



# Debates of the Senate

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1st SESSION

•

37th PARLIAMENT

•

VOLUME 139

•

NUMBER 41

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OFFICIAL REPORT  
(HANSARD)

Thursday, May 31, 2001

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THE HONOURABLE DAN HAYS  
SPEAKER

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*Debates and Publications:* Chambers Building, Room 943, Tel. 996-0193

Published by the Senate

Available from Canada Communication Group — Publishing,  
Public Works and Government Services Canada, Ottawa K1A 0S9,

**Also available on the Internet: <http://www.parl.gc.ca>**



## THE SENATE

Thursday, May 31, 2001

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

Prayers.

### SENATOR'S STATEMENT

#### OFFICIAL OPENING OF ICELAND EMBASSY

**Hon. Janis G. Johnson:** Honourable senators, last week, on May 22, the official opening of the first Icelandic embassy in Canada took place in Ottawa.

Icelandic Foreign Minister, Halldor Asgrimsson, and Canada's Minister of Foreign Affairs, the Honourable John Manley, did the honours and cut the ribbon at the new offices on Albert Street. A reception followed at the ambassador's residence, hosted by Ambassador Hjalmar Hannesson and his wife, Anna Birgis. Ambassador Hannesson presented his credentials in April to the Governor General and became Iceland's first ambassador to Canada at that time.

It was a great honour to have Foreign Minister Asgrimsson present for the occasion, representing Iceland, and Prime Minister David Oddsson. They have worked toward this goal for the past few years. It was achieved during the Canada-Iceland Millennium Celebrations that were held last year and commemorated the 1000th anniversary of the discovery of North America by the Vikings. It was during Prime Minister Oddsson's visit last April that he announced Iceland's intention to open an embassy here. Prime Minister Chrétien responded positively that Canada would do the same in Iceland.

The formal announcement was made by former Foreign Affairs Minister Lloyd Axworthy in August at the annual Islendingadagurinn celebration in Gimli, Manitoba. Canada's first embassy in Iceland will open in the fall.

Honourable senators, Canada-Iceland relations are further strengthened by this initiative. Iceland is an active member of NATO and the United Nations and has worked with Canada for years on issues affecting the northern regions, in particular with the Arctic Council and the Nordic Council.

Last June, our government announced a new northern initiative entitled "The Northern Dimension of Canada's Foreign Policy," a commitment to expanding our work on issues affecting our northern and Arctic regions and enlarging circumpolar partnerships, especially with the United States, Russia, the Baltic states, Finland, Norway, Denmark, Sweden and Iceland. These initiatives include the fisheries, environment, energy, research

and development, transportation, communication and Aboriginal peoples.

Iceland is already involved in many projects in Atlantic Canada in the fisheries and tourism areas and operates three flights a week out of Halifax to Iceland and Europe.

Canadians of Icelandic origin are extremely pleased with this exchange of ambassadors. I know it will benefit both countries. Canada will have no finer or more loyal a friend than Iceland, as the people who settled here from Iceland have proven over the last 120 years in Manitoba and across this land.

Honourable senators, I hope you will visit the new embassy and also take a trip to Iceland if you want to see a truly wonderful and unique country.

### ROUTINE PROCEEDINGS

#### FINANCIAL CONSUMER AGENCY OF CANADA BILL

##### REPORT OF COMMITTEE

**Hon. E. Leo Kolber,** Chairman of the Standing Senate Committee on Banking, Trade and Commerce, presented the following report:

Thursday, May 31, 2001

The Standing Senate Committee on Banking, Trade and Commerce has the honour to present its

##### SIXTH REPORT

Your Committee, to which was referred Bill C-8, An Act to establish the Financial Consumer Agency of Canada and to amend certain Acts in relation to financial institutions, has, in obedience to the Order of Reference of Wednesday, April 25, 2001, examined the said Bill and now reports the same without amendment, but with observations and a letter, which are appended to this report.

Respectfully submitted,

LEO KOLBER  
*Chairman*

(For text of Appendices, see today's Journals of the Senate, p. 626.)

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

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

[Translation]

## OFFICIAL LANGUAGES

### THIRD REPORT OF JOINT COMMITTEE TABLED

**Hon. Jean-Claude Rivest:** Honourable senators, on behalf of the Honourable Shirley Maheu, Joint Chair of the Standing Joint Committee on Official Languages, I have the honour to table the third report of the Standing Joint Committee on Official Languages concerning the budgetary appropriations of the Office of the Commissioner of Official Languages.

### FOURTH REPORT OF JOINT COMMITTEE TABLED

**Hon. Jean-Claude Rivest:** Honourable senators, on behalf of the Honourable Shirley Maheu, Joint Chair of the Standing Joint Committee on Official Languages, I have the honour to table the fourth report of the Standing Joint Committee on Official Languages concerning a resolution expressing the committee's wish that the government consider the advisability of increasing funding for the Office of the Commissioner of Official Languages.

• (1340)

[English]

## IMPERIAL LIFE ASSURANCE COMPANY OF CANADA

### PRIVATE BILL—REPORT OF COMMITTEE

**Hon. Lorna Milne,** Chair of the Standing Senate Committee on Legal and Constitutional Affairs, presented the following report:

Thursday, May 31, 2001

The Standing Senate Committee on Legal and Constitutional Affairs has the honour to present its

### SIXTH REPORT

Your Committee, to which was referred Bill S-27, An Act to authorize The Imperial Life Assurance Company of Canada to apply to be continued as a company under the laws of the Province of Quebec, has, in obedience to the Order of Reference of May 29, 2001, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

LORNA MILNE  
*Chair*

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

On motion of Senator Joyal, with leave of the Senate and notwithstanding rule 58(1)(g), bill placed on the Orders of the Day for consideration later this day.

## CERTAS DIRECT ASSURANCE COMPANY

### PRIVATE BILL—REPORT OF COMMITTEE

**Hon. Lorna Milne,** Chair of the Standing Senate Committee on Legal and Constitutional Affairs, presented the following report:

Thursday, May 31, 2001

The Standing Senate Committee on Legal and Constitutional Affairs has the honour to present its

### SEVENTH REPORT

Your Committee, to which was referred Bill S-28, An Act to authorize Certas Direct Insurance Company to apply to be continued as a company under the laws of the Province of Quebec, has, in obedience to the Order of Reference of May 29, 2001, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

LORNA MILNE  
*Chair*

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

On motion of Senator Joyal, with leave of the Senate and notwithstanding rule 58(1)(g), bill placed on the Orders of the Day for consideration later this day.

[Translation]

## MISCELLANEOUS STATUTE LAW AMENDMENT PROPOSALS

### NOTICE OF MOTION TO REFER TO COMMITTEE

**Hon. Fernand Robichaud (Deputy Leader of the Government):** Honourable senators, I give notice that Tuesday next, June 5, 2001, I will move:

That the document entitled "Proposals to correct certain anomalies, inconsistencies and errors and to deal with other matters of a non-controversial and uncomplicated nature in the Statutes of Canada and to repeal an Act and certain provisions that have expired, lapsed or otherwise ceased to have effect," tabled in the Senate on May 30, 2001, be referred to the Standing Senate Committee on Legal and Constitutional Affairs.

## L'ASSEMBLÉE PARLEMENTAIRE DE LA FRANCOPHONIE

CANADIAN DELEGATION TO MEETING OF APRIL 2-3, 2001—  
REPORT TABLED

**Hon. Rose-Marie Losier-Cool:** Honourable senators, pursuant to rule 23(6), I have the honour to table in this house, in both official languages, the report by the Canadian branch of the Assemblée parlementaire de la Francophonie, and the accompanying financial report. The report concerns the meeting of the Committee on Education, Communication and Cultural Affairs held in Phnom Penh, Cambodia, on April 2 and 3, 2001.

[English]

### BUSINESS OF THE SENATE

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to Inquiry No. 21 on our *Order Paper and Notice Paper*. The notice of inquiry of Senator Gauthier, as presented to the house yesterday, provided for a one-day notice. The notice required is two days. After discussions with the Table and Senator Gauthier, I have indicated on the *Order Paper and Notice Paper* that the matter will be dealt with after the required passage of two days. I simply give notice to honourable senators that this change has been made with the agreement of Senator Gauthier.

**Hon. Noël A. Kinsella (Deputy Leader of the Opposition):** Honourable senators, I would prefer that the matter be resolved not pursuant to rule 65, as a correction from the Speaker, but rather that there be unanimous consent of the house that the record of yesterday be changed to read two days rather than one day.

**The Hon. the Speaker:** It has been proposed by Senator Kinsella that a better approach would be to proceed as he has suggested. I have no objection.

Is it agreed, honourable senators?

**Hon. Senators:** Agreed.

## QUESTION PERIOD

### NATIONAL DEFENCE

REPLACEMENT OF SEA KING HELICOPTERS—RISK ANALYSIS PRIOR  
TO SPLITTING PROCUREMENT PROCESS—  
DENIAL OF REQUEST FOR COPY

**Hon. J. Michael Forrestall:** Honourable senators, I have a question for the Leader of the Government in the Senate. Let me

say in parentheses that I have been very much aware of the existence of the memorandum that was the subject of widespread coverage in newspapers today. Can the minister tell this chamber why, when I requested this document under an Access to Information request some time ago, I was told that no such document existed? Indeed, in the question and answer section of the Maritime Helicopter Project Web site, questions 2000-29 and 2000-87 state that no risk analysis, discussion papers or standard operating procedures existed for this procurement. Why was I denied this information?

**Hon. Sharon Carstairs (Leader of the Government):** Honourable senators, I do not know why the honourable senator was denied that information, but I will try to find out.

REPLACEMENT OF SEA KING HELICOPTERS—CHANGES TO BASIC  
VEHICLE REQUIREMENTS

**Hon. J. Michael Forrestall:** That answer is the type we should have been getting for the last three or four years. We might have made some honourable progress.

Could the minister explain why she has told the chamber repeatedly that the government is trying to save taxpayers' money with this procurement when, indeed, it is spending more than 400 million additional, unnecessary dollars for a split procurement procedure?

**Hon. Sharon Carstairs (Leader of the Government):** Honourable senators, I have been saying all along that the government wants the best possible price, but it also wants — and this is an even more important concept — the best vehicle for the Armed Forces.

• (1350)

They believe that they can do that at a better price than the original determination made by the previous government in 1993.

**Senator Forrestall:** Honourable senators, that is a helicopter that you cannot pull the rotary blades on. I fail to follow the logic of the minister's response.

Can the minister explain why the military was told that they would have to settle for second best when, in fact, it was well known, in very narrow circles, I must admit, that an additional \$400-million unnecessary cost was being added?

**Senator Carstairs:** Honourable senators, the honourable senator indicated that the military has been told that they had to settle for second best. I do not know who told the military that. The government has been very clear in its position, that is, that the military should come up with the analysis, the military should determine what it is that they require, and once that is determined, the specifications will be issued. That is what occurred.

**Senator Forrestall:** Why is the government wasting \$400 million to exclude the EH-101 and Sikorsky from the maritime helicopter prototype? Why is this happening? It is what is happening.

**Senator Carstairs:** The honourable senator certainly believes that is what has happened. No company has been excluded from this bidding process.

## FOREIGN AFFAIRS

### SAUDI ARABIA—STATUS OF CANADIAN PRISONER— REQUEST FOR UPDATE

**Hon. Marcel Prud'homme:** Honourable senators, I have a very serious question to ask of the Leader of the Government in the Senate.

Could she give us an update as to the sad turn of events taking place between Canada and Saudi Arabia concerning “a prisoner,” guilty or not? We follow the British rule that he is not guilty until proven otherwise. Could she first give me an update, which I will follow with a supplementary question?

**Hon. Sharon Carstairs (Leader of the Government):** Honourable senators, what we know at this moment — and I am assuming he is making reference to the Sampson case and the situation in Saudi Arabia — is that our ambassador visited Mr. Sampson on Tuesday in the company of a doctor of the Canadian embassy's choosing. The individual was given a full external medical examination and the ambassador was able to question him concerning his specific injuries. Honourable senators will appreciate we do not want to talk about the details of those injuries in order to preserve Mr. Sampson's privacy. However, the preliminary assessment of the doctor is that his injuries do not indicate that he was tortured. It is the position of the government that it will continue to monitor this case closely. There have been some suggestions that the ambassador should be recalled. The Prime Minister is very clear in this matter. He thinks the best protection for Mr. Sampson can be provided if our ambassador remains there.

I can give the honourable senator an update on the visit of the Saudi Crown Prince because I think it is all tied together in this very difficult file. The Crown Prince informed the Department of Foreign Affairs that he will not be coming to Canada next month, but he hopes to do so at a later date.

**Senator Prud'homme:** I am pleased that our Prime Minister kept a cool head on this issue in the face of the highly demagogic attack by the Official Opposition in the other place, led by Mr. Solberg. It does not help Canada's relationship with that country. Indeed, the Crown Prince has cancelled his visit and it is related to that matter. Many people do not understand that there are many differences in the Middle East, and I hope we will have a full debate someday. When people feel that they are treated as they were in the press in Canada, their sensitivity is attacked.

May I say to the minister that some of us under the leadership of the late Senator Molgat went to Saudi Arabia —

**Senator Tkachuk:** Question.

**Senator Prud'homme:** I am trying to be shorter than Senator Forrestall.

Who is asking me to put my question?

**Senator Tkachuk:** I am.

**Senator Prud'homme:** I will get to it.

Some of us went there, including our then Speaker, Gildas Molgat, and Senators Rompkey, Nolin, Lynch-Staunton, Milne and myself. We met with the King, which was quite unusual; we met with the Crown Prince, which was even more unusual. To meet both in the same day was totally unusual. We knew the Crown Prince was coming to open the embassy. Some honourable senators should know that everything has been done by some people in Canada to stop the opening of that embassy, to get their visa, and it is continuing. Today, there are 7,000 Canadians living happily and doing very well in Saudi Arabia. I hope that the minister refers this issue to the government. For reasons that are beyond my comprehension, there are people who seem not to like the good relationship developing between Canada and Saudi Arabia. It is true that the Crown Prince decided he was not going to the United States during his visit. That has nothing to do with his visit to Canada. I am a Canadian. This is turning out to be a very terrible, sad event in a series of events. Could the minister relay the feelings of at least some of us who went there and who understand the situation a bit better now? I hope those senators will join with me eventually in a representation. If need be that would be my question, that maybe some acceptable people could be sent there as representatives of the government.

We have done this kind of thing with Senator Wilson and others. Senator Roblin, Dr. Pauline Jewett and myself were sent to Russia at the worst time, and upon our arrival, because we were acceptable, we were received by Mr. Yakovlev. Things were normal after that, thanks to Senator Roblin, thanks to Dr. Pauline Jewett, and I would hope a little to myself.

If things are that sad, then perhaps something exceptional could be done.

May I conclude by saying how sad I am that when we went there, we were not even briefed that there was a Canadian in jail. That was in January, and Mr. Sampson had been in jail since December. Something must have been wrong somewhere. We were totally taken by surprise when we learned about the matter upon our return to Canada. We met with the Crown Prince and the King, and we could have raised the issue but we were not briefed on it.

**Senator Carstairs:** Senator Prud'homme has raised a number of important issues in the chamber this afternoon. I will share his concerns and his interests with my colleagues in the cabinet.

## NATIONAL DEFENCE

### REPLACEMENT OF SEA KING HELICOPTERS—CHANGES TO BASIC VEHICLE REQUIREMENTS

**Hon. David Tkachuk:** Honourable senators, my question is for the Leader of the Government in the Senate. In terms of search and rescue and naval boarding parties, our current Sea King is being fitted to accommodate seven passengers and four crew, for a total of 11 people. The basic vehicle requirement specification allows for two passengers, or, by stripping the guts out of the aircraft over a one-hour period, allows the proposed Maritime helicopter to change over to search and rescue and take on six passengers. Cabin space is obviously reduced. Will the minister tell us why this non-Cold War requirement for cabin space has been so drastically lowered from the Sea King to the Maritime helicopter?

**Hon. Sharon Carstairs (Leader of the Government):** Honourable senators, I am certain that Senator Tkachuk understands why I cannot give him a specific answer for the number of passengers in a helicopter. However, it is an interesting question. I will try to obtain a response for him and will make an inquiry at my briefing on June 11.

**Senator Forrestall:** You seemed to know yesterday. Don't look sullenly at me like that, Madam Minister.

• (1400)

**Senator Tkachuk:** Is it not a fact that the Cougar has drastically less cabin space than the S-92 or the EH-101, so much so that it was a critical factor in the recent search and helicopter competition that, by the way, the Cougar lost? Is that not the reason that cabin space is being sacrificed in this program, just so the government can pick up the Eurocopter Cougar?

**Senator Carstairs:** No, honourable senators.

## BUSINESS OF THE SENATE

**Hon. David Tkachuk:** Honourable senators, I should like to ask a question of Her Honour. Is it the new precedent in Question Period that an honourable senator can make a five-minute speech? If it is, I would love to take advantage of it next time. What is the precedence? How long a speech can I make before I have to ask a question?

**The Hon. the Speaker *pro tempore*:** Are you raising a point of order, Senator Tkachuk? I do not understand exactly what you want to do.

## NATIONAL DEFENCE

### REPLACEMENT OF SEA KING HELICOPTERS—CHANGES TO BASIC VEHICLE REQUIREMENTS—EFFECT ON PARTICIPATION IN MULTILATERAL OPERATIONS

**Hon. Terry Stratton:** Honourable senators, this is one of the lobbyists speaking.

**Senator Rompkey:** Who are they? You should name them.

**Senator Stratton:** My question is for the Leader of the Government in the Senate. It is clear from the government's basic vehicle requirement specifications that its new maritime helicopter is not intended to operate in temperatures above 35 degrees Celsius. As the minister has said, how warm does it get on our coasts?

My concern is our international commitments. What if we want to cooperate with forces from other countries on naval deployments in the Pacific, in East Timor, in the Persian Gulf, in the Mediterranean or in Somalia? Has the government informed our allies in the international community that we will no longer be participating in multilateral operations outside our waters?

**Hon. Sharon Carstairs (Leader of the Government):** No, honourable senators, the government has not done that because the government has not made a decision on what the helicopter will be.

**Senator Stratton:** Honourable senators, I thought the minister said earlier that we do not have to worry about temperature because our coasts do not get too warm. Now we have a situation that needs to be clarified, please. Will the helicopter described in the specifications be capable of flying in temperatures above 35 degrees during missions in the locations I have described? The minister does not have to answer now, but I would appreciate an answer.

Honourable senators, the Sea King has been declared materially obsolete by the Department of National Defence, but it can fly in temperatures above 50 degrees Celsius. We are concerned that the government is considering buying a new helicopter that cannot fly effectively in those temperatures for over 2 hours and 20 minutes. In other words, its life expectancy on patrol is less than 2 hours and 20 minutes. Is that something that the government, according to its requirements, is willing to accept?

**Senator Carstairs:** Honourable senators, there is no specific requirement in the maritime helicopter project for a specific distance capability because, as has been pointed out often by Senator Forrestall, distance is affected by climatic operational and other conditions — not just climate but other conditions as well.

The requirement is for endurance. After extensive analysis, DND determined that the new helicopters, in order to be considered, should be capable of remaining airborne for 2 hours and 50 minutes under normal conditions, with a 30-minute fuel reserve, or two hours and 20 minutes with a 30-minute fuel reserve under extreme heat conditions.



**Senator Stratton:** Honourable senators, are our allies satisfied with those requirements, not just our Department of National Defence? If we are going into trouble regions alongside our allies, they should be aware of our limited capabilities. Are they aware?

**Senator Carstairs:** Honourable senators, the helicopter has not been chosen. I am sure that when the helicopter is chosen, just as we share information with our allies about the state of equipment that we presently have, we will inform them as to the state of the equipment. However, we do not need permission from foreign countries to purchase equipment in this country.

**Hon. J. Michael Forrestall:** I should like to ask a supplementary question, honourable senators.

In all seriousness, I believe that each time the Leader of the Government in the Senate rises to her feet to respond to a question, she is telling us what she believes to be the truth. Some of us are just a little frustrated because we have in hand documents that prove otherwise. If these documents were mine or if I felt at liberty to table them, I would, but I do not feel at liberty to do so. I have them and the minister can get them. Why does she not obtain these documents and answer some of the questions?

She is smirking and laughing. Go to Shearwater and laugh at the wives of the men who have to fly these planes; laugh at the husbands whose wives are flying them. Pay attention to what we are talking about.

Will the government leader continue to stonewall on this issue, or will she come clean with Parliament and with Canada generally?

**Senator Carstairs:** Honourable senators, let me assure you that I bring to you each and every day the information that is provided to me. I do not hold it back. I do not change it.

**Senator Forrestall:** You do not question it either, do you?

**Senator Carstairs:** I do not limit it. To the very best of my ability, I give senators what I have.

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

REPLACEMENT OF SEA KING HELICOPTERS—BRIEFING OF SENATE  
IN COMMITTEE OF THE WHOLE

**Hon. John Lynch-Staunton (Leader of the Opposition):** Honourable senators, first, I want to commend Senator Carstairs for her graciousness yesterday in withdrawing a statement that I am sure was more a slip of the tongue than anything that was really intended. I understand that under constant pressure things are sometimes said which one regrets. The way she withdrew her statement shows her appreciation for the parliamentary system and I thank her again.

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

**Senator Lynch-Staunton:** Honourable senators, this whole issue of the helicopters and the development of the specs and the

request for proposal has, unfortunately, been highly charged politically. That in turn colours the whole debate. I commend Senator Carstairs again for passing on information, but she on her own cannot give all the details and all the answers to the questions being asked on this side. I am sure that questions are being raised in the minds of more than just caucus colleagues, however.

Would the Leader of the Government consider holding a briefing in the chamber, going into Committee of the Whole, to hear an explanation of how this whole process is being designed and where it is expected to lead? Hopefully, this could help dismiss the notion many of us share that the bidding process is being rigged to exclude one particular potential bidder. As yet, we are not convinced that this is not the case. Perhaps if we had a full briefing here or elsewhere, but preferably in Committee of the Whole, with the personnel who can answer our questions, we could come to a positive conclusion shared by both sides.

**Hon. Sharon Carstairs (Leader of the Government):** Honourable senators, I thank the honourable senator for his question and for his generosity. I will take his suggestion under serious consideration. I will get an answer to the honourable senator as soon as I can. By that, I mean by the next time the Senate sits.

[*Translation*]

## DELAYED ANSWERS TO ORAL QUESTIONS

**Hon. Fernand Robichaud (Deputy Leader of the Government):** Honourable senators, I have the honour to table in the house the delayed answers to four questions: a question raised on May 10, 2001, by Senator Kinsella, regarding the displacement of the United States on the Human Rights Commission; a question raised on May 6, 2001, by Senator LeBreton regarding the Immigration and Refugee Board of Canada; a question raised on May 10, 2001, by Senator Forrestall regarding the status of the Disaster Assistance Reaction Team (DART); and a question raised on May 8, 2001, by Senator Bolduc regarding the Auditor General and the appointment process.

## UNITED NATIONS

DISPLACEMENT OF UNITED STATES ON HUMAN RIGHTS  
COMMISSION

(*Response to question raised by Hon. Noël A. Kinsella on May 10, 2001*)

Elections to the United Nations Commission on Human Rights are conducted annually by secret vote among the fifty-four members of the Economic and Social Council, of which Canada is currently a member. One-third of the fifty-three seats on the Commission are open to election every year based on a regional allocation of seats. There is a separate voting ballot for each regional group. Therefore, candidates from different regional groups do not compete against one another.

For electoral purposes, European countries, Australia, Canada, New Zealand, Norway, the United States, and others (Andorra, Iceland, Israel, Liechtenstein, Malta, Monaco, San Marino, and Turkey) are members of the Western European and Other States Group (known as the "WEOG"). This year, three of the ten seats allocated to this group were open to election and four countries presented their candidacy: France, Austria, Sweden and the United States.

In assessing the WEOG candidacies, Canada looks at the experience of each candidate on the Commission. It also seeks to ensure a balanced representation within the WEOG among our European partners and our non-European partners.

Canada was surprised the United States was not re-elected to the Commission since it has a solid record in the promotion of international human rights. Canada and the United States have been longstanding partners in promoting international human rights in many fora, including at the Commission, and we fully hope and expect that our partnership with the United States on this issue will continue.

### IMMIGRATION AND REFUGEE BOARD

#### APPOINTMENTS—REQUEST FOR COPY OF TESTS FOR PROSPECTIVE BOARD MEMBERS

*(Response to question raised by Hon. Marjory LeBreton on May 16, 2001)*

#### QUESTION:

Can the honourable leader provide the names of the people who serve on the Ministerial Advisory Committee?

#### ANSWER:

The members of the Ministerial Advisory Committee, who select Immigration and Refugee Board members are:

The Honourable Justice Hugh Poulin

The Honourable Mr. Justice Hugh Poulin succeeded Mr. Gordon Fairweather as Chairperson of the Ministerial Advisory Committee (MAC) in 1997. In 1978, he was appointed to the bench, which is now the Superior Court of Justice (Ontario). At present, he serves as Chairman of the Pension Appeals Board.

Peter Showler

Mr. Peter Showler was appointed Chairperson of the Immigration and Refugee Board (IRB) in November 1999. Prior to this, he served as a member of the Board's Refugee Division, beginning in 1994. He was admitted to the Law Society of Upper Canada in 1985. From 1987 to 1994,

Mr. Showler was the Executive Director of Ottawa-Carleton Community Legal Services. He became a member of the MAC on his appointment as Chairperson of the IRB.

May Brown

Ms. May Brown was elected to the Vancouver City Council from 1976-1986 where she served as Alderman, Chairman of the Finance and Administration Committee, and as member of other committees. Ms. Brown has received many honours and awards, including the Order of Canada in 1986. She was appointed as a MAC member in 1998 and deals with all candidates from the West.

Terrie-Lynne Devonish

Ms. Terrie-Lynne Devonish is a lawyer with strong community commitment. She is a Member of the Canadian Bar Association, the Canadian Association of Black Lawyers, and a Member of the Board of Directors, African-Canadian Legal Clinic. Ms. Devonish has been a MAC member since February 2000 and deals with Ontario candidates.

Claude Lamarche

Mr. Claude Lamarche has worked in the human resources field since 1975. He was the Vice President of Human Resources at the Montfort Hospital from 1993 to 1998. He brings to the MAC an extensive experience with organizations and committees supporting community concerns and activities. Mr. Lamarche has been a member of the MAC since 1996 and deals with candidates from the Ottawa and Atlantic regions.

Mary McLaughlin

Ms. Mary McLaughlin is a public affairs specialist and has held senior positions in the private, public and not-for-profit sectors. She has been extensively involved in community affairs, including holding the position of Chair of the Board of an Ontario university and she serves as a Governor of the Council for Canadian Unity. She is President of Excalibur Communications based in London, Ontario. Ms. McLaughlin has been a member of the MAC since 1997 and deals with candidates primarily from Ontario.

Marc K. Parson

Mr. Marc Parson is a Vice-President with the communication firm Hill & Knowlton, Ducharme, Perron Ltée., which is the Québec subsidiary of Hill & Knowlton International. Prior to that he was the senior partner and co-owner of Forum Communications and Public Affairs. Mr. Parson has been active in the communications/public affairs field since 1970. He was appointed a MAC member in 1997 and deals with candidates from Québec.

Smita Patel

Ms. Smita Patel possesses a Masters degree from the University of Bombay, India. She brings to the MAC extensive professional experience in working with individuals from diverse ethnic and economic backgrounds. Ms. Patel has been a MAC member since February 2000 and deals with Ontario candidates.

### QUESTION:

As well, can she provide the actual test required of the people who wish to serve on this board so that we can see exactly what the test is all about?

### ANSWER:

Ministerial records are not accessible under the *Access to Information Act*. In addition, the Treasury Board Secretariat manual on dealing with the right of access to records, chapter 2-4, page 8, states that ministerial records are not deemed to be under the control of the institution for purposes of the *Access to Information Act*.

The following standard letter, which is sent to candidates inviting them to the written test, gives more details on the competencies measured by the test.

Ministerial Advisory Committee on the Selection of Members of the Immigration and Refugee Board

Comité consultatif ministériel pour la nomination des commissaires de la Commission de l'immigration et du statut de réfugié

Canada Building  
344 Slater Street, 14th floor  
Ottawa, Ontario  
K1A 0K1

Dear:

This is in reference to your recent application for the position of Member of the Immigration and Refugee Board.

We are pleased to invite you to a written test on Friday, March 23, 2001 from 10:00 a.m. to 12:00 p.m. Upon completion of your test, I would ask that you place a copy of your curriculum vitae along with your test in the response envelope provided. Please report 15 minutes in advance to:

Immigration and Refugee Board  
74 Victoria Street, 6th floor  
Toronto, Ontario

If you have not already done so, please provide the names and phone numbers of two individuals who have known you in a professional manner and who can provide us with references, as required. Please send this information to me by mail or by fax to (613) 992-7773.

This test is designed to measure how well you demonstrate four of the competencies that are required of members of the Immigration and Refugee Board:

Written communication skills  
Analytical reasoning/thinking skills  
Decision making/judgment  
Action management  
These are defined as follows:

#### Written communication skills

Presents issues and decisions in writing with clarity, credibility and impact in varied forums. Adapts the content and style of communication as appropriate for different audiences.

#### Analytical reasoning/thinking skills

Keeps track of a large body of diverse information, both factual and legal. Switches from one source of information to another quickly and easily, distinguishes readily between essential and non-essential details. Organizes large amounts of information into a coherent picture; integrates new information and considers different options and submissions put forward.

#### Decision making/judgement

Evaluates information with an open mind, based on criteria established by legislation and jurisprudence. Assesses and determines credibility. Reaches sound decisions based on evidence, legislation and legally sound rationale.

#### Action management

Works quickly and efficiently in an environment characterized by a high caseload, tight time constraints and a demanding hearing schedule. Assimilates a large volume of information in a short time-frame. Effectively controls and moderates the hearing procedure.

If you have any questions concerning this test, please contact the Secretariat Services of the Ministerial Advisory Committee at (613) 947-2451.

Director,  
Secretariat Services

## NATIONAL DEFENCE

### STATUS OF DISASTER ASSISTANCE REACTION TEAM

*(Response to question raised by Hon. J. Michael Forrestall on May 10, 2001)*

The Disaster Assistance Response Team consists of a core team of about 195 Canadian Forces personnel. The DART is not a standing unit. Its members come from units across the country and are on short notice to move, allowing the team the ability to mobilize quickly.

Most of the DART's equipment is pre-positioned at CFB Trenton in a specially-constructed warehouse dedicated to DART operations. The warehouse contains approximately 36,000 sq. ft. of equipment stocked and maintained by a team of six personnel dedicated solely to this task.

At the conclusion of each mission, the DART must be returned to its deployable posture and level of readiness within seven days of returning to Canada. Equipment is immediately stock-checked, replenished and re-packed in preparation for the next deployment.

The DART is a proven CF resource, capable of deploying on short notice anywhere in the world. The creation of the DART has enhanced the government's ability to meet international and national requests for help, underscoring Canada's commitment to the international community in the area of humanitarian and disaster relief.

Funding is provided by DND to support the standing capacity for the DART. The incremental costs of a mission may be provided from CIDA's international humanitarian assistance budget and/or from the fiscal framework if approved by Cabinet.

## AUDITOR GENERAL

### APPOINTMENT PROCESS

*(Response to question raised by Hon. Roch Bolduc on May 8, 2001)*

The Governor in Council shall, by commission under the Great Seal, appoint a qualified auditor to be the officer called the Auditor General of Canada to hold office during good behaviour for a term of ten years.

[ Senator Robichaud ]

The President of the Treasury Board has been leading the selection process, and chaired the Selection Committee established to identify Canada's next Auditor General.

The Selection Committee was comprised of the President of the Treasury Board (who served as Chair), the President of the Public Service Commission, the Secretary of the Treasury Board and Comptroller General of Canada and the Associate Secretary to the Cabinet and Deputy Clerk of the Privy Council, as well as the Chair of the Canadian Institute of Chartered Accountants, who also served as Chair of the Consultative Committee.

The position was advertised in the *Canada Gazette*, *The Globe and Mail* and *La Presse*, in order to make the selection process more open and transparent, and to attract the highest calibre candidates possible.

In addition, a Consultative Committee was established to assist the Selection Committee by conducting the first phase of the selection process, including consulting with Presidents of all Provincial Institutes of Chartered Accountants and managing partners of the major accounting firms, reviewing and assessing any applications received in response to the advertisements as well as identifying and screening the most credible candidates.

The Consultative Committee consisted of the Chair of the Canadian Institute of Chartered Accountants (a member of the Selection Committee), and senior former public servants and private sector representatives, including representatives from the accounting community.

The Selection Committee subsequently reviewed the recommendations made by the Consultative Committee.

Interviews of candidates for the position of Auditor General have taken place, and the Government will announce a new Auditor General in due course.

[English]

## ORDERS OF THE DAY

### FEDERAL-PROVINCIAL FISCAL ARRANGEMENTS ACT

#### BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Rompkey, P.C., seconded by the Honourable Senator Finestone, P.C., for the second reading of Bill C-18, to amend the Federal-Provincial Fiscal Arrangements Act.

**Hon. Noël A. Kinsella (Deputy Leader of the Opposition):** Honourable senators, I rise to participate in the debate on Bill C-18. In doing so, I should like to compliment both Senator Rompkey and Senator Comeau for their excellent speeches. They helped explicate the bill as it relates to the immediate future. They also planted seeds in terms of other questions that this house may wish to delve into and the idea, perhaps, of separating the two issues, thereby dealing with the bill and its immediate application in the order of time and the issue of equalization as a larger question.

This whole issue speaks to the heart of our country and why we have been able to function successfully as a national family since 1867. Honourable senators demonstrate their ability to discuss the issues within the context of the needs of a national family, and it is heartening and encouraging to see the debate focussed that way and not modified by more rhetorical partisan considerations.

It was thought during the process of patriation of the Constitution that equalization was such a fundamental part of the essence of Canada that it should form a clause in the newly patriated Constitution. However, its origins predate the 1982 Constitution Act.

In fact, the Rowell-Sirois report in 1940 recommended a system of equalization payments, called the National Adjustment Grants, whereby the federal government would make special grants to poorer provinces. While this recommendation was not implemented in the form advanced by Rowell-Sirois, there was in fact an equalizing element in the federal-provincial fiscal arrangements between 1941 and 1957. Grants were made on a per capita basis that provided provinces with lower per capita tax yields with a larger share of revenues.

The 1957 equalization program, which in reality was the beginning of the program we are now discussing, was based on tax sharing agreements. Each province agreed to receive as its share a percentage of the actual tax yield from its residents through the federal personal income tax, the federal corporate income tax, and federal secession duties. These equalization payments were calculated to bring each province's share up to the per capita average of the two highest yield provinces at the time, which happened to have been British Columbia and Ontario. Over the years, this equalization formula has evolved until it is now based on nearly all government revenue sources.

While changes were made in the formula in 1967 and again in 1973, the most dramatic change came, as Senator Buchanan outlined for us, in 1982. At that time, the base standard of equalization was lowered to the average per capita yield of five representative provinces, that also being referred to by Senators Comeau and Rompkey. At the time, the five representative provinces were British Columbia, Saskatchewan, Manitoba, Ontario and Quebec. Therefore, if a province had a higher per capita fiscal capacity than the average of the five representative provinces, that province was not entitled to

equalization. The converse, of course, is also true. If a province had a lower per capita fiscal capacity than the average of the five representative provinces, that province is entitled to equalization. At present, the province that I represent, with other colleagues from New Brunswick, is one of those recipient provinces.

While the formula itself was not enshrined in the Constitution Act, 1982, the basic principle of equalization was entrenched, and Senator Comeau placed on the record for us the actual words of sections 36(1) and (2).

In order to put some meat on the bones of section 36, we can refer to the debates which took place at that time in 1980 and 1981. As Senator Comeau has pointed out, the current Prime Minister was then the Minister of Justice and played an important role in the enactment of the Constitution Act, 1982. In addition to the words of Mr. Chrétien, Justice Minister of the day, as quoted by Senator Comeau, there are other passages by the current Prime Minister that speak to the true meaning of equalization which I would like to place on the record.

Honourable senators, when speaking of this section in the Special Joint Committee on the Constitutional Amendment of 1980, the then Justice Minister, the current Prime Minister, stated:

It is an affirmation of the principle of equalization and a commitment of all governments that there should be equal opportunities in Canada for all Canadians.

Further:

So what we are trying to do here is to recognize the reason why we are in Canada, that is to make sure that when the situation is good or bad, we all are there to share both the advantages and inconveniences, sometimes of being together.

Later, in 1981, when debating the constitutional resolution in the House of Commons, the current Prime Minister stated as follows:

We shall enshrine in the Constitution the notion of sharing ...

Let me repeat that. Mr. Chrétien was stating that we, as Canadians, as a national family, are enshrining into the basic cornerstone document of our nation this beautiful idea of sharing. Why? Quoting further from Mr. Chrétien:

... because it is part of the fabric of Canada. There have been good years and lean years, depending on the occupation or the area in which one lived. What has made Canada a great country is the fact that when times were hard, the rich have always helped the poor. That is why we are still here together today.

I believe, honourable senators, that Bill C-18, which is now before us, violates both the wording and the obvious intent of section 36 of the Constitution Act, 1982. It also violates the commitment made to the provinces by the Prime Minister in September of last year to lift the cap off the equalization formula and allow entitlements to grow up to the level of growth in the economy. It ought not be limited.

In his presentation before the finance committee in the other place, the Minister of Finance from my province, the Honourable Norman Betts, was quite categorical about the effects of this bill on the financial capacity of the Atlantic provinces. Of course, he was particularly interested, as am I, in the province of New Brunswick and the adverse impact of the principle upon which this bill rests on the financial capacity of New Brunswick.

• (1420)

The Honourable Mr. Betts stated that the purpose of equalization is to level the playing field among the provinces. In his opinion — an opinion shared by the four Atlantic provinces — this bill, which places a ceiling on equalization payments, “violates the spirit and intent of the constitutional commitment by limiting the capacity of the program to achieve its fundamental objective.” Those are the words of Norman Betts, New Brunswick’s Minister of Finance.

Simply put, the position is that the imposition of an arbitrary ceiling level of \$10 billion is a break with past practices. This is not the way it has been done. The ceiling applies immediately after fiscal year 1999-2000 and, therefore, payments are restricted to a level below the normal economic growth projections.

As Mr. Betts explained, this is an arbitrary and substantial ratcheting down of the ceiling level. It results in diminished growth of revenues far below that which would occur without the imposition of the ceiling. In New Brunswick, in real dollars, this means a reduction of \$50 million from the equalization entitlement. Roads could be built, nurses hired and health care improved had it not been for the cap.

Honourable senators, it is the position of my province, and I believe a position shared by my colleagues from New Brunswick, that the cap should either be removed or set at some higher level that would not occasion such draconian, practically applied results. As Finance Minister Betts has stated, the problem is this:

...the growth in expenditures for which we are constitutionally obliged to deliver is growing at a greater rate than our revenue capacity. The flip side is true at the federal level.

Honourable senators, I look forward to hearing further comments from honourable senators on Bill C-18 and listening to the federal Minister of Finance, Mr. Martin, and representatives of the various provinces when the bill is studied in the Standing Senate Committee on National Finance.

[ Senator Kinsella ]

**The Hon. the Speaker:** It was moved by the Honourable Senator Rompkey, seconded by the Honourable Senator Finestone, that this bill be read the second time.

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

**Hon. Senators:** Agreed.

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

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

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

## CUSTOMS ACT

BILL TO AMEND—REPORT OF COMMITTEE ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Banks, seconded by the Honourable Senator Wiebe, for the adoption of the fifth report of the Standing Senate Committee on National Finance (Bill S-23, to amend the Customs Act and to make related amendments to other Acts, with amendments) presented in the Senate on May 17, 2001.

**Hon. Noël A. Kinsella (Deputy Leader of the Opposition):** Honourable senators, this item was adjourned by Senator Murray. I have been in touch with his office. He will speak at third reading; therefore, I think that we can consider the debate on report stage concluded.

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

**Hon. Senators:** Agreed.

Motion agreed to and report adopted.

**The Hon. the Speaker:** When shall this bill, as amended, be read the third time?

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

## IMPERIAL LIFE ASSURANCE COMPANY OF CANADA

PRIVATE BILL—THIRD READING

**Hon. Serge Joyal** moved the third reading of Bill S-27, to authorize The Imperial Life Assurance Company of Canada to apply to be continued as a company under the laws of the Province of Quebec.

Motion agreed to and bill read third time and passed.

## CERTAS DIRECT ASSURANCE COMPANY

### PRIVATE BILL—THIRD READING

**Hon. Serge Joyal** moved the third reading of Bill S-28, to authorize Certas Direct Insurance Company to apply to be continued as a company under the laws of the Province of Quebec.

Motion agreed to and bill read third time and passed.

## LIBRARY OF PARLIAMENT

### FIRST REPORT OF JOINT COMMITTEE ADOPTED

The Senate proceeded to consideration of the first report of the Standing Joint Committee on the Library of Parliament (order of reference), presented in the Senate on May 30, 2001.—(*Honourable Senator Bryden*).

**Hon. John G. Bryden** moved the adoption of the report.

Motion agreed to and report adopted.

## ASIAN HERITAGE

### MOTION TO DECLARE MAY AS MONTH OF RECOGNITION— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Poy, seconded by the Honourable Senator Carney, P.C.:

That May be recognized as Asian Heritage Month, given the important contributions of Asian Canadians to the settlement, growth and development of Canada, the diversity of the Asian community, and its present significance to this country.—(*Honourable Senator Finestone, P.C.*).

**Hon. Sheila Finestone:** Honourable senators, I am pleased to endorse the motion proposed by Senator Poy on May 29 pertaining to the creation of Asian Heritage Month in Canada. I believe it is important for this august body to consider such a proposal. I suggest this because it says something about the kind of country we are and the kind of country we wish to become, for Canada's early history of acceptance, of discrimination, of openness and of exclusion is not a pretty one. We made many errors of judgment. Fortunately, we have matured.

Our Charter of 1982 attests to our progress towards pluralism and our multicultural reality, yet we are still a work in progress.

I shall not restate some of the points made by Honourable Senators Poy and Carney, who referred to the valuable

contribution that Asian Canadians have made over the last 100 years, in the building of the CPR, in the development of the lumber and fishing industries, and through many small businesses, being the true entrepreneurs that they are.

It is important to draw our attention to another equally important dimension of this motion, that is, the future. Unlike some nations, few in the world today would ever think to accuse Canadians of being like ostriches that stick their heads in the sand. We are generally outward-looking and conscious of the world around us. Perhaps the reason we are where we are is because of all those little pink bits that so many of us saw as school children on our world maps showing the British Empire. Perhaps our outward looking nature is a result of our connection to Europe generally and Greco-Roman history and the Judeo-Christian tradition. Perhaps as colonials at one time, our knowledge of ourselves has been shaped by knowledge from other places and times. All that was great seemed to come from afar.

In one sense, little has changed. However, thanks to technology and our tremendous appetites for new knowledge, lines on the map are beginning to blur as once largely isolated cultures begin to exchange ideas and goods at increasingly rapid rates.

No doubt the phrase "think globally, act globally" has caught some of the essence of this fact. We are entering a new era of human history, an era where a global world view coexists with a continental, national, provincial and local world view within each and every individual.

We are seeing the dawn of a new psychological landscape where being a citizen of the world is more than just a catchphrase. It is part of a new mindscape, a mindscape that has embedded within it a global perspective on things. What does such a perspective reveal? It reveals a world inhabited by an estimated 6 billion people of whom 3.5 billion live in Asia. That means about three out of every five people in the world are of Asian descent. Of this number, one is from China and one from India. That is our reality.

By comparison, Canada is rather a tiny drop in the world's population bucket. Given the numbers involved, and given our outward-looking nature as Canadians, it is little statistical wonder that so many Canadians are opening up to and learning more about Asia.

For example, in the April 23 issue of *Time* magazine, a bellwether of mainstream North American culture, the magazine did a cover story on yoga as therapy. It reported that 15 million Americans participate in this ancient and mystical tradition, twice as many as five years ago, in part because they believe it has real medical benefits. That is 15 million people, or half the population of Canada, engaged in a practice that has its origins in India. That says something, I should think.

In an October 1997 issue of *Time*, the magazine did a cover story on Buddhism. Among other things, it was reported that Buddhism was the fastest growing religion in the United States, and people are asking questions and seeking answers outside the predominant Judeo-Christian tradition, and that never hurts.

The values espoused by the Buddhist tradition include the teaching and practice of love and compassion and non-violence to all sentient beings. Sounds wholesome to me. What society would want to discourage that? However, just as every culture has a measure of justifiable pride in its heritage and tradition, history has shown that parochialism has often infected the minds of people with a measure of intolerance that has proven destructive. Whether it has been Orthodox Christians fighting Roman Christians, or Sunni Muslims fighting Sufi Muslims, or fundamentalist Sikhs fighting liberal Sikhs, the theme of rigidity or inflexibility of mind and heart are the same.

A recent race riot in Great Britain between British citizens of Indo-Asian descent and those of European descent demonstrated that even the most modern of democratic societies is not immune to the effects of intolerance on occasion. Enlarging our awareness of the riches every culture has to offer can prevent such things. I believe that the adoption of Asian Heritage Month is one positive way by which we can encourage all Canadians to discover the treasures within the Asian cultural salad.

I also believe that in the Canadian multicultural tradition, we respect those who choose to maintain and honour their ancestral home, history and culture. If spice is the variety of life, certainly Asian Canadians have brought a veritable cornucopia of epicurean delights to the tables of this country, be they from India, Thailand, Vietnam, Japan or China. Each of us, in our own small way, is not unlike Marco Polo when we venture to discover something new about our world, even if it is only at the end of our fork.

The most important lesson in this whole enterprise may be remembering that remaining open to other cultures is about remaining open to life and about fostering values that are conducive to the growth of human beings. That is one of the reasons we are here, honourable senators, to see if we can figure out ways to build on our society that will allow our descendants to flourish, rather than perish, to prosper rather than succumb, and to inspire rather than despair. Thus far, we have done pretty well. I want to build a world, as all of us do, where my grandchildren and yours totally “dig” diversity, as my children say.

To officially adopt Asian Heritage Month does not send merely a symbolic message. I really believe that it helps to guard against intolerance. Remember: “O Canada, we stand on guard for thee.”

[ Senator Finestone ]

Let none of us forget that Canadians of Chinese origin also fought for Canada during World War II, at times in dangerous, behind-the-lines assignments, as specially trained commandos. No greater love hath a man than to lay down his life for his brother.

How has this kindness and love been repaid? With regrettable forms of discrimination in the past towards both Chinese and Japanese Canadians until 1947, two years after World War II. Yet out of such tragedies we have learned and we learn hard-won historical lessons. The suffering of Asian Canadians helped all Canadians to learn how to open our hearts and, in so doing, helped to break down the barriers that stood in the way of immigrants of other non-European nations.

In this age of the global village, we are beginning to see the fruits of an open heart. By enhancing our ability to engage in genuine cultural exchange and understanding within our own borders, Asian Canadians have also given all of Canada an important strategic advantage as we court growing Asian markets. In this sense, to love is to prosper.

History teaches us that we all need to guard against racial intolerance of all kinds. I believe the recognition of Asian Heritage Month will give us an important and proactive means of reminding all Canadians of the important contribution Asian Canadians have made and continue to make to our culture. Not only that, this month of recognition can serve to unite all Canadians of Asian descent into a collaborative, intra-Asian dialogue within Canada. In short, Asian Heritage Month cannot but help add to Canada's culture as one of the most diverse and enlightened in this world.

I am pleased to support this motion, honourable senators.

On motion of Senator Oliver, debate adjourned.

• (1440)

## THE NATIONAL ANTHEM

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Poy calling the attention of the Senate to the national anthem.—(*Honourable Senator Pearson*).

**Hon. Landon Pearson:** Honourable senators, as a member of a foreign service family I have had innumerable occasions to sing our national anthem and have always done so with great pride. There is nothing like being abroad together with other Canadians to reinforce one's pride in one's nationality and shared national values.



However, as the years went by and my family of daughters increased, I became increasingly uncomfortable with the line in the English version of the anthem that commands true patriot love from all thy sons. I have a son and he is as patriotic as his sisters, but I am no one's son and neither are they. Therefore, in the last few years I have been quietly replacing "all thy sons" with "all of us." I would now like to do so out loud and for always.

I fully support Senator Poy in her efforts to make the necessary changes to recognize that all of us — men and women, boys and girls alike — rejoice in being Canadian.

On motion of Senator Spivak, debate adjourned.

## DEFENCE AND SECURITY

### COMMITTEE AUTHORIZED TO CONDUCT SURVEY OF MAJOR SECURITY AND DEFENCE ISSUES

**Hon. Colin Kenny**, pursuant to notice of May 29, 2001, moved:

That the Standing Senate Committee on Defence and Security be authorized to conduct an introductory survey of the major security and defence issues facing Canada with a view to preparing a detailed work plan for future comprehensive studies;

That the Committee report to the Senate no later than February 28, 2002, and that the Committee retain all powers necessary to publicize its findings until March 31, 2002; 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.

Motion agreed to.

### COMMITTEE AUTHORIZED TO ENGAGE SERVICES

**Hon. Colin Kenny**, pursuant to notice of May 29, 2001, moved:

That the Standing Senate Committee on Defence and Security have power to engage the services of such counsel and technical, clerical and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject-matters of bills and estimates as are referred to it.

Motion agreed to.

### COMMITTEE AUTHORIZED TO PERMIT ELECTRONIC COVERAGE

**Hon. Colin Kenny**, pursuant to notice of May 29, 2001, moved:

That the Standing Senate Committee on Defence and Security be empowered to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

Motion agreed to.

### MOTION TO AUTHORIZE COMMITTEE TO CHANGE NAME—REFERRED TO COMMITTEE

**Hon. Colin Kenny**, pursuant to notice of May 29, 2001, moved:

That 86(1)(r) of the *Rules of the Senate* be amended by replacing the words "Senate Committee on Defence and Security" with the words "Senate Committee on National Security and Defence".

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

**Hon. John Lynch-Staunton (Leader of the Opposition):** Could we have an explanation, please?

**Senator Kenny:** Honourable senators, I would be pleased to provide an explanation of my motion. This proposed change has been discussed with the chairman of the Rules Committee. Senator Austin asked me to inform you, on his behalf, that he endorses this change. The purpose of the change is to more accurately reflect the work and mandate of the committee which would study issues such as terrorism further to the work that was carried on by our former colleague, Senator Kelly. The committee's mandate also includes matters relating to police services and emergency preparedness. It was the feeling of the committee that this descriptor better fits the work the committee is doing.

**Hon. Douglas Roche:** Honourable senators, I support changing the name of the committee to the Senate Committee on National Security and Defence. My question for Senator Kenny refers to the motion in amendment to Motion No. 3 on the Order Paper dealing with the U.S. national missile defence system. The motion in amendment of Senator Finestone would refer the subject matter of the motion to the Standing Senate Committee on Defence and Security for study.

If Senator Kenny's motion is passed, would Senator Finestone's motion in amendment be now out of order because it contains the wrong name for the committee? I do not want us to run into a problem later because the motion in amendment contains the wrong name for the committee.

• (1450)

**Senator Kenny:** I do understand the honourable senator's point. If the Senate were to see fit to change the name of the committee, it would be my belief that the motion would still come to the committee, assuming the Senate saw fit to send it to the committee. I do not think that there would be any confusion in that regard. It is still the same group of people and it is still the same committee. I cannot see any reason that would stop the motion from coming forward if it were the wish of the Senate to have that happen.

**Senator Roche:** Honourable senators, I refer to the first of Senator Kenny's motions that he brought forward today, which sets out a work program. The new committee in question has now been authorized to conduct an introductory survey of the major security and defence issues facing Canada with a view to preparing a detailed work plan for future comprehensive study. That motion has been approved.

Thus, I ask Senator Kenny if the Senate were to see fit to send forward the subject matter of the motion on the missile defence system, could the Defence Committee work on that discrete issue at the same time? Could it proceed in tandem under the umbrella of the motion that has now been accepted for the work plan of the committee?

**Senator Kenny:** Honourable senators, the committee is the servant of the chamber. It will do whatever the chamber directs it to do. If the chamber sends that item to the committee, we will deal with it.

**Hon. Terry Stratton:** Honourable senators, I should like to address a question to the Honourable Senator Kenny.

The honourable senator said that Senator Austin, as Chair of the Standing Committee on Privileges, Standing Rules and Orders, has approved this motion. I do not recall that matter coming to the committee. Does the honourable senator know that it has come to the committee? Perhaps I missed the meeting.

**Senator Kenny:** I did not say that it went to the committee, honourable senators. I said that I had consulted with the chair of the committee. I was merely informing the Senate that one person on that committee was of the view that this was a worthwhile change.

**Senator Stratton:** The honourable senator is not speaking on behalf of the committee. He is speaking on behalf of himself.

**Senator Kenny:** That is exactly what I said.

**Hon. Noël A. Kinsella (Deputy Leader of the Opposition):** Honourable senators, my question is a substantive one. What is intended by the phrase "national security"? My understanding of national security in the Canadian context would be at the level of the RCMP and municipal police departments. Is that the sense of national security being applied in this instance, or is it national security more in the American application of the term, which relates to international security?

**Senator Kenny:** Honourable senators, national security would include, as the Leader of the Opposition said, CSIS and the RCMP. It would include matters as were covered by our former

colleague Senator Kelly's special Senate committee. Those of us who served on that committee noticed that there was a convergence of these issues. Defence played a role, as did emergency preparedness and the police. All the players needed to come together in a variety of ways to deal with the issue. That is the reason for those words.

**Senator Kinsella:** Honourable senators, in order to expedite consideration of the matter, would Senator Kenny be open to having the motion referred to the Rules Committee? That would obviate the need for a motion to be made to amend this motion to that same effect. We, on this side, think that perhaps the Rules Committee should take a look at this matter.

**Senator Kenny:** Honourable senators, I would accept whatever the opposition wishes to do. The Deputy Chairman, Senator Forrestall, supported this, as did the members on the opposite side who were there.

In fact, I spoke with Senator Forrestall half an hour ago. He indicated that he would be here to speak in support of my motion. I regret that other matters occupy him. I had the impression that there had been discussions amongst senators on the other side of the chamber.

If that is not the case and my honourable friend wishes more discussion at the Rules Committee, we will live with that.

#### MOTION IN AMENDMENT

**Hon. Noël A. Kinsella (Deputy Leader of the Opposition):** Honourable senators, I move that the motion be amended to provide that it be submitted to the Rules Committee for study and report back to the Senate.

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

**Hon. Senators:** Agreed.

Motion in amendment agreed to.

[Translation]

#### ADJOURNMENT

Leave having been given to revert to Government Notices of Motions:

**Hon. Fernand Robichaud (Deputy Leader of the Government):** Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(h), I move:

That when the Senate adjourns today, it do stand adjourned until Tuesday, June 5, 2001, at 2 p.m.

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

**Hon. Senators:** Agreed.

Motion agreed to.

The Senate adjourned until Tuesday, June 5, 2001, at 2 p.m.

**THE SENATE OF CANADA**  
**PROGRESS OF LEGISLATION**  
**(1st Session, 37th Parliament)**  
**Thursday, May 31, 2001**

**GOVERNMENT BILLS**  
**(SENATE)**

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.
S-2	An Act respecting marine liability, and to validate certain by-laws and regulations	01/01/31	01/01/31	—	—	—	01/01/31	01/05/10	6/01
S-3	An Act to amend the Motor Vehicle Transport Act, 1987 and to make consequential amendments to other Acts	01/01/31	01/02/07	Transport and Communications	01/05/03 amended 01/05/09	3	01/05/10		
S-4	A First Act to harmonize federal law with the civil law of the Province of Quebec and to amend certain Acts in order to ensure that each language version takes into account the common law and the civil law	01/01/31	01/02/07	Legal and Constitutional Affairs	01/03/29	0 + 1 at 3rd	01/04/26	01/05/10	4/01
S-5	An Act to amend the Blue Water Bridge Authority Act	01/01/31	01/02/07	Transport and Communications	01/03/01	0	01/03/12	01/05/10	3/01
S-11	An Act to amend the Canada Business Corporations Act and the Canada Cooperatives Act and to amend other Acts	01/02/06	01/02/21	Banking, Trade and Commerce	01/04/05	17 + 1 at 3rd	01/05/02		
S-16	An Act to amend the Proceeds of Crime (Money Laundering) Act	01/02/20	01/03/01	Banking, Trade and Commerce	01/03/22	0	01/04/04		
S-17	An Act to amend the Patent Act	01/02/20	01/03/12	Banking, Trade and Commerce	01/04/05	0	01/05/01		
S-23	An Act to amend the Customs Act and to make related amendments to other Acts	01/03/22	01/05/03	National Finance	01/05/17	11			
S-24	An Act to implement an agreement between the Mohawks of Kanesatake and Her Majesty in right of Canada respecting governance of certain lands by the Mohawks of Kanesatake and to amend an Act in consequence	01/03/27	01/04/05	Aboriginal Peoples	01/05/10	0	01/05/15		

**GOVERNMENT BILLS**  
**(HOUSE OF COMMONS)**

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.
C-2	An Act to amend the Employment Insurance Act and the Employment Insurance (Fishing) Regulations	01/04/05	01/04/24	Social Affairs, Science and Technology	01/05/03	0	01/05/09	01/05/10	5/01
C-3	An Act to amend the Eldorado Nuclear Limited Reorganization and Divestiture Act and the Petro-Canada Public Participation Act	01/05/02	01/05/10	Energy, the Environment and Natural Resources					

C-4	An Act to establish a foundation to fund sustainable development technology	01/04/24	01/05/02	Energy, the Environment and Natural Resources						
C-7	An Act in respect of criminal justice for young persons and to amend and repeal other Acts	01/05/30								
C-8	An Act to establish the Financial Consumer Agency of Canada and to amend certain Acts in relation to financial institutions	01/04/03	01/04/25	Banking, Trade and Commerce	01/05/31	0				
C-9	An Act to amend the Canada Elections Act and the Electoral Boundaries Readjustment Act	01/05/02	01/05/09	Legal and Constitutional Affairs						
C-12	An Act to amend the Judges Act and to amend another Act in consequence	01/04/24	01/05/09	Legal and Constitutional Affairs	01/05/17	0		01/05/29		
C-13	An Act to amend the Excise Tax Act	01/04/24	01/05/01	Banking, Trade and Commerce						
C-14	An Act respecting shipping and navigation and to amend the Shipping Conferences Exemption Act, 1987 and other Acts	01/05/15	01/05/30	Transport and Communications						
C-17	An Act to amend the Budget Implementation Act, 1997 and the Financial Administration Act	01/05/15	01/05/30	National Finance						
C-18	An Act to amend the Federal-Provincial Fiscal Arrangements Act	01/05/09	01/05/31	National Finance						
C-20	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2001	01/03/21	01/03/27	—	—	—		01/03/28	01/03/30	1/01
C-21	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2002	01/03/21	01/03/27	—	—	—		01/03/28	01/03/30	2/01
C-22	An Act to amend the Income Tax Act, the Income Tax Application Rules, certain Acts related to the Income Tax Act, the Canada Pension Plan, the Customs Act, the Excise Tax Act, the Modernization of Benefits and Obligations Act and another Act related to the Excise Tax Act	01/05/15	01/05/30	Banking, Trade and Commerce						
C-26	An Act to amend the Customs Act, the Customs Tariff, the Excise Act, the Excise Tax Act and the Income Tax Act in respect of tobacco	01/05/15	01/05/17	Banking, Trade and Commerce						

#### COMMONS PUBLIC BILLS

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.

## SENATE PUBLIC BILLS

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.
S-6	An Act to assist in the prevention of wrongdoing in the Public Service by establishing a framework for education on ethical practices in the workplace, for dealing with allegations of wrongdoing and for protecting whistleblowers (Sen. Kinsella)	01/01/31	01/01/31	National Finance	01/03/28	5			
S-7	An Act to amend the Broadcasting Act (Sen. Finestone, P.C.)	01/01/31	01/02/07	Transport and Communications					
S-8	An Act to maintain the principles relating to the role of the Senate as established by the Constitution of Canada (Sen. Joyal, P.C.)	01/01/31	01/05/09	Privileges, Standing Rules and Orders					
S-9	An Act to remove certain doubts regarding the meaning of marriage (Sen. Cools)	01/01/31							
S-10	An Act to amend the Parliament of Canada Act (Parliamentary Poet Laureate) (Sen. Grafstein)	01/01/31	01/02/08	—	—	—	01/02/08		
S-12	An Act to amend the Statistics Act and the National Archives of Canada Act (census records) (Sen. Milne)	01/02/07	01/03/27	Social Affairs, Science and Technology					
S-13	An Act respecting the declaration of royal assent by the Governor General in the Queen's name to bills passed by the Houses of Parliament (Sen. Lynch-Staunton)	01/02/07	01/05/02	Privileges, Standing Rules and Orders					
S-14	An Act respecting Sir John A. Macdonald Day and Sir Wilfrid Laurier Day (Sen. Lynch-Staunton)	01/02/07	01/02/20	Social Affairs, Science and Technology	01/04/26	0	01/05/01		
S-15	An Act to enable and assist the Canadian tobacco industry in attaining its objective of preventing the use of tobacco products by young persons in Canada (Sen. Kenny)	01/02/07	01/03/01	Energy, the Environment and Natural Resources	01/05/10	0	01/05/15		
S-18	An Act to Amend the Food and Drugs Act (clean drinking water) (Sen. Grafstein)	01/02/20	01/04/24	Social Affairs, Science and Technology (withdrawn 01/05/10)  Energy, the Environment and Natural Resources					
S-19	An Act to amend the Canada Transportation Act (Sen. Kirby)	01/02/21	01/05/17	Transport and Communications					
S-20	An Act to provide for increased transparency and objectivity in the selection of suitable individuals to be named to certain high public positions (Sen. Stratton)	01/03/12							
S-21	An Act to guarantee the human right to privacy (Sen. Finestone, P.C.)	01/03/13		Subject-matter 01/04/26 Social Affairs, Science and Technology					

S-22	An Act to provide for the recognition of the <i>Canadien</i> Horse as the national horse of Canada (Sen. Murray, P.C.)	01/03/21
S-26	An Act concerning personal watercraft in navigable waters (Sen. Spivak)	01/05/02

#### PRIVATE BILLS

No.	Title	1st	2nd	Committee	Report	Amend	3rd	R.A.	Chap.
S-25	An Act to amend the Act of incorporation of the Conference of Mennonites in Canada (Sen. Kroft)	01/03/29	01/04/04	Legal and Constitutional Affairs	01/04/26	1	01/05/02		
S-27	An Act to authorize The Imperial Life Assurance Company of Canada to apply to be continued as a company under the laws of the Province of Quebec (Sen. Joyal, P.C.)	01/05/17	01/05/29	Legal and Constitutional Affairs	01/05/31	0	01/05/31		
S-28	An Act to authorize Certas Direct Insurance Company to apply to be continued as a company under the laws of the Province of Quebec (Sen. Joyal, P.C.)	01/05/17	01/05/29	Legal and Constitutional Affairs	01/05/31	0	01/05/31		

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