 1998, chapter 9, paragraph 61(4).

[Translation]

YUKON LAND CLAIMS AGREEMENT, ANNUAL REVIEW 1999-2000

REPORT TABLED

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the 1999-2000 annual report, *Yukon Land Claims Agreement*.

[English]

CANADIAN CHARTER OF RIGHTS AND FREEDOMS

NOTICE OF MOTION IN RECOGNITION OF TWENTIETH ANNIVERSARY

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I give notice that on Wednesday, April 17, I will move:

That the Senate take note of the twentieth anniversary of the Canadian Charter of Rights and Freedoms.

HER MAJESTY QUEEN ELIZABETH II

CONDOLENCES ON PASSING OF QUEEN ELIZABETH, THE QUEEN MOTHER—MESSAGE FROM SENATE AND COMMONS—MOTION ADOPTED

The Hon. the Speaker *pro tempore*: Honourable senators, I have the honour to inform the Senate that a message has been received from the House of Commons, which reads as follows:

RESOLVED — That a humble Address be presented to Her Majesty the Queen in the following words:

TO THE QUEEN'S MOST EXCELLENT MAJESTY:

MOST GRACIOUS SOVEREIGN:

We, Your Majesty's dutiful and loyal subjects, the Commons of Canada, in Parliament assembled, approach Your Majesty with the expression of our deep and heartfelt sorrow at the demise of Her Majesty Queen Elizabeth, the Queen Mother.

We mourn the loss of Her Majesty whose kindness, graciousness and influence for good over so many years won the love, respect and admiration of us all, and there has come to each of us a sense of personal bereavement which, we say with all possible respect and duty, makes Your Majesty's sorrow our own.

We pray that the God of consolation may comfort Your Majesty and the members of the Royal Family in your bereavement, and that Your Majesty may long be spared to continue the eminent public services of your great predecessors.

ORDERED — That the said Address be engrossed; and

That a message be sent to the Senate informing their Honours that this House has passed the said Address and requesting their Honours to unite with this House therein.

ATTEST

The Clerk of the House of Commons
William C. Corbett

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I move, seconded by the Honourable Senator Lynch-Staunton:

That an humble Address be presented to Her Majesty the Queen in the following words:

To the Queen's Most Excellent Majesty:

Most Gracious Sovereign:

We, Your Majesty's dutiful and loyal subjects, the Senate of Canada, in Parliament assembled, beg leave to express our deep and heartfelt sympathy in the great sorrow which Your Majesty has suffered by the demise of Her Majesty Queen Elizabeth The Queen Mother, and to offer to Your Majesty our most sincere condolences.

The affection in which the people of Canada held Her Majesty was inspired by Her Majesty's selfless devotion to public service to the Commonwealth and to Canada in particular. Her Majesty's attachment to Canada was manifested in Her service as Colonel-in-Chief of three Canadian regiments, Her patronage of a variety of Canadian charities and other organizations, and Her many visits to Canada beginning with her visit in 1939, when she accompanied his late Majesty King George VI.

We assure Your Majesty that Canadians will ever hold in affectionate and grateful remembrance the love which Queen Elizabeth inspired in all peoples of this land. Our prayers for Queen Elizabeth, and for the Royal Family, are joined with those of all Canadians.

That the said Address be engrossed;

That the Honourable the Speaker of the Senate do sign the said Address to Her Most Excellent Majesty the Queen on behalf of the Senate, and that the said Address be presented to Her Excellency the Governor General by the Honourable the Speaker of the Senate; and.

That a message be sent to the House of Commons to acquaint that House that the Senate has united with that House by adopting the said Address.

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

Senator Carstairs: Honourable senators, I rise today to express our most sincere and heartfelt condolences to Her Majesty Queen Elizabeth, His Royal Highness Prince Phillip, and their children and grandchildren, on the death of the Queen Mother. The passing of Queen Elizabeth, the Queen Mother, marks the end of an era in Great Britain and an important period in Canada's history as well. Over the course of her lifetime, the Queen Mother witnessed enormous changes in the world, many of them tied to Canada's growth from a young nation to its current role as a recognized leader in economic, political and global affairs.

Her Majesty the Queen Mother was witness to historic moments in our century, and sometimes was a part of them, as when she served as the last Empress of India. She was known for her ever-present smile, but she shone most in times of hardship and uncertainty. It was reported in the British press that Hitler considered the Queen Mother his most formidable female enemy, a remarkable achievement and inspiration for women around the world.

Although she belonged to an era when women's roles were more circumscribed than they are today, the Queen Mother broke through the limitations and expectations people held of her. She became an unconventional woman in the best possible sense of the word, while always maintaining the dignity of her office and the people she represented.

She had a special and genuine sympathy for people who lived with adversity, whether they lived under the heavy wartime bombing experienced in the East End of London or under the harsh economic conditions of her ancestral home in Scotland. Her ability to identify with personal loss and provide encouragement made her an important symbol to her nation and admired by people beyond its borders.

[Translation]

During her lifetime she sustained a number of personal losses, among them her brother, during World War I, her husband, King George VI, and recently her daughter, Princess Margaret.

[English]

Any life of such longevity and so full of experience, both majestic and common, would be marked by loss. However, the Queen Mother was able to triumph over her sorrow and to share the joy of life with those she encountered.

[Translation]

She always made an effort to put people at ease and was known for her great sense of humour.

[English]

She will be remembered for her ability to make people feel the universality of our human experience and for her ability to understand their thoughts and emotions, their hopes and fears, no matter what their life circumstances might be.

The Queen Mother was commended for her heroism in refusing to move to Canada during the Second World War. However, Canadians know that her determination to remain was not a slight on their country, for she expressed her admiration of Canada many times on her numerous visits here. Her sense of duty kept her where she was.

I have to say, on a personal note, that my husband was one of those little boys in those East End bombings in 1939 and 1940. We have pictures of him going back and forth with his gas mask to his school. He remembers the Queen Mother and he remembers her fondly. Indeed, the only song that I think John knows the entire words to is "There'll always be an England."

Her Majesty the Queen Mother, together with King George VI, toured across this country in 1939. In subsequent visits she visited Edmonton, Toronto and London. She presented the Queen's Colour to Maritime Command in Nova Scotia. She toured the Atlantic provinces for their centennial celebrations and attended the 120th running of the Queen's Plate. In 1989, she was warmly received in Ottawa on a tour celebrating the 50th anniversary of the visit she had first made with her husband.

The Queen Mother's patronage will be sorely missed by the 350 organizations over which she presided, including that of Colonel-in-Chief of the Toronto Scottish Regiment (Queen Elizabeth the Queen Mother's Own). Canadians, too, will miss her. Her irrepressible interest in life and her sincere concern for others will continue to serve as a model for all of us. Her life was a life of service, and for that she has earned the admiration of each and every one of us.

• (1450)

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, it gives me pleasure to associate myself with the Leader of the Government in the Senate by seconding the humble address to Her Majesty the Queen following the death of the Queen Mother. Since her passing on the Easter weekend, people from around the world, touched by her remarkable life, have taken the opportunity to reflect on what the Queen Mother meant to them, personally. World leaders have spoken of her grace, charm, commitment to service and, of course, her courage shown to all, ally and foe alike, which she exemplified during World War II. Perhaps Dr. George Carey, the Archbishop of Canterbury, best expressed the reasons for this outpouring of emotion in his sermon a week ago when he stated:

Like the sun, she bathed us in her warm glow. Now that the sun has set and the cool of the evening has come, some of the warmth we absorbed is flowing back towards her.

I can think of no more fitting tribute to the Queen Mother than to take the event of her death, the outpouring of love from all over the world, and put it in the larger context of world events. We as human beings are capable of acts of love, but also, sadly, of great acts of hatred, and ironically these share the world stage. Since September 11 of last year, we have witnessed a dramatic change in how we view nations and people differently from that of mainstream life in North America. We have been witness to and participants in the war in Afghanistan, and with each passing day we learn of further deaths in the Middle East as the conflict there has escalated to a point unimaginable only a few months ago.

The juxtaposition of these events should prompt us to wonder aloud why the love and affection shown to one person in death as in life cannot be broadened to all of our fellow human beings. It is not that we are not capable of such love. The support shown to the Royal Family and the tributes of people from all walks of life demonstrate this human emotion. Why can the same consideration, the same feelings of love and support for our fellow man and woman, not be demonstrated in the difficult times we are witnessing in the Middle East, Afghanistan and elsewhere in the world, where fear, loathing and hatred seem to be the dominant emotions?

If we are to learn from the past, and from great figures in our past, we should be able to learn from the faithfulness, courage and deep affection for people everywhere that the Queen Mother demonstrated in her long public life. Canadians should build on the qualities that she had in such abundance as we deal with our fellow Canadians and all peoples in our global community. The qualities possessed by the Queen Mother should not die with her but be taken up by each and every one of us to attempt to bring healing to our world, which is so manifestly troubled at the beginning of this new century. If each of us is able to do that in some small way, it will mean that her values, so eloquently spoken of by so many, will live on in all of us as a lasting tribute to a life so fully lived.

[Translation]

Hon. Marcel Prud'homme: Honourable senators, as a French Canadian from Quebec, I have never been afraid to describe myself as a monarchist. It is up to Canadians to decide on the political system they wish to espouse.

I was somewhat saddened by the debate that was held in the House of Commons. One political party refused to join in the motion for unacceptable reasons. I find the tenor of the debate in the House of Commons regrettable.

I have no difficulty whatsoever in backing all that has been said by Senator Carstairs and Senator Lynch-Staunton. I would just like to see the English version correspond more closely to the French. I thank Senator Robichaud for having provided us with a copy.

The English term "engross" is very old-fashioned. In the dictionary, I find it goes back to the Middle Ages. A different term could be found. The last paragraph reads:

[English]

We assure Your Majesty that Canadians will ever hold in affectionate and grateful remembrance the love of which...

[Translation]

For proper understanding, we ought to do as in the first paragraph:

[English]

...Queen Elizabeth, the Queen Mother, inspired in all its people.

[Translation]

I do not know which version you prefer. I like the French version. Without putting forward another motion in the Senate, someone could perhaps consider this suggestion. We must make sure that both versions are the same.

I wish to thank Senator Carstairs and Senator Lynch-Staunton for their excellent address to Her Majesty, which avoided any unfortunate debates, such as the one that took place in the House of Commons, where they stuck to the old tradition and the old "humbly submit" wording.

Once again, although we are a very noble institution and attached to all our traditions, the Senate has demonstrated its avant-gardism. The House of Commons should consult authorities from all parties. This unfortunate and completely unacceptable debate initiated by the Bloc Québécois, which hijacked the debate, would have been avoided. I know Quebec's French Canadians. They all agree that this was a royally remarkable woman. If there is a need for a debate on the monarchy in Canada, fine, but to point a finger at people in other countries struck me as completely wrong.

I am pleased to be a part of this litany of praise. Senator Carstairs and Senator Robichaud — who kindly provided us with this copy — should give us this assurance.

[English]

I can see by the honourable senator's signal to me that, indeed, they will re-evaluate how we can make beautiful two copies of the same message.

Hon. Anne C. Cools: Honourable senators, I join with all senators in this address to pay tribute to our dear departed Queen Elizabeth The Queen Mother, and also to convey my heartfelt good wishes to her daughter, our Queen, Her Majesty Queen Elizabeth II, and to all the members of the Royal Family.

On April 9, I attended our own commemorative service for Queen Elizabeth The Queen Mother at Ottawa's Christ Church Cathedral. It was a fitting service, and one that the Queen Mother deserved. It was officiated by Bishop Peter Coffin and attended by the Governor General, Adrienne Clarkson.

Honourable senators, the Queen Mother lived a long and excellent life. Her journey was an abiding source of inspiration for millions. I had the honour and pleasure of meeting her in 1993, when she received a Canadian delegation — of which I was a member — at her London home, Clarence House. For me, that visit was a treasured and memorable moment. Her Majesty, Queen Elizabeth, the Queen Mother, showed us around Clarence House herself, conversing with us with affection about her memories of her famous Canadian visit in 1939 with her husband, King George VI.

Honourable senators, that particular visit in 1939 was conceptualized and actuated by Prime Minister William Mackenzie King and Winston Churchill as, first, a visit to Canada, and also to effect a meeting and dialogue with the then President of the United States, Franklin Delano Roosevelt. Mackenzie King and Winston Churchill believed that King George VI was the only man in the world who could persuade the American president of the true danger pending in Europe with Adolf Hitler. Honourable senators, it is small wonder that Hitler would think that Queen Elizabeth the Queen Mother was the most dangerous woman in the world. I would submit that any woman who is so loving, determined, zealous and committed to country, family and God would be a danger to certain individuals.

• (1500)

Honourable senators, in saying "goodbye," I again extend to Her Majesty Queen Elizabeth, our Queen, my deepest sympathy, my support, my affection and my prayers in her loss. I should like to say that I send the same to all the Royal Family, in particular to His Royal Highness Prince Charles, her first grandson. A more faithful friend than Queen Elizabeth, the Queen Mother, no country, no world, no family has ever had.

Hon. John Buchanan: Honourable senators, with great enthusiasm and pride, I support the motion of the Leader of the Government in the Senate.

When you have the great privilege of meeting the Queen Mother, as did I, you know that you are in the presence of royalty, but you also know that you are in the presence of a wonderful, warm and dignified human being.

I met the Queen Mother for the first time in London, in 1978, when I, as Premier of Nova Scotia, and the late Gordon Archibald, who was President of the International Gathering of the Clans, visited the Queen Mother at Clarence House in London. We had lunch with her and discussed the Gathering of the Clans in 1979 in Halifax and also the opening of the first International Tattoo in Halifax in 1979. The Queen Mother graciously accepted our invitation to open both events.

I fondly remember her during her three and one-half day visit to Halifax. My wife and I had the great privilege and honour of entertaining her over that period of time during what are called the "walk-about," as well as at various dinners at Government House and a provincial dinner that we tendered to her.

One remembers things that happen that are unique to a person like the Queen Mother. I remember sitting at the head table with her at the Nova Scotian Hotel, where she discussed two things with me. The first was the fact that she was Scottish and that she knew that I was John MacLennan MacLeod Buchanan, a Scot. She knew the history of the Scots in Nova Scotia and discussed it with me.

She then wanted to know what was going on off the shore of Nova Scotia with respect to the discovery of oil and gas, which surprised me. She likened it to what was going on in the North Sea. She wanted to know when the natural gas and/or oil would be coming ashore to Nova Scotia. I hastened to tell her that I hoped it would come ashore during my term as premier. It was interesting that she wanted to know where the drilling was taking place. I remember asking one of the waiters to bring a piece of paper to me. All he had was a napkin, but it was a firm napkin. I drew a picture of Sable Island for her, where the rigs were drilling, how far it was to bring the pipeline to Guysborough County, and then where the pipeline would be going through Nova Scotia and into the United States. She looked at me and said, "Would you mind very much if I take that with me?" There I was, with the Queen Mother, and she took this napkin, folded it up and put it into her purse.

I have a number of pictures on the wall in my office. I wish honourable senators would come over and look at them because they are wonderful. Two of them were printed in the *Halifax Herald* and the *Halifax Daily News* just a week and one-half ago. One of them is of my wife and I at the provincial dinner. The other is a picture of Gerry Regan and I with the Queen Mother in the Red Room at Province House. There is another interesting picture there of the Queen Mother and I sitting at this dinner in Halifax, and I am holding the piece of paper that I was using to explain where the gas and oil exploration was taking place. I have that picture and other pictures.

The Queen Mum was the kind of person one would never consider would die. When it happened, it was unbelievable that she had passed on. We would never have thought that it would happen to her.

Honourable senators, the Queen Mother is a person we will never forget. There is no question that she was a woman of great dignity, integrity, intelligence, poise and courage, and that continued right until her death. She had the kind of smile that one never forgets. The smile was always there on her face. One knew, when one was talking to her, that she enjoyed people when she was speaking with them. She loved people to answer the questions that she asked. She took a tremendous interest in everything that was going on around her. Indeed, she was genuinely interested in what people had to say, and we visited with her for a number of days in Halifax.

Memory is a great thing, honourable senators. Sometimes a person's memory is revived by an event. While I was watching television a day or so after the death of the Queen Mother, the CBC played tapes of her visit to Nova Scotia. One of them revisited her arrival at the Metro Centre in Halifax. Perhaps Senator Kirby was there and perhaps Senator Forrestall was there. Elmer MacKay and I and the late Gordon Archibald were there on the platform, and the convertible car —

The Hon. the Speaker pro tempore: Honourable Senator Buchanan, I am sorry to interrupt.

Senator Buchanan: I could not be finished already.

The Hon. the Speaker pro tempore: I should like to draw the attention of honourable senators to rule 23(7) on page 26 of the *Rules of the Senate*, which deals with when items are to be called in our order of business. The rule states that after 30 minutes, we should go to Question Period.

I need unanimous consent to allow Honourable Senator Buchanan to continue, or I must call for Question Period. Is it agreed, honourable senators?

Hon. Senators: Agreed.

The Hon. the Speaker pro tempore: Please continue, Honourable Senator Buchanan.

Senator Buchanan: The convertible drove around the Metro Centre, and Gordon Archibald and I went down and escorted the Queen Mother to the platform. I watched that on television a week and one-half ago, and it revived for me the whole time that she was in Halifax — a time that will never be forgotten in Nova Scotia.

I saw the Queen Mother again in 1989 when I was in Scotland. My wife and I stayed at Holyrood House. It was a great honour to stay there. We were there for the Gathering of the Clans in Edinburgh, and the Queen Mother was in Scotland at the time. She came to Holyrood House to see us. I often think back and remind myself that the Queen Mother came to Holyrood House to visit with the late Gordon Archibald and myself.

• (1510)

Honourable senators, I am greatly honoured to wholeheartedly support this motion.

[Translation]

Hon. Laurier L. LaPierre: Honourable senators, I rise to add my voice to the condolences being addressed to Her Majesty the Queen following the death of the Queen Mother. I support the humble address of the Senate and the House of Commons to the British Royal Family.

[English]

I, of course, have no stories. I am only a simple habitant from the borders of the Beauce. Consequently, I have not been able to reach the halls of greatness. Therefore, my only memory of the Queen Mother is from when I attended the convent of Disraeli when I was a boy. We were marched to the railway station by the nuns to watch the train go by. We waited for hours for it to arrive. It never stopped. We saw a woman waving and waving, and then she was gone.

Even though, as a journalist, I encountered the Queen Mother on her many voyages to Canada, attending functions at which I shook her hand, my stories are insignificant compared to those of Senator Buchanan and Senator Cools.

I hope that the expressions that have been made here today will survive the tests of time and history. As you know, history is constantly being rewritten and personages are constantly being re-evaluated. I hope that will not happen to this remarkable person.

[Translation]

Honourable senators, this death represents the beginning of new challenges. An era has come to an end and Canada now has an opportunity to analyze its relations with the British Royal Family and its own Constitution.

[English]

It is a good opportunity because with every death there is always rebirth, and the rebirth shall begin.

[Translation]

I thank Senator Carstairs and Senator Lynch-Staunton for their remarks and for this important motion, which we will be adopting unanimously.

[English]

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

Motion agreed to.

The Hon. the Speaker

[Translation]

BILL TO AMEND CERTAIN ACTS AND INSTRUMENTS AND TO REPEAL THE FISHERIES PRICES SUPPORT ACT

FIRST READING

The Hon. the Speaker *pro tempore*: informed the Senate that a message had been received from the House of Commons with Bill C-43, to amend certain acts and instruments and to repeal the Fisheries Prices Support Act.

Bill read first time.

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

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

[English]

CANADA-UNITED KINGDOM INTER-PARLIAMENTARY ASSOCIATION

MEETING OF FEBRUARY 10-16, 2002— REPORT OF CANADIAN DELEGATION TABLED

Hon. Donald H. Oliver: Honourable senators, as the founding co-chairman with Peter Milliken of this association, I have the honour to table in the Senate, in both official languages, a report of the Canada-United Kingdom Inter-Parliamentary Association concerning the delegation that visited London, Edinburgh and Cardiff from February 10 to 16, 2002.

STATISTICS ACT NATIONAL ARCHIVES OF CANADA ACT

BILL TO AMEND—NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO EXTEND DATE OF FINAL REPORT

Hon. Michael Kirby: Honourable senators, I give notice that on Wednesday next, April 17, 2002, I will move:

That, notwithstanding the Order of the Senate adopted on March 25, 2002, the Standing Senate Committee on Social Affairs, Science and Technology, which was authorized to examine and report on Bill S-12, An Act to amend the Statistics Act and the National Archives Act of Canada (census records), be empowered to present its final report no later than June 6, 2002.

CRIME AND VIOLENCE

NOTICE OF MOTION TO STRIKE SPECIAL COMMITTEE

Hon. Anne C. Cools: Honourable senators, pursuant to rules 56(1) and 57(1)(d), I hereby give notice that on Thursday next, April 18, 1992, I shall move:

That a Special Committee be appointed to examine the questions of crime and violence in Canada, and their prevention, including the processes of criminal charges, plea agreements, sentencing, imprisonment and parole, with special emphasis on the societal and behavioural causes and origins of crime, and on the current developments, pathologies, patterns and trends of crime, and on the consequences of crime and violence for society, for Canadians, their families, and for peace and justice itself;

That the Special Committee have the power to consult broadly, to examine the relevant research studies, case law and literature;

That the Special Committee shall be composed of five senators, three of whom shall constitute a quorum;

That the Special Committee have the power to report from time to time, to send for persons, papers and records, and to print such papers and evidence as may be ordered by the Committee;

That the Special Committee have the power to sit during the adjournment of the Senate;

That the Special Committee have the power to retain the services of professional, technical and clerical staff, including legal counsel;

That the Special Committee have the power to adjourn from place to place within Canada;

That the Special Committee have the power to authorize television and radio broadcasting of any or all of its proceedings; and

That the Special Committee shall make its final report no later than two years from the date of the committee's organizational meeting.

For example, the Auditor General points out on page 24 of her report that Vote 5 was used last year to authorize a \$50 million grant to establish the Sustainable Development Fund, one of many agencies at which the Auditor General also takes aim in this report.

Can the Leader of the Government advise this house of her government's definition of "a minor and unforeseen expense"? In what way did this expenditure qualify as the kind of outlay that does not require a specific vote or at least a proper explanation in the Estimate documents that precede a supply bill?

• (1520)

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, as the honourable senator knows, the government, like the honourable senator, received the Auditor General's report today. As they do with all reports of the Auditor General, they are examining it carefully and welcome the changes and recommendations that the Auditor General has made.

In terms of the actual use of Vote 5, the government believes that it acted appropriately.

I note that the honourable senator made reference to Vote 5 being used to create the Sustainable Development Technology Fund, but he did not make reference to the \$95 million in grants to the airline industry as a result of the clearly unforeseen incidents on September 11. Clearly, that was a substantial sum of money. However, a response was needed quickly and Vote 5 was used.

I can assure the honourable senator that the observations of the Auditor General will be given every consideration.

Senator Kinsella: Honourable senators, the minister raises the emergency payment of \$95 million made to the airlines as compensation for the damages suffered as a result of the tragedy of September 11. The Auditor General gave some focus to that. It is the Auditor General who questions whether or not that type of payment, even though it was an emergency payment, fits within the purview of Vote 5.

Honourable senators, does the government not take the view that is taken by the Standing Senate Committee on National Finance, which view has been expressed over the years and reviewed in this report by the Auditor General? For example, in 1986, in its third report, the Standing Senate Committee on National Finance took the view that urgent expenditures of a miscellaneous nature are not to be drawn from those funds. The committee's view was that Vote 5 is only for miscellaneous minor expenses.

Does the government have a view as to the Senate's position that Vote 5 is really for minor expenditures? There are rulings from the Speaker in the other place that deal with the issue of expenditures being sought before legislation is actually enacted. However, I think this matter speaks to the fundamental principle of parliamentary oversight.

QUESTION PERIOD

TREASURY BOARD

AUDITOR GENERAL'S REPORT— USE OF CONTINGENCY VOTE 5

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, I have a question for the Leader of the Government in the Senate. We now have before us the report of the Auditor General of Canada dealing with other audit observations, or Chapter 8. In this report she has raised serious questions about the way in which the government is using money voted for Treasury Board contingencies. In particular, I refer to Treasury Board Vote 5, contingencies, which, as honourable senators will recall, is supposed to fund miscellaneous, minor and unforeseen expenses. We are advised by the Auditor General that, instead, that vote is being used to authorize some grants that are anything but minor.

Does the Leader of the Government in the Senate have a view as to this matter?

Senator Carstairs: Honourable senators, I wish to tell the honourable senator that the Treasury Board Secretariat maintains that its use of Vote 5 is entirely within the law. Having said that, the Auditor General has made some significant comments, and those significant comments must be examined. The government will do just that.

THE SENATE

OATH OF ALLEGIANCE TAKEN BY SENATORS

Hon. Lowell Murray: Honourable senators, will the Leader of the Government in the Senate tell us whether there has been any amendment to the wording of the Oath of Allegiance taken by honourable senators?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, not to my knowledge.

Senator Murray: The minister may have heard a few minutes ago, as I clearly heard sitting here, our new colleague, Senator Lavigne, whom I welcome to the Senate —

[Translation]

— pledge allegiance to Her Majesty Elizabeth II by adding “and to Canada.”

[English]

The minister will be aware that this is an amendment to the Oath of Allegiance and that the Oath of Allegiance is prescribed in the Constitution Act. I would like the minister to obtain assurances that it does not lie with an honourable senator to amend the Oath of Allegiance as he or she utters it. If that were the case, it would become like one of those modern marriage ceremonies where the bride and groom make up their own vows.

Senator Carstairs: Honourable senators, it is interesting that the honourable senator would raise the last comparison because I remember a very old priest who married my husband and me asking if I wished to take the oath of obedience, at which point, of course, I absolutely refused.

In terms of adding extra words to the Oath of Allegiance, I will look into this matter because I think the honourable senator raises a significant point on the issue.

As far as I know, the Oath of Allegiance has not been changed. We seem to have had some extra words added today. Whether those extra words are part of the actual Oath of Allegiance or whether they were just additional words added by the honourable senator, I will find out if it has been appropriately done.

[Senator Prud'homme]

Senator Murray: Honourable senators, perhaps my friend would like to take counsel with the Law Clerk as to the oath that was taken today. She will see, as we all will, the danger of improvisation. Another honourable senator might decide to swear allegiance to Her Majesty the Queen and to his or her spouse and children, or to the republic of Madawaska or to Opus Dei. We had better find out the status of the oath taken today.

Senator Carstairs: Honourable senators, I agree with the honourable senator. I will try to get an answer to him as quickly as possible.

Hon. Marcel Prud'homme: I should like to remind honourable senators that when I was sworn into this place I swore allegiance to our gracious Queen, Queen Elizabeth II, and I added the words, “Queen of Canada.” I did so because to me it is very important.

The fact that Senator Lavigne may have said — and we will check the record first — “and to Canada” illustrates his feeling about Canada. Knowing the honourable senator, I can assure honourable senators that he is quite a federalist. Perhaps, in the future, we will decide that it is a good proposal to say that everyone who sits in the House of Commons or in the Senate should swear allegiance to Canada. It may be quite embarrassing for some members. That is just a suggestion.

Senator Carstairs: Honourable senators, I thank the honourable senator for his suggestion. Of course, we would not want Senator Lavigne sworn in an inappropriate fashion that would, in any way, jeopardize his role here in the Senate —

Senator Kinsella: Such as his vote.

Senator Carstairs: As Senator Kinsella has pointed out, we would not want to have his vote jeopardized.

NATIONAL DEFENCE

AUDITOR GENERAL'S REPORT— RECRUITMENT AND RETENTION OF PERSONNEL

Hon. J. Michael Forrestall: Honourable senators, my question is for the Leader of the Government in the Senate. It concerns the Auditor General's report which makes clear where this government's defence priorities lie. The effective strength of the Canadian Forces in September 2001 was 52,300 men and women.

As we know from testimony given to the Standing Senate Committee on National Security and Defence, the government has, to some degree, overstuffed military communications research capacity, no doubt to spin the Challenger problems. The Canadian Forces are understaffed in intelligence specialists during a period when we are waging war against terrorism.

• (1530)

Starting as soon as possible because this is an urgent matter, what steps will the government take to bring the Canadian Forces up to its full authorized strength?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, as the honourable senator has indicated, the Auditor General had clear concerns about the issue of recruitment and, perhaps more important, the retention of armed services personnel, particularly in certain specific areas. He has identified one area, but others include key fields such as engineering, dentistry, medicine, and weapons technicians. He has also identified the fact that even when the armed services acquire these individuals, they seem not to be able to maintain them within the service.

As honourable senators know, there has been enunciation of a new policy. The Auditor General has concerns that it has unfortunately not been put into force and practice, and that its full extent will not be achieved until 2004. We therefore need to monitor the situation very closely and to keep our armed services at a very high level.

The concern seems to be that although we are recruiting, we are not recruiting necessarily in the areas where we most require personnel. As with other recommendations of the Auditor General, the government will, of course, look into this matter seriously. However, to be fair, I know this is already a concern of the Minister of Defence, who hopes to move quickly on this particular issue.

Senator Forrestall: Honourable senators, over the years we have paid bonuses to retain pilots. It is very costly to train these men and women. We tend to overlook the growing sophistication of training for armament specialists. Perhaps we should be paying them the \$25 to \$35 per hour that they could command if they were working in private industry.

The normal attrition rate for a military unit is 7 per cent. The attrition rate for non-commissioned members in the infantry, according to the Auditor General's report, is more than 20 per cent a year. That is three times higher than the normal attrition rate.

Can the Leader of the Government advise whether the government is planning any steps to ensure that our combat units are at their full and most effective strength?

Senator Carstairs: Honourable senators, let me thank the Honourable Senator Forrestall for his suggestion with respect to bonuses. It is a suggestion that I will put forward to the Minister of National Defence.

In terms of the specific failure of the armed forces to retain troops, which the honourable senator has very correctly indicated, it differs between 7 per cent and 20 per cent. This is an issue that the military itself has identified and which it hopes to take steps very quickly to improve.

Senator Forrestall: Honourable senators, the point of the question was that this matter goes back to 2001. We are halfway through 2002. The question is, essentially, when will we take serious note of the Auditor General's work and comments? Time is running out.

Senator Carstairs: Honourable senators, the armed services have been quite successful in bringing in new troops, but there seems to be a gap in the middle range age of troops. Those are the ones who are not recommitting to signing up. Those are the ones whose problems need to be identified, whether the issue is one of salary or of leadership. Those are the issues on which the minister is now concentrating in order to make that appropriate retention.

INTERNATIONAL TRADE

ISRAEL—FREE TRADE AGREEMENT— REQUEST FOR SUSPENSION

Hon. Marcel Prud'homme: Honourable senators, it would be unthinkable for me, after returning from some days off, not to raise any questions with regard to the extremely sad situation that we see developing before our eyes in the Middle East. I will be quiet and direct, and make a concrete proposal, as I intend to call for a debate tomorrow. Honourable senators may recall that we signed a free trade treaty with Israel. The argument used then was that such a treaty would be a sign of encouragement. I remember the details very well. It is a sign of encouragement between Prime Minister Chrétien and Mr. Rabin. However, when the time came for it to be put to a vote here, Mr. Rabin was no more and, unfortunately, his successor was not one who would have made a deal that is so good for both Canada and Israel.

If I remember, the vote was 49 to four, with approximately 50 abstaining or being absent. It was a sign of encouragement. This is very important, and I do not need an answer today, but the agreement was supposed to be extended to the Palestinians. In order to get the maximum vote possible in the Senate, we were told that it was not only to achieve free trade with Israel but also to bring immense benefit to the Palestinians.

My question and suggestion to the Leader of the Government is: Would she ask the government to consider whether or not the time has come to take dramatic action to show where Canada stands, by either suspending the effects of the free trade agreement or recalling our Canadian ambassador? I would not ask to sever the relationship, but to recall our Canadian ambassador would be to send a signal for consultation and to take a little more active role.

As you have noticed, we danced a tango: one step backward, one step forward. We voted in Geneva. I will finish on this point. Once we voted with the Marshall Islands alone against the world. I like the Marshall Islands; I would like to see its geography. Now I believe we are making progress in foreign affairs: we are now voting alone with Guatemala — which may be a step higher up, I do not know. However, I understand why we did it. I understand that we have to give in on one side in order to make it tougher on the other side.

Honourable senators know I do not like pressure. I vote for what is in the interests of Canada. I take no marching order from any other country.

Would the Leader of the Government consider a dramatic gesture? Before going to the ultimate dramatic gesture, would she inform the government that I have been asking this question, and come back with an answer in due time, since the issue is very complicated? There are provisions in the free trade agreement that we could use.

My submission to the Leader of the Government in the Senate is that we should consider sending a strong message in light of the calamity taking place before us on television. Canada could do this in order to send signals, to show where we stand. Either recall our ambassador for further consultation, which is a signal in diplomacy, or temporarily suspend the effects of the free trade agreement.

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, the honourable senator has made proposals, but they are not ones with which I concur. As I take to my colleagues everything that is suggested in the Senate, I will likewise bring forward the honourable senator's suggestions, but I must be very clear that I would not recommend such activities. I do not think that either suspending the free trade agreement or recalling the Canadian ambassador for consultation, which would be actions against one side in this conflict, would be in the best interests of the entire process taking place in the Middle East at the present time.

FOREIGN AFFAIRS

CONFLICT IN ISRAEL

Hon. Pierre Claude Nolin: Honourable senators, may I ask the Leader of the Government to tell us what her government is planning to do?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, as the honourable senator knows, the United States has made a proposal for a regional peace conference. We certainly will support that initiative. We think it is a positive development. We stand ready to assist the cause of peace in any way we can. However, as to taking specific action at this point, we do not think that that is in the best interests of the situation.

Senator Nolin: Honourable senators, does the government support the proposal made by the Israeli Prime Minister not to have around the table the Chairman of the Palestinian Authority? Does the government support that proposal?

• (1540)

Senator Carstairs: Honourable senators, the proposal, as I see it, would not meet with the proposal subsequently made by the Prime Minister of Israel that if you have a peace conference, you have a peace round table, and all the players must be there.

FINANCE

MERGING OF BANKS FOR PURPOSES OF WORLD COMPETITION

Hon. Donald H. Oliver: Honourable senators, my question is for the Leader of the Government in the Senate. On April 4 the *Financial Post* ran a story concerning the size of Canada's banks and whether they are big enough to compete with the best in the world. According to Moody's Investors Service, Canadian banks are falling behind their U.S. counterparts and competitors in syndicated lending because Canadian bank mergers have not come about. What is current government policy and does the leader expect it to change this year so our banks can merge and become more competitive?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I thank the Honourable Senator Oliver for his question and for notice of the question. Honourable senators, allow me to digress for one moment. The question that Senator Oliver is asking today is of a complex nature, and under normal circumstances I would have had to take it as notice. However, because I was provided with notice, I was able to obtain the information for him.

The government certainly believes that mergers constitute a viable business strategy. The government has issued guidelines that establish a formal and transparent review process for mergers among banks with over \$5 billion in equity. The merger would have to be assessed on its own merits, and the banks would have an important role to play in persuading Canadians that mergers would be in the public interest. However, the policy of the Government of Canada does not prohibit such mergers. We believe that is a decision to be made by the banks, within the guidelines as laid out by the government.

Senator Oliver: I thank the honourable senator for that answer. Moody's claims that a successful lending business requires both a large balance sheet and a solid distribution network. Canadian banks are disadvantaged in both areas because they have not grown relative to the growth of their U.S. peers. As honourable senators know, the comparatively smaller capital basis and earnings of Canadian banks make them more prone to potential concentration risks and more vulnerable to rating downgrades than the big banks south of the border. What policy initiatives is this government considering to help guard against the possibility of our banks being downgraded because of their size?

Senator Carstairs: Honourable senators, allow me to reiterate. Any contemplated merger is the decision of the banks. A policy decision that Canadian banks should merge will not be made by the federal government. The banks must make that decision. Of course, we have put a regulatory and legislative framework together in Bill C-8, which establishes the structure that we think is flexible and which will promote the kind of competitiveness that the honourable senator is obviously seeking for Canadian banks.

[Senator Carstairs]

In the final analysis, it is up to the banks to decide their own business strategies and to make their own business decisions with respect to competitiveness.

AGRICULTURE AND AGRI-FOOD

COST OF CROP INSURANCE

Hon. Leonard J. Gustafson: Honourable senators, my question is to the Leader of the Government in the Senate.

The farmers are about to plant another crop. We have heard a great deal of talk over the last year and one-half about programs that will be in place before spring. The province of Saskatchewan delayed their crop insurance program to April 19 in the hope that there would be a safety net in place to alleviate some of the difficulties. In fact, in Saskatchewan the Federal-Provincial Crop Insurance Program is worth about one-half of last year's value. Spot hail claims have been removed from the crop insurance and premiums are up. I have been told by many farmers in the past two weeks that we will have to pay twice as much as last year for the hail insurance and the various elements of the crop insurance.

This seems to be headed in the opposite direction to what farmers expected in a very difficult time. As senators from the West know, we have had small amounts of moisture in some areas, but the overall picture is not bright. Is the honourable senator aware of any news from the Department of Agriculture and Agri-Food?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, to my knowledge there is no news to come. However, as the honourable senator is aware, basic rules for crop insurance are decided by the Province of Saskatchewan and not by the federal government. Any changes to the base of protection are made provincially, not federally. The Canadian government has put aside \$195 million for the Federal-Provincial Crop Insurance Program. In response to Senator Gustafson's specific question, I am unable to give him any good news about changes in the status of agriculture policy.

Senator Gustafson: Honourable senators, the honourable senator must be aware that when the federal government shares, they are sharing with the provinces that do not have the means to meet the obligations, whereas Manitoba or Alberta may well have the means to do that. At the same time, of course, it means less money for the federal and provincial governments because they do not have it. Bear in mind that it is the farmers who end up with no insurance. That was a statement rather than a question.

Senator Carstairs: Honourable senators, with the greatest respect, I would agree with the comparison to Alberta but not the comparison to Manitoba. If one were to compare the budgets of Manitoba and Saskatchewan, I would think that one would find Saskatchewan to be better off than Manitoba. In respect of policies, as you know, farmers are treated equally by the federal government because they are Canadian citizens and they are farmers where they are farming. It is not up to the Canadian government to make decisions on the individual budgetary plans of provinces.

INTERNATIONAL TRADE

UNITED STATES—RENEWAL OF SOFTWOOD LUMBER AGREEMENT

Hon. Gerry St. Germain: Honourable senators, my question is also for the Leader of the Government in the Senate and concerns the softwood lumber issue. Has there been any progress on a resolution for the softwood lumber issue? There have been some deliberations, apparently, in respect of a declining tariff. Could the honourable senator elaborate on this for the sake of our constituents and for all British Columbians?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, the deliberations are ongoing but I cannot provide the honourable senator with any specific information because it is not available. I suppose the good news is that there will be a small time gap beginning May 5 when no duties will be imposed. However, clearly, we need to resolve this issue as quickly as we possibly can.

Senator St. Germain: Honourable senators, I understand that the time gap is the result of an error on filing on behalf of the Americans, which is a Godsend to all of the provinces that are producing softwood lumber. I speak for British Columbia, but we are really speaking about several other provinces as well that have been negatively affected by this issue.

Honourable senators, we have the expertise and the experience of people such as Senator Austin and the expert business background of Senator Fitzpatrick and others. Has there been any thought given to establishing a Senate study committee to bring different avenues of expertise and experience to this particular issue? I have suggested other means of bringing in individuals as mediators. I am not speaking from a partisan point of view but rather I am speaking to this issue out of desperation for the more than 20,000 unemployed workers and for towns shutting down. I recently talked to people in Port Hardy and Port McNeill in North Vancouver Island and there is absolute devastation. It is as bad as Senator Rompkey's fishing dilemma a few years ago.

• (1550)

I ask for her leadership in considering a Senate committee because I think that we should utilize the expertise in this place. Senator Austin was a cabinet minister in a previous government, while Senator Fitzpatrick has a deep interest in this issue. What is the reaction of the honourable leader?

Senator Carstairs: Honourable senators, I thank the Honourable Senator St. Germain for his question, but I do not determine what the Senate studies. The Senate determines that, and it is decided by a vote taken in this chamber. I have brought forward his suggestions in the past because I think they have been worthy of consideration.

This file remains an extremely important file for the government and is very high on its agenda. I am sure that senators on this side would lend the benefit of their experience, particularly Senator Austin and Senator Fitzpatrick, to both Mr. Pettigrew and the Prime Minister, on this issue.

[Translation]

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, I have the honour to table in this house responses to two questions. The first is a response to a question raised in the Senate on November 28, 2001, by Senator Kinsella regarding the effect of discharging a firearm on an airplane in flight. The second is in response to a question raised in the Senate on November 28, 2001, by Senator Prud'homme regarding the carriage of firearms by air marshals on flights originating in foreign countries.

TRANSPORT

EFFECT OF DISCHARGING FIREARM ON AIRPLANE IN FLIGHT

(Response to question raised by Hon. Noël A. Kinsella on November 28, 2001)

In the certification of pressurized aircraft Transport Canada considers a variety of failure scenarios. Damage to the fuselage pressure shell is addressed to ensure both the maintenance of the structural integrity and to limit the exposure of the occupants to unsafe pressure altitudes.

These scenarios include penetration of the fuselage pressure shell at maximum operating altitude by projectiles larger than those discharged by a firearm. Although there are hazards associated with some of these scenarios, they are not acceptable in the certification process of the aircraft if they have a catastrophic effect on the aircraft.

On the basis of existing test data and analysis, penetration of the fuselage structure by a discharged firearm is considered by the Aircraft Certification Engineering design specialists in Transport Canada to be considerably less damaging than the aircraft design scenarios presently mandated. Therefore, no further testing is considered beneficial.

Transport Canada has participated in regulatory harmonization activities with other authorities. These activities address security threats, including bomb detonation on board an aircraft at altitude.

Transport Canada has not carried out any specific testing to determine the effects of discharging a firearm through the pressurized fuselage of an aircraft.

We are not aware of any specific firearm tests performed by other authorities, including the FAA.

CARRIAGE OF FIREARMS BY AIR MARSHALS ON FLIGHTS ORIGINATING IN FOREIGN COUNTRIES

(Response to question raised by Hon. Marcel Prud'homme on November 28, 2001)

It is well known that, for the last several years, El Al has had armed officers on board its commercial flights for the protection of its passengers and crew. Some years ago, the Canadian government of the day agreed that these flights would be allowed access to Canadian airports and that El Al would provide its own special security arrangements for its aircraft on the ground. These arrangements continue, but do not include allowing access of armed guards from this or any other foreign airline into the airport terminal.

ORDERS OF THE DAY

BUSINESS OF THE SENATE

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, with respect to Item No. 1 under Government Business, I wonder if the Deputy Leader of the Opposition could tell us when we might hear from the opposition on Bill C-35 and dispose of the bill at third reading?

[English]

FOOD AND DRUGS ACT

BILL TO AMEND—THIRD READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Grafstein, seconded by the Honourable Senator Cook, for the third reading of Bill S-18, to amend the Food and Drugs Act (clean drinking water).—(*Honourable Senator Robichaud, P.C.*)

Hon. Lise Bacon: Honourable senators, in speaking to the third reading of Bill S-18 today, I wish to quote the following from the summary of the bill:

This enactment amends the *Food and Drugs Act* to include water in a community water system as a food subject to federal regulation and approval....

The Act is amended to include any place where water destined to be drinking water is accumulated or collected...it allows for inspection of lands that form part of the watershed area from which the drinking water is taken.

[Senator Robichaud]

We all agree, honourable senators, that safe drinking water is essential to the health and safety of all Canadians. Drinking water is an essential resource and, furthermore, we all expect water to be protected.

Bill S-18 deals with two major issues: first, the nature of water, and second, the provincial and territorial control of water resources.

Honourable senators, we are being asked to change the definition of water from a natural resource to a food. I am profoundly reluctant to deal with changing a definition that for centuries has been an integral part of the traditions, mores, customs, history and science of humanity. Re-establishing the nature of water is an extremely complex task, which I firmly believe goes far beyond the scope of our duties. We are also being asked to agree that if water is food, it is subject to federal regulations under the Food and Drugs Act.

[Translation]

In my opinion, by considering water a food under the definition set out in this bill, the federal government is encroaching on an area of provincial and territorial jurisdiction. We in Canada have the good fortune to have water resources that are unequalled elsewhere. Canada has vast water resources, the quality of which is among the best in the world. It is perfectly normal to want to protect and preserve those resources. We have in fact been doing so for so long that the protection of drinking water supplies is sometimes just taken for granted. This is not something that just happens all by itself, and the federal government has, in conjunction with all of the provinces, drawn up guidelines, systems and controls in order to ensure drinking water quality. These collaborative efforts, I might add, work well, and give good results as well.

At the heart of this partnership is the Federal-provincial-territorial Subcommittee on Drinking Water, the members of which work together, sharing their expertise, improving and updating Canada's drinking water quality recommendations. The recommendations are reviewed constantly and distributed to the provinces and territories to help them establish directives, regulations, and objectives applicable to each area of jurisdiction, the purpose of this being the creation of effective programs for monitoring water quality.

[English]

Although the federal government is not directly involved with the management of watersheds, it nevertheless monitors drinking water programs and carries the specific responsibility through Health Canada to provide for the necessary research needed to maintain and update methods of quality control.

Our programs have worked well. If errors have occurred, they are the exception and not the rule. We must look at them in a constructive way as an opportunity to examine closely the evolving needs and expectations of the provinces and their human technical resources in analysing the programs they already have in place.

I should like to call the attention of honourable senators to the Constitution Act, 1867. The act does not expressly assign responsibility for drinking water to any level of government. Both provincial and federal levels of government share jurisdiction. Furthermore, historically the provinces have held the legislative power over drinking water within their boundaries, subject only to any conflicts with legislation enacted under the federal regulatory system.

Clearly, taking away the power over water resources from the provinces is an infringement of the federal government over provincial jurisdiction. The responsibility for providing safe drinking water should remain with the provincial and territorial governments. They have the expertise and systems in place. The federal government, on the other hand, should continue its leadership role in the areas of research and scientific support. We are a federation and we should act as such. Safe water is the desirable objective here. It should never become a constitutional issue.

[Translation]

Honourable senators, let us focus our efforts on consolidating our partnerships with the provinces, by broadening our research and having the best possible technical facilities for distributing quality drinking water. Let us protect our natural resources as much as we can, and let us do so by working together, focussing on education, providing our human resources with the necessary skills, and pooling our expertise.

March 22, 2002 was the day designated by the United Nations as World Water Day, to look at the water situation throughout the world. This important day reminds us what a precious natural resource water is, and so, far be it from me to reject the new policies out of hand.

• (1600)

Instead, I propose that we accept the legacy which has been left us, that we know the means available to us to ensure its continuation. The principle of sustainability involves coming up with solutions which are satisfactory on all counts and which will benefit both the government and the provinces, as well as the Canadian public.

[English]

Hon. Charlie Watt: Honourable senators, would the honourable Senator Bacon accept a question?

Senator Bacon: Certainly.

Senator Watt: The honourable senator clearly stated that the provincial government had, and should continue to have, new restrictions over the regulating of water. Would the honourable senator enlighten me as to whether Indian reserves also come under the provincial jurisdiction, or do they remain under the federal jurisdiction? How does that interplay take place?

Senator Bacon: As far as water is concerned, it is both provincial and territorial control. That is a major issue. Provincial governments and territorial governments do work with the federal government on water resources. Water is a resource, not a food.

Senator Watt: Do I understand the honourable senator to say that Indian reserves also fall under the territorial or the provincial governments that work with the federal government? Is it really a no man's land? Is that what it is?

Senator Bacon: To my knowledge, the federal and provincial governments work together on water resources. They are under federal, provincial and territorial jurisdiction.

Senator Watt: I wish to thank the honourable senator for those answers.

The Department of Indian Affairs has jurisdiction over the reserve areas. I would imagine that the federal government has jurisdiction over the Indian reserve, including the water on the reserve itself. Is that not the case?

Senator Bacon: If I remember correctly, as Minister of Energy I had something to say about the water that was on the reserve. It is something that must be done with federal, provincial and territorial jurisdiction.

On motion of Senator Robichaud, for Senator Morin, debate adjourned.

CODE OF CANADIAN CITIZENSHIP BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Kinsella, seconded by the Honourable Senator Bolduc, for the second reading of Bill S-36, respecting Canadian citizenship.—(*Honourable Senator Cook*).

Hon. Joan Cook: Honourable senators, it gives me great pleasure to rise today to join in the second reading debate on Bill S-36, respecting Canadian citizenship.

The intent of this bill, introduced by Senator Kinsella, is to celebrate Canadian citizenship and to bring equality between those who acquired citizenship by birth and those who choose to become Canadian citizens. This is a noble goal, and I hope the committee study of this bill will deal with whether this goal has been met.

Honourable senators, I should like to preface the goal of Bill S-36 by sharing the personal relevance to my home province of Newfoundland and Labrador on this important subject. Just over 50 years ago, as a Dominion, we chose and were chosen to become Canadian citizens. Historians now recognize that Canada needed Newfoundland and Labrador just as much as Newfoundland and Labrador needed Canada. A consultative process to negotiate the Terms of Union, namely, the national convention, began in 1946, with officials in Canada and the province arriving at a consensus by March 31, 1949, that saw some 250,000 of us become Canadians.

Newfoundland and Labrador did join the Confederation, bringing along all of its incredible natural resources and its people. Newfoundlanders and Labradoreans brought to Canada their incredible wit and charm, their work ethic, their cultural richness and centuries of history. The union, I believe, for the most part, has been positive.

Honourable senators, this bill, as do most bills of great symbolic and legal significance, contains a lengthy preamble. The preamble recites our parliamentary traditions, constitutional foundations and our shared values as Canadians.

Clause 2 contains a modern oath of citizenship modelled after the oath contained in the previous citizenship bill introduced by the government in the previous Parliament.

The bill provides for the promotion of Canadian citizenship through the establishment of the Canadian citizenship commission dedicated to this task. This commission is charged with promoting the ideals of Canadian citizenship, defining the concept of Canadian citizenship and explaining the rights and obligations that citizenship entails.

Part II of the bill deals with the acquisition of Canadian citizenship by birth and through choice. Part III deals specifically with naturalization.

It is clear from clause 18 of the bill that the intent of the sponsor, Senator Kinsella, is to ensure the equal status of those who acquire citizenship by birth and those who acquire it by choice. However, as we all know, those who acquire citizenship by choice through the naturalization process may, at some time, lose their citizenship. How can they lose it? Primarily, citizenship can be lost if it were obtained by fraud, by using false identity, or by contravening one of the enumerated grounds set out in the bill.

Honourable senators, a section of Senator Kinsella's bill is of concern to one of our colleagues in the other place, Andrew Telegdi. He is concerned that citizenship may be revoked without due process. There is a form of judicial review set out in Bill S-36 but Mr. Telegdi feels it is not sufficient.

On virtually the same subject matter, the Canadian Jewish Congress has written to Senator Kinsella raising the issue that the clauses of revocation are not tight enough. The congress is concerned that those who are not entitled to become Canadian citizens could obtain and keep Canadian citizenship.

There is sufficient material in this bill to allow senators to debate the various issues surrounding citizenship. This bill marks an acceptable beginning in the search for our modern Canadian Citizenship Act. However, at committee, members may want to bring changes to various parts of the bill.

SUBJECT MATTER REFERRED TO COMMITTEE

Hon. Joan Cook: Honourable senators, it is for these reasons that I move, seconded by Senator Kinsella:

That the Bill be not now read the second time but that the subject matter thereof be referred to the Standing Senate Committee on Social Affairs, Science and Technology; and

That the Order to resume debate on the motion for the second reading of the bill remain on the Order Paper.

This process would give honourable senators the maximum amount of flexibility in their study of the bill and the concept of Canadian citizenship.

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

Hon. Senators: Agreed.

Motion agreed to.

• (1610)

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

TWELFTH REPORT OF COMMITTEE— DEBATE ADJOURNED

The Senate proceeded to consideration of the twelfth report of the Standing Committee on Rules, Procedures and the Rights of Parliament (amendments to the Rules—official third party recognition), presented in the Senate on March 26, 2002.

Hon. Jack Austin moved the adoption of the report.

He said: Honourable senators, the Senate has adopted the seventh report of the Standing Committee on Rules, Procedures and the Rights of Parliament and, in so doing, adopted the principles which are to be engrossed as the *Rules of the Senate* with respect to third parties. The seventh report was presented to the Senate on November 6, 2001, and adopted on February 5, 2002.

As a result of the adoption of the seventh report, the Standing Committee on Rules, Procedures and the Rights of Parliament has reviewed the draft rules which would carry forward the policy of the Senate as approved in its seventh report. The Law Clerk of the Senate, Mark Audcent, has worked with the committee in preparing these rules which carry forward the principles essentially that a third party recognized in the Senate would mean a party that initially has five or more members, is a registered party under the Canada Elections Act, and continues without interruption to have five or more members in the Senate whether or not it ceases to be a registered party under the Canada Elections Act. To be clear, at the time it becomes a recognized party in the Senate, it must be a registered party under the Canada Elections Act.

All of the rules that apply conform to the Senate rules on procedure and provide that the leader of any third party — because the term “third party” applies to all other recognized parties in the chamber, as it does in the other place — shall be permitted speaking time. However, as you will see in paragraph 3

dealing with the amendment to rule 37, whereas the Leader of the Government in the Senate and the Leader of the Opposition are permitted unlimited time for debate, the leader of a recognized third party will be permitted no more than 45 minutes for debate. There are other consequential amendments.

If honourable senators have any questions, I would be delighted to take them. These rules were unanimously adopted by the Standing Committee on Rules, Procedures and the Rights of Parliament and have been conformed by the committee, to the instructions of this chamber.

On motion of Senator Stratton, for Senator St. Germain, debate adjourned.

PRIVACY RIGHTS CHARTER BILL

SECOND READING—ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Finestone, P.C., seconded by the Honourable Senator Rompkey, P.C., for the second reading of Bill S-21, An Act to guarantee the human right to privacy.—(*Honourable Senator Sparrow*).

Hon. Laurier L. LaPierre: Honourable senators, I should like to revert to item No. 9 of Senate Public Bills, which is Senator Finestone's Bill S-21. I am an old man and I had to leave the Senate. I should like to speak on this bill since I am devoted to its principles. I waited for the debate to resume and I have been lost. I beg your indulgence. I am trying to be good on this side of the house as opposed to being bad on that side of the house.

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

Some Hon. Senators: No.

The Hon. the Speaker pro tempore: I am sorry, leave is not granted.

Senator LaPierre: That is not nice. I will remember.

Order stands.

SURVEY OF MAJOR SECURITY AND DEFENCE ISSUES

REPORT OF NATIONAL SECURITY AND DEFENCE COMMITTEE—DEBATE CONTINUED

On the Order:

Resuming debate on the consideration of the adoption of the fifth report (final) of the Standing Senate Committee on National Security and Defence entitled: *Canadian Security and Military Preparedness*, deposited with the Clerk of the Senate on February 28, 2002.—(*Honourable Senator Roche*).

Hon. J. Michael Forrestall: Honourable senators, I begin by commending my colleagues on this committee for an excellent first report on the state of Canadian national security and defence. I should also like to thank the Clerk of the Committee, Ms Barbara Reynolds, and the secretariat staff — Major-General (Ret.) G. Keith McDonald, Chief Warrant Officer (Ret.) J.J.L.M. Dessureault, Deputy Commissioner (Ret.) Roy V. Berlinquette and Mr. Grant Purves of the Library of Parliament. To paraphrase one of Shakespeare's plays, *Julius Caesar*, no table was better set.

Honourable senators, I commend the report to you as required reading on the state of this country's national security. Perhaps I should have said "on the state of this country's national insecurities." The evidence the committee gathered for this report was startling in some regards and confirmed many of our worst fears. The Canadian Forces are under strength by some 25,000 men and women. The Canadian Forces are underfunded clearly by the \$4 billion lost in the years since the last white paper. Funds that were committed by the white paper were never brought into play.

As a G8 country, a global trader with interests around the world and as a member of NATO, we have large gaps in our military capabilities. That fact presents a serious risk to Canadian security and interests. I could easily recite a list of serious deficiencies in our military capabilities, such as the lack of a modern maritime helicopter, the lack of modern tanks and the lack of strategic air and sealift assets. However, I will restrain myself here in order to concentrate on a few key recommendations, some of which are near and dear to my heart.

Under its defence recommendations, honourable senators, the committee recommended an increase of troop strength to at least 75,000. Those of you who were here during Question Period might have heard me put the number of 53,000 on the record, which is somewhat below even the active requirement. We need an additional 75,000 personnel and an immediate increase in next year's defence budget of some \$4 billion. Presently, we are well below the mandated 60,000 personnel and well below the 55,000 effectives. These are the men and women whom the Canadian Armed Forces require to carry out minimum tasks assigned to them.

• (1620)

This lack of manpower in the war on terror, or better stated as what the British used to refer to as an "emergency," is completely unacceptable and totally irresponsible on the part of the current government. We need the recruits now. The army commander will have to eliminate units in a severely understrength army in order to accommodate army change if he does not get additional soldiers and financial resources to train that army.

The Princess Patricia battle group, now in Afghanistan on the offensive, is not made up of one cohesive, trained, military unit; it is an amalgamation of two infantry battalions and four other units. We sent them overseas without joint training, which is absolutely essential, a cardinal law. We sent them overseas without fresh water, without toilets, without stoves, without hospitals — without proper gear.

Honourable senators, our Sea King crews are overstretched by Operation Apollo, and they are now tasked with primary search and rescue because the Labradors at Greenwood, on the Atlantic

coast of our nation, are down the spout. These brave men and women need government help. For the very people who put their lives on the line, day in and day out, seven days a week, without a whimper, this is completely and totally irresponsible. We need, as I have suggested, the additional troops and additional money, and we need it now; not next year or the year after.

Now to the serious issue of Canadian ports: Canada's significant ports — particularly Montreal, Halifax and Vancouver — are open to organized crime, terrorists and illegal immigrants. It is an unfortunate and unnecessary fact of life. This government eliminated what security was in place before by eliminating the Ports Canada Police. The government was told, at the time of their disastrous decision, that it was a mistake to eliminate the expertise in the Ports Canada Police structure, but they did not listen. Now the danger of our ports being used as an entry point for illegal drugs and illegal migrants is dwarfed by the fear of receiving or transferring on to a major Canadian city or the United States irradiation or a small nuclear weapon. Honourable senators, one cobalt radiation bar used to irradiate food, to kill off pests, if wrapped in conventional explosives on a day with light winds and exploded in downtown Manhattan, would render Manhattan uninhabitable for decades.

The world has become a scary place since September 11, when ordinary airplanes filled with innocent people were turned into effective and deadly weapons of mass destruction. Our significant ports, as well as our economic well being, are extremely vulnerable to penetration from organized crime and terrorists. Major ports such as Halifax are the naval checkpoints of today and tomorrow. I ask you, honourable senators, what is the cost of doing nothing? What is the cost of risk-taking? That is why the committee has recommended that a public inquiry into the security of our significant ports be conducted under the Inquiries Act. The government has already said no to this critical recommendation, but it is my hope that they will rethink this course before it is too late. Already there have been reports in the United States of unidentified frogmen near nuclear-powered warships in what were, up until now, considered to be safe naval anchorages. Imagine the danger of doing nothing to safeguard our significant ports.

The committee also recommended improvements to the security at Canadian airports and the necessity of screening all baggage before it is put on the plane. Passengers must be screened effectively to ensure the right to travel freely and in safety. We cannot risk a Richard Colvin Reid, the so-called shoe bomber, on a Canadian flight. Life is too dear to ignore the technology available to virtually sweep a plane and clean it before it clears the ramp.

The committee recommended that the Canadian Security Intelligence Service increase its foreign intelligence-gathering activities. Intelligence is our first line of defence in the war on terror, and it is the springboard to victory. Intelligence played a significant role in every major American military failure between 1945 and 1979, from the failure to predict that the Chinese would cross the Yellow River to the failure that ended in fatalities in Iran after the ill-fated attempt to save the American hostages there during the revolution.

On the other hand, intelligence was the key to every British counterinsurgency emergency in the late forties through to Borneo in the late sixties. Intelligence is the key, and human intelligence-gathering is at a premium. Thus, CSIS must increase its foreign intelligence-gathering now.

Remember what the ancient Chinese military theorist, General Sun Tzu, wrote in his work, *The Art of War*:

If you know the enemy, you know yourself. You need not fear the result of a hundred battles. If you know yourself but not the enemy, for every victory gained you will also suffer a defeat. But if you know neither the enemy nor yourself, you will succumb in every battle.

Clearly, honourable senators, in a free and democratic society, even in war we need oversight of our intelligence capabilities. Thus, the committee recommended that there be an examination to determine whether any additional agencies, apart from CSIS and the Communications Security Establishment, require oversight bodies.

Lastly, the committee recommended that a study be undertaken to define security policy. This formulation of a national security policy must be preceded by a foreign policy review and then by a defence policy review. We cannot allow our national security to be dictated solely by the dollar sign. Freedom and the privileged lifestyle that Canadians enjoy and demand from government come at a price. Surely, defending that way of life through a rational framework of policy and government action must be worthwhile.

Honourable senators, I suggest we may wish to take a page from the book of Australia. Canada must, in my opinion, conduct a foreign and defence policy review through public consultations with parliamentarians, the defence and foreign policy communities and the Canadian people to determine what our national security requirements are and then determine how to pay for them, not the other way around, as this government has done in the secrecy of cabinet. Then when we know what we want and what it will cost, the government and opposition leaders should commit in writing the funding of that program. The government may choose to ignore our report and bypass its recommendations altogether, but it does so at its own peril, and the peril of Canadian society. I hope the government takes the committee's recommendations seriously and implements them as soon as possible.

• (1630)

I will remind you, honourable senators, that it was Edmund Burke who said:

The only thing necessary for the triumph of evil is for good men to do nothing.

[Translation]

Hon. Jean Lapointe: Honourable senators, I would like to ask that debate be adjourned in respect of the first part of Senator Forrestall's speech. I do not know whether that is possible.

I agree with the point Senator Forrestall made in the second part of his speech, but I disagree completely with the first part concerning increased spending by the Armed Forces.

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

Hon. Senators: Agreed.

On motion of Senator Lapointe, debate adjourned.

NATIONAL SECURITY AND DEFENCE

COMMITTEE AUTHORIZED TO STUDY NEED FOR NATIONAL SECURITY POLICY

On the Order:

Resuming debate on the motion, as amended, of the Honourable Senator Cordy, seconded by the Honourable Senator Milne.

That the Standing Senate Committee on National Security and Defence be authorized to examine and report on the need for a national security policy for Canada. In particular, the Committee shall be authorized to examine:

(a) the capability of the Department of National Defence to defend and protect the interests, people and territory of Canada and its ability to respond to or prevent a national emergency or attack;

(b) the working relationships between the various agencies involved in intelligence gathering, and how they collect, coordinate, analyze and disseminate information and how these functions might be enhanced;

(c) the mechanisms to review the performance and activities of the various agencies involved in intelligence gathering; and

(d) the security of our borders.

That the Committee report to the Senate no later than October 30, 2003, and that the Committee retain all powers necessary to publicize the findings of the Committee until November 30, 2003; and

That the Committee be permitted, notwithstanding usual practices, to deposit any report with the Clerk of the Senate, if the Senate is not then sitting; and that the report be deemed to have been tabled in the Chamber.—(Honourable Senator Robichaud, P.C.).

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, when I asked for adjournment on this motion some time ago, it was so that the Standing Committee on Internal Economy could examine the requests which would be sent to it by the various committees and evaluate the resources these committees would need to carry out their various mandates. I do not wish to further hold up the debate. I would be prepared to have Your Honour put the question on Motion No. 120.

[English]

Hon. Jane Cordy: Honourable senators, I move that this motion be now adopted.

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

Hon. Senators: Agreed.

Motion agreed to.

[Translation]

ROLE OF CULTURE IN CANADA

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Gauthier calling the attention of the Senate to the important role of culture in Canada and the image that we project abroad.—(*Honourable Senator LaPierre*).

Hon. Laurier L. LaPierre: Honourable senators, I would like to apologize to Senator Gauthier for having adjourned debate on this motion some time ago.

In the past months, I found that when debate was adjourned for one senator or another, it would remain on the Order Paper for quite some time and I believed that it was not open to other debate. I learned recently that I could speak to them at any time, even if the debate stood in the name of another senator.

Having learned that lesson today from one of my colleagues, in the future, I intend to speak when I wish, rather than taking it for granted that the debate has been adjourned for someone else.

[English]

Today, honourable senators, I would like to speak to this important issue of culture in our country. To me, heritage is the ensemble of all that gives our future a past. Culture is the expression and the manifestation of the content of that heritage. In practical terms, this means that there must be a facilitation of the development of the heritage and cultural content of Canada and the access of Canadians to that content, along with their awareness, knowledge and understanding of it.

Furthermore, it is incumbent upon legislators to use heritage and culture to encourage the participation of the Canadian people in our national life and to bring about this much-desired interconnection between us all, a characteristic that remains the foundation of our country and of our nation.

[Translation]

This issue is of tremendous importance. When I was chair of Telefilm Canada's board of directors, I came to realize that Canadians do not appreciate the value of Canadian content presented in our full-length feature films, our television shows and our books, with the exception, perhaps, of our music.

I also noticed that Canadians were much more interested in identifying with foreign cultures, for a number of reasons. I always fought against this, and did all that I possibly could to try to convince them that there was great value to Canadian content and that it had to be respected, and more importantly, appreciated.

[English]

As a history professor for many years and as Chairman of Heritage Fairs, I have, since November, over a quarter of a million young people across this country participating in what I call a "heritage fair." They determine a moment in the history of our country, a moment of their heritage. They present it to their class and then to their school. Then I move thousands of them around to regional fairs. In May of this year, we will bring 165 of them to a national fair in the magnificent city of St. John's, Newfoundland.

The reason for doing that is our children do not know their history any more than do their parents. In fact, Canada is the only country in the world where the citizens take astonishing pride in being ignorant of who they are. The end result is that our national cohesion, which is so important for us to have, is broken down. A culture, a society, a country, a nation exists and lives by its stories. Its capacity to tell its stories is the manifestation of the depth of its belonging.

[Translation]

It is by telling our own story that we will be able to better understand ourselves and improve relations between Canadians, to strengthen the ties that bind us, ties that are becoming so important to the future of our nation.

[English]

For this reason, we must facilitate the accessibility of Canadian culture in our country and abroad. People all over the world care about what we do. We belong to a country that is the refuge of mankind. We represent 150 to 175 different nationalities, languages and religions. Above that, for the last 40,000 years we have had the astonishing presence on this land of the first peoples of our country.

Honourable senators, all these cultures taken together do not merge into one. However, as Sir Wilfrid Laurier used to say, they sailed side by side down the St. Lawrence, the water never mixing, never merging, but flowing as different entities as they progressed. I want us to understand that just as I want the Canadian people to understand that.

• (1640)

I spent a considerable amount of my time travelling like a nomad, like a missionary across this country, which is the only thing I do of any value in my life, besides taking care of my grandchildren. I have just returned from Yellowknife, where 300 young people listened in rapture to the Grand Chief of the Dene Nation speaking in his language. They had interpretation. He did not have to even say a word. They understood immediately because they knew through his personality and the stories he was relating to them that the Dene Nation is an important part of who they are, even if they come from wherever it is that they came from.

For all of these reasons —

[Translation]

— I support the initiative by Senator Gauthier, which reminds us of this.

[English]

Now we have to tell our stories and send them out into the world. It is the inalienable right of every Canadian to tell their stories the way they want to, and no power on earth, either through tariffs or penalties, has the right to prevent that from happening. The federal government understands that Canadians have this inalienable right and has put in place a series of instruments through which this can be done. The glue that brings us together is the ensemble of all the elements that makes us aware of who we are in this tragic time in which we live. It seems obvious that we must take a stand on who we are, know who we are and express it with great joy. At the beginning of the 21st century, this is the most important country on the planet. We must sing the praises of our country and tell the world the story of this country.

[Translation]

It is absolutely inconceivable, scandalous even, that this Senate, this House, this national institution does not even have a Standing Committee on Heritage.

[English]

I find this scandalous. Such a committee would be as important as banking, transportation, communication, agriculture and all the other Senate committees. It is imperative that it be established so that we can participate in the struggle of Canadian artists and in the dimension of their art in order to protect it and give it life. If we cannot have a standing committee because it costs too much money, perhaps we can have a subcommittee of a standing committee in order that culture will resonate through this chamber. We will speak to Canadians of the culture they have and of the heritage they have, and more and more they will gravitate together and will live the life that they are meant to live on this continent.

On motion of Senator Banks, debate adjourned.

[Translation]

LESSONS TO BE DRAWN FROM TRAGEDY OF TERRORIST ATTACKS IN UNITED STATES ON SEPTEMBER 11, 2001

INQUIRY

On the Order:

Resuming debate on the inquiry of the Honourable Senator De Bané P.C., calling the attention of the Senate to certain lessons to be drawn from the tragedy that occurred on September 11, 2001—(*Honourable Senator LaPierre*).

Hon. Laurier L. LaPierre: Honourable senators, my apologies to Senator De Bané.

[English]

Honourable senators, this inquiry calls the attention of the Senate to certain lessons to be drawn from the tragedy that occurred on September 11, 2001. I postponed speaking on this inquiry, and I promise myself and everyone else that I will not do so in the future. If I adjourn debate in my name, I think that within one week of the adjournment I should have to debate that Order Paper item. Perhaps the Standing Committee on Rules, Procedures and the Rights of Parliament should look at that in due course.

I should like to tell honourable senators what I have learned about September 11. The fundamental tragedy of September 11 is, of course, the bombing and the death and all the rest of it. Essentially what happened to me was that I recognized that we are confronted with two societies in the world: a national, social, civil society and a global society. We can control the national, civil society through our laws. However, the global society becomes less and less controllable as it defies the capacity of people to control it. It is made up of people who globalize trade — big business, people here and there and everywhere who have the power and capacity to effect globalization, and often nations are not capable of adequately responding. We have paid very little attention to the power of the global society, or those countless groups of people who operate on their own via their own principles and actions. Consequently, in time, we will have to think very seriously about how we manage this society globally, a society that is at the present moment uncontrollable.

The second thing that I have learned, honourable senators, is to be aware of rhetoric. Phrases such as “axis of evil” and “if you are not with us, you are against us,” and posters of sheriffs killing people all over the place create a war psychosis and are unacceptable no matter where they come from. What is acceptable is the coming together in language —

[Translation]

...that is essentially capable of proclaiming the possibilities of peace and reconciliation rather than extermination.

[English]

The great tragedy of September 11 is that it led to a tremendous amount of verbiage that was totally inappropriate, unacceptable and very dangerous for the peace of the world.

The third lesson that I have learned is that the line between security and sovereignty is very narrow. I do not know when we cross the line one way or the other. We do not have that kind of experience in this country. We do not have the kind of process that makes it possible for us to know almost instinctively what to do, being the power and the kind of power in the world that we have. Consequently, I have to learn that, as do the rest of the Canadian people, and this creates a vast amount of insecurity in our country.

Also, I have learned that my values as a Canadian are too often dismissed. A report today suggests that to protect its trade with the United States, it is important for Canada to assure the U.S. that we will do what they want in terms of border security. I think that is wrong. More and more of our values are being sold cheaply to the highest bidder. That we have prosperity, I have no doubt, is important, but at some point we will have to determine who we are, why we are who we are, and the price that we are willing to pay for that. We are searching for this more and more. Canadians are questioning themselves and becoming more and more disconnected with their country, their values and their sense of self.

• (1650)

Finally, honourable senators, I have discovered that the Senate is the fundamental instrument for overseeing the balance between security, values and sovereignty. I have asked that we look at that. My leadership has told me that we must wait until the regulations come down, and I understand that has not yet happened. When they do come down, we will have all the instrument we need as senators in this important national institution, and our fundamental responsibility will be to ensure that the balance that exists between security, sovereignty, values, economic life and determination be respected.

In the meantime, perhaps senators would like to start a discussion on their Web sites by posing a question on this matter of the balance between security and sovereignty. They could begin to accumulate information, views and evidence of people who may currently be maligned and targeted for no reason whatsoever.

[Translation]

We would then see the expression, the views, the vision of our fellow citizens and we may then serve...

[Senator LaPierre]

[English]

...as the oversight of Bill C-36 and Bill C-42.

[Translation]

For me, Laurier LaPierre, these then are the lessons of September 11, 2001. They are graven in my head and my heart and I have no intention of letting go of them.

The Hon. the Speaker *pro tempore*: Honourable senators, if no other senator wishes to speak on this, it shall be considered to have been debated.

[English]

KYOTO PROTOCOL

INQUIRY—DEBATE ADJOURNED

Hon. Nicholas W. Taylor rose, pursuant to notice of March 25, 2002:

That he will call the attention of the Senate to the necessity of Canada ratifying the Kyoto Protocol, which was signed on December 10, 1997.

He said: Honourable senators, in leading off on this important debate, I realize that much has been written on the subject, and that much of what I have to say is not new. I will try to use cold logic as much as possible, which may be a bit of a misnomer for any global warming argument. With a half-century background as an earth scientist plus about 17 years in the Canadian parliamentary process, both in opposition and government, the last six years of which I have been on the Standing Senate Committee on Energy and the Environment, I will analyze the situation as I see it. The easiest way to do so is to use four headings.

First, what is a protocol? Who signs it, when does it come into force and what is your commitment, financially or otherwise, if you sign it?

Second, does global warming actually exist and, if it does, what can be done about it?

Third, what is the cost if we do ratify Kyoto, and what is the cost if we do not?

Fourth, and last, if we ratify Kyoto, what will it do to our competitive position worldwide in the field of raw resources and finished products?

On the first heading of what a protocol is, the Library of Parliament tells me that it is a "large umbrella treaty." The Kyoto protocol was signed by 61 nations in 1999 and has been ratified by 51 nations to date, leaving it short by just four nations of the number of ratifiers required to make it official. There is one more caveat, that being that the total carbon dioxide emissions in 1990 of those ratifying have to represent at least 55 per cent of all emissions. The treaty comes into force 90 days after this happy event.

Ratification, the Library of Parliament says, quoting the Vienna Convention on Treaties, is the consent of the "state to be bound and the state commits itself politically and morally to take the necessary measures to eventually implement the agreement on its territory." The word "eventually" is interesting, but apparently the drafters of the protocol closed off that loophole by laying down a yearly schedule for the nations involved to meet their commitment. It is interesting that there appears to be no legally binding penalty if a nation is late or just cannot fulfil its promises.

What political action is needed to ratify a treaty? The Library of Parliament tells me that in Canada all that is needed is an order in council — no House of Commons and no Senate. Treaty signing is part of the Royal Prerogative, which means that the Governor General, the Prime Minister or the Minister of Foreign Affairs have the legal right to represent Canada on the international scene. However, as was the case in the North American Free Trade Agreement, the provinces will have to come on board in order to implement the treaty.

This is quite different from the situation in the U.S. where the president, the Senate, and the House of Representatives are required to agree. It is no wonder that President Bush did not even try. However, I think the real reason was that "big tough Uncle Sam" did not want to be tied up in any agreement through which dozens of little countries could gang up on them, as they feel has happened to them in the United Nations.

There is no doubt, as your committee found on a recent fact-finding trip to the U.S., and as I learned in conversations with the U.S. environment minister, that the country accepts Kyoto as a yardstick, or at least an "omega point" to strive for. Time and again, in our meetings with California government boards and commissions, they expressed their objectives in terms of how much behind or ahead they were compared to Kyoto targets. Remember the saying, "As California goes, so goes the nation."

Finally, as I have said, there are no legally binding penalties for not reaching the objective agreed to by ratification. In addition, Article 8 of the protocol allows the secretariat of the countries ratifying to alter and relax conditions if they wish. The clincher is in Article 27, which allows any ratifier, after three years, to give a year's notice to withdraw without penalty.

I said that I would address whether global warming is taking place and, if it is, whether we can do anything about it. Those who say there is no scientific evidence of warming remind me of the tobacco companies that argued for years that there was no scientific evidence that smoking caused lung cancer. As a geologist, I can understand the arguments of those who say that planet earth is in one of its warming cycles, for the pages of geologic history show us that, over millions of years, much of the earth has varied from glaciers to jungles in the same locale. Even in Alberta, there is abundant evidence that dinosaurs roamed our jungle swamps eons ago, whereas now you can only find them in our government.

I have two answers for the doubters: First, if they are right, what harm is there in cleaning up carbon dioxide anyway, as its companions are usually nitrogen and sulphur emissions — No_x and So_x — which form a pollution cocktail that kills between 5,000 and 50,000 Canadians per year, depending on the report. If the doubters are wrong, our children and grandchildren will curse us for running away from the war on pollution when it was small enough to be licked with little pain.

The third question most often asked is what it will cost, and whether we can afford it. This is not an easy question for those watching from the sidelines as the two biggest oil companies in the world, Shell and BP-Amoco, say that the goals can be easily reached while the two biggest oil companies in Canada, Petrocan and Imperial Oil, say it is an abomination. I wonder which have the dirty refineries.

The short answer is: Can we afford not to ratify? There is no question that the status quo is not an option. Normal does not live here anymore.

The biggest cost estimate I have seen is proffered by the Canadian Manufacturers Association, which says in its 2002 report that implementing the accord's target of 6 per cent below 1990 emissions by 2010, or 19 per cent below last year's, as we have been rather sloppy since 1990, could result in the loss of 450,000 jobs. On page 7 of that same report they brag about reducing emissions by 15.8 per cent in the 19-year span between 1980 and 1999. Statistics Canada shows an increase in jobs of over 1 million in that same period, but job totals in the manufacturing sector stayed the same. In other words, their own members have been reducing emissions in the past, at no apparent job loss, at about the same rate as Kyoto calls for in the future. As my grandson would say, "Go figure."

• (1700)

Let us look at the other extreme. What are the costs if we do nothing, which is always an option for a large majority government?

In May 1998, in an address to the U.S. House of Representatives, Dr. Janet Yellen quoted Dr. William Cline of the Institute for International Economics, who said that every 4.5 degrees in global warming will cost the U.S. \$8.9 billion yearly. Convert that to Canadian dollars, take 10 per cent, since we are 10 per cent the size of the U.S., and then take only one degree of global warming and honourable senators will see that we have a cost to Canada of \$300 million per year if we do not ratify the Kyoto accord.

Honourable senators, I have another scenario. Our committee was told by the University of California at Berkeley, as well as by the Air Resources Board of the State of California, that attaining Kyoto targets could save the U.S. \$60 billion per year and could be reached in California — which is 30 per cent larger than Canada — by 2010 or 2012, by having one-third in tax incentives, extra insulation and rules on vehicle efficiency; one third through alternate energy, such as geothermal, wind, solar and biotechnical; and the last third by cleaner coal technology and added nuclear capacity. It sounds easy, does it not?

The fourth and last argument I want to deal with today is the one stating that our manufacturing and energy industries will be non-competitive against foreign dirty industry. What countries are they talking about? Mexico and the European Union have already ratified the protocol, and Japan has said it will. As I said earlier, your committee found, on its tour of the U.S., that they are going to Kyoto standards at any rate. The U.S. wants to trade with Japan and the European Union, so they cannot afford to take a chance on being countervailed due to dirty industry. After all, those four areas make up for greater than 95 per cent of Canada's exports in the last three years.

My own Province of Alberta makes the ridiculous statement that if they clean up their oil production, our refineries will be non-competitive with the "dirty" refineries of the U.S., apparently not realizing that over 80 per cent of Alberta's oil production is refined in the U.S.

The only dirty refineries in Canada are in Eastern Canada, refining crude oil imported from overseas, then reversing the Toronto-Montreal pipeline to push product into the Toronto area, undermining Alberta markets. Likewise, Alberta makes the statement that Mexican natural gas would undersell ours in the U.S., completely overlooking the fact that Mexico has ratified the accord and does not export any gas to the U.S. In fact, it imports U.S. gas.

A sideline argument to this is that Kyoto discriminates against raw material producers versus users of the end product. I cannot follow this and would put it down to "taxpayers' paranoia," which means every taxpayer feels he or she is paying more than his or her fair share. I doubt whether the car drivers in downtown Toronto will get off any easier than the Alberta oilpersons who have been flaring off their excess gas and sulphur.

However, the worries about our competitiveness in trade may be more valid if we do not ratify Kyoto rather than if we do, as our competitors would not like competition from industries that are "dirtier" than theirs. We could see a repeat of the softwood lumber fiasco where the U.S. claims we are unfair competitors due to low government stumpage. How much more valid would their complaint be if our government allowed our exporters to get by with less emission controls than they had on theirs? Kyoto would level the trading field.

In conclusion, ratifying the protocol does not bind us to anything. We can get out of it in a few years. Our major trading partners are moving to Kyoto standards. We will make money, not lose it, by joining. We will strike a blow for a cleaner and safer environment, thereby saving thousands of lives each year. Finally, Canada will be able to hold its head up high in the future world of environment meetings.

Honourable senators, we are recognized as world "peacekeepers." Would it not be great to be recognized as a world leader in "environment keeping"?

On motion of Senator Banks, debate adjourned.

The Senate adjourned until Wednesday, April 17, 2002, at 1:30 p.m.

CONTENTS

Tuesday, April 16, 2002

	PAGE		PAGE
New Senators		Statistics Act	
The Hon. the Speaker <i>pro tempore</i>	2576	National Archives of Canada Act (Bill S-12)	
Introduction.		Bill to Amend—Notice of Motion to Authorize Committee to	
Hon. Sharon Carstairs	2576	Extend Date of Final Report.	
Hon. John Lynch-Staunton	2576	Hon. Michael Kirby	2584
Hon. Marcel Prud'homme	2576		
<hr/>		Crime and Violence	
SENATORS' STATEMENTS		Notice of Motion to Strike Special Committee.	
		Hon. Anne C. Cools	2584
		<hr/>	
Winter Olympics and Paralympics, 2002		QUESTION PERIOD	
Ceremony to Honour Athletes.			
Hon. Sharon Carstairs	2577	Treasury Board	
Hon. Terry Stratton	2577	Auditor General's Report—Use of Contingency Vote 5.	
Hon. Joyce Fairbairn	2578	Hon. Noël A. Kinsella	2585
		Hon. Sharon Carstairs	2585
Battle of Vimy Ridge			
Eighty-fifth Anniversary.		The Senate	
Hon. Michael A. Meighen	2578	Oath of Allegiance Taken by Senators.	
		Hon. Lowell Murray	2586
Search and Rescue		Hon. Sharon Carstairs	2586
Coordination Between Agencies to Improve Methods.		Hon. Marcel Prud'homme	2586
Hon. Gerry St. Germain	2579		
<hr/>		National Defence	
ROUTINE PROCEEDINGS		Auditor General's Report—Recruitment and	
		Retention of Personnel.	
Canadian Human Rights Tribunal		Hon. J. Michael Forrestall	2586
Report Tabled	2579	Hon. Sharon Carstairs	2587
Yukon Land Claims Agreement, Annual Review 1999-2000			
Report Tabled.		International Trade	
Hon. Fernand Robichaud	2579	Israel—Free Trade Agreement—Request for Suspension.	
Canadian Charter of Rights and Freedoms		Hon. Marcel Prud'homme	2587
Notice of Motion in Recognition of Twentieth Anniversary.		Hon. Sharon Carstairs	2588
Hon. Sharon Carstairs	2579		
Her Majesty Queen Elizabeth II		Foreign Affairs	
Condolences on Passing of Queen Elizabeth, The Queen		Conflict in Israel.	
Mother—Message from Senate and Commons—		Hon. Pierre Claude Nolin	2588
Motion Adopted.		Hon. Sharon Carstairs	2588
The Hon. the Speaker <i>pro tempore</i>	2580		
Hon. Sharon Carstairs	2580	Finance	
Hon. John Lynch-Staunton	2581	Merging of Banks for Purposes of World Competition.	
Hon. Marcel Prud'homme	2582	Hon. Donald H. Oliver	2588
Hon. Anne C. Cools	2582	Hon. Sharon Carstairs	2588
Hon. John Buchanan	2582		
Hon. Laurier L. LaPierre	2584	Agriculture and Agri-Food	
Bill to Amend Certain Acts and Instruments and to Repeal the		Cost of Crop Insurance.	
Fisheries Prices Support Act (Bill C-43)		Hon. Leonard J. Gustafson	2589
First Reading.	2584	Hon. Sharon Carstairs	2589
Canada-United Kingdom Inter-Parliamentary Association			
Meeting of February 10-16, 2002—Report of Canadian		International Trade	
Delegation Tabled.		United States—Renewal of Softwood Lumber Agreement.	
Hon. Donald H. Oliver	2584	Hon. Gerry St. Germain	2589
		Hon. Sharon Carstairs	2589
		Delayed Answer to Oral Questions	
		Hon. Fernand Robichaud	2590
		Transport	
		Effect of Discharging Firearm on Airplane in Flight.	
		Question by Senator Kinsella.	
		Hon. Fernand Robichaud (Delayed Answer).	2590

	PAGE
Carriage of Firearms by Air Marshals on Flights Originating in Foreign Countries. Question by Senator Prud'homme. Hon. Fernand Robichaud (Delayed Answer).	2590

ORDERS OF THE DAY

Business of the Senate Hon. Fernand Robichaud	2590
Food and Drugs Act (Bill S-18) Bill to Amend—Third Reading—Debate Continued. Hon. Lise Bacon Hon. Charlie Watt	2590 2591
Code of Canadian Citizenship Bill (Bill S-36) Second Reading—Debate Continued. Hon. Joan Cook Subject Matter Referred to Committee. Hon. Joan Cook	2592 2593
Rules, Procedures and the Rights of Parliament Twelfth Report of Committee—Debate Adjourned	2593

Privacy Rights Charter Bill (Bill S-21) Second Reading—Order Stands. Hon. Laurier LaPierre	2593
Survey of Major Security and Defence Issues Report of National Security and Defence Committee— Debate Continued. Hon. J. Michael Forrestall Hon. Jean Lapointe	2593 2595
National Security and Defence Committee Authorized to Study Need for National Security Policy. Hon. Fernand Robichaud Hon. Jane Cordy	2596 2596
Role of Culture in Canada Inquiry—Debate Continued. Hon. Laurier L. LaPierre	2596
Lessons to be Drawn from Tragedy of Terrorist Attacks in United States on September 11, 2001 Inquiry	2597
Kyoto Protocol Inquiry—Debate Adjourned	2598
Appendix	i



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