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THE HONOURABLE DAN HAYS
SPEAKER

CONTENTS

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THE SENATE

Thursday, June 12, 2003

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

Prayers.

It is extremely important for us to be represented at this kind of ceremony, honourable senators, and we thank Senator Wiebe for attending. We also thank the Minister of Veterans Affairs for making it possible for us to attend.

SENATOR'S STATEMENT

OPENING OF JUNO BEACH CENTRE

Hon. Joseph A. Day: Honourable senators, when I rose on Monday to add to the comments by Honourable Senator Atkins in respect of D-Day, I paid tribute to the Juno Beach Centre Association. I should like, today, to pay tribute to others who helped to contribute to the very successful celebration that took place. The Minister of National Defence, the Honourable John McCallum, and the Minister of Veterans Affairs, the Honourable Rey Pagtakhan, deserve our thanks for helping to support this memorable activity.

The President of the Canadian Battle of Normandy Foundation, retired Lieutenant-General Charles Belzile, hosted us at the Museum for Peace at Caen, where we enjoyed a moving ceremony at the Canadian Memorial Garden. Major-General Richard Romer, chair of the organizing committee, flew surveillance Hawker Hurricanes during D-Day. Mr. Cliff Chadderton was part of the Royal Winnipeg Rifles, who were first to land on the beach, and we attended a memorial for them during the weekend. Mr. John O'Reilly from the House of Commons, who led our parliamentary delegation, and Ms. Paddy Torsney were both mentioned in the Prime Minister's speech.

The Minister of National Defence not only made it possible for our parliamentary group to attend with those mentioned by the Honourable Senator Atkins in his statement, but he also made it possible for various others to attend, including the Neil Michaud Choir from Moncton, New Brunswick; the Regimental Band of the Queen's Own Rifles of Canada; the Royal Canadian Legion Pipes and Drums; the Calgary Police Service Pipe Band; the Ontario Royal Canadian Legion Pipes and Drums; the Edmonton Police Service Pipes and Drums; the Pipes and Drums of Lindsay, Ontario; and the Regimental Band of the Royal Winnipeg Rifles. All those groups helped to contribute, along with the Royal Canadian Mounted Police, members of the Royal Canadian Legion, representatives of the Royal Military College and our parliamentarians.

One honourable senator, who was mentioned by Senator Atkins and whose absence was noted during my statement on Monday, was the Honourable Senator Wiebe. Senator Wiebe had the opportunity to stay on and attend a service at the British Cemetery in Paschendale for three Canadian soldiers who had been discovered during an excavation. A special ceremony was held to bury those soldiers. The gravesite will be marked "A Canadian Soldier" because the three soldiers could not be identified.

ROUTINE PROCEEDINGS

SPECIFIC CLAIMS RESOLUTION BILL

REPORT OF COMMITTEE

Hon. Thelma J. Chalifoux, Chair of the Standing Senate Committee on Aboriginal Peoples, presented the following report:

Thursday, June 12, 2003

The Standing Senate Committee on Aboriginal Peoples has the honour to present its

FOURTH REPORT

Your Committee, to which was referred Bill C-6, to establish the Canadian Centre for the Independent Resolution of First Nations Specific Claims to provide for the filing, negotiation and resolution of specific claims and to make related amendments to other Acts, in obedience to its Order of Reference dated Wednesday, April 2, 2003, has examined the said Bill and now reports the same with the following amendments:

1. *Page 22, clause 47:*

(a) Replace line 4 with the following:

(a) in relation to a specific claim that is before the Commission, to summon witnesses or to order production of documents;

(b) whether the claim and any other specific

(b) Replace line 7 with the following:

(c) any other issue that needs to be resolved

2. *Page 24, clause 56:* Replace line 1 with the following:

maximum of ten million dollars, based

3. *Page 29, clause 76:* Replace line 19 with the following:

considers appropriate. In carrying out the review, the Minister shall give to first nations an opportunity to make representations.

4. *Page 29, new clauses 76.1 and 76.2:* Add after line 32 the following:

76.1 The Minister shall, before making a recommendation under section 5 or subsection 20(1) or 41(1), notify claimants — which notification may be by ordinary mail sent to their latest known addresses — that they may, during a period that the Minister specifies of not less than 30 days after the date of the notice, make representations in respect of appointments to the office or offices in question.

76.2 (1) At no time shall a person who was appointed under section 5 or subsection 20(1) or 41(1) act for any party in connection with any specific claim in relation to which they performed any work or concerning which they obtained significant information during their term in office.

(2) Persons who were appointed under section 5 or subsection 20(1) or 41(1) shall not, within a period of one year after the end of their term in office, accept any employment with or enter into a contract for services with the Department of Indian Affairs and Northern Development or a first nation that had a pending specific claim — before the Commission or the Tribunal, in the case of the Chief Executive Officer, or, in the case of a commissioner or adjudicator, before the Division of the Centre to which the person was appointed — at any time during their term in office.

5. *Page 30, new clause 77.1:* Add before line 1 with the following:

77.1 During the period of one year after the coming into force of section 76.1, the reference in that section to “claimants” shall be read as a reference to “claimants under this Act of under the Specific Claims Policy of the Government of Canada”.

Your Committee also made certain observations, which are appended to this report.

Respectfully submitted,

THELMA J. CHALIFOUX
Chair

(For text of observations, see Journals of the Senate, page 934.)

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

On motion of Senator Chalifoux, report placed on the Orders of the Day for consideration at the next sitting of the Senate.

• (1340)

BUDGET IMPLEMENTATION BILL, 2003

REPORT OF COMMITTEE

Hon. Lowell Murray, Chair of the Standing Senate Committee on National Finance, presented the following report:

Thursday, June 12, 2003

The Standing Senate Committee on National Finance has the honour to present its

SEVENTH REPORT

Your Committee, to which was referred Bill C-28, An Act to implement certain provisions of the budget tabled in Parliament on February 18, 2003, has, in obedience to the Order of Reference of Wednesday, June 4, 2003, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

LOWELL MURRAY
Chair

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.

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

ELEVENTH REPORT OF COMMITTEE PRESENTED

Hon. Lorna Milne, Chair of the Standing Committee on Rules, Procedures and the Rights of Parliament, presented the following report:

Thursday, June 12, 2003

The Standing Committee on Rules, Procedures and the Rights of Parliament has the honour to present its

ELEVENTH REPORT

Pursuant to its authority under Rule 86(1)(f), your Committee is pleased to report as follows:

That the Senators Attendance Policy be amended by replacing subsections 5(2) and (3) with the following:

Medical certificate

(2) For each consecutive sitting day in the session beyond six to be registered as a day of illness, a medical certificate must be submitted to the Clerk; the certificate may serve for one or more sitting days within a period of up to three calendar months.

Subsequent certificates

(3) Where a Senator has submitted a medical certificate, all absences for illness during the following twelve calendar months for a period beyond six consecutive sitting days must be substantiated with a certificate to be obtained from a medical doctor designated by the Clerk; the certificate may serve for one or more sitting days within a period of up to three calendar months.

LORNA MILNE
Chair

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

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

[*Translation*]

MERCHANT NAVY VETERANS DAY BILL

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-411, to establish Merchant Navy Veterans Day.

Bill read first time.

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

Hon. Fernand Robichaud (Deputy Leader of the Government): Two days hence.

[*English*]

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, perhaps we could have leave to consider this bill at the next sitting of the Senate.

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

Hon. Senators: Agreed.

[Senator Milne]

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

NATIONAL SECURITY AND DEFENCE

COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

Hon. J. Michael Forrestall, Deputy Chairman of the Standing Senate Committee on National Defence and Security, with leave of the Senate and notwithstanding rule 58(1)(a), moved:

That the Standing Senate Committee on National Security and Defence have power to sit at 6 p.m. Monday, June 16, 2003, even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

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

Hon. Senators: Agreed.

Motion agreed to.

[*Translation*]

OFFICIAL LANGUAGES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY OFFICIAL LANGUAGES COMMITMENTS OF FEDERAL DEPARTMENTS

Hon. Jean-Robert Gauthier: Honourable senators, I give notice that, on Monday June 16, 2003, I will move:

That the Standing Senate Committee on Official Languages be authorized to examine and report, before November 28, 2003, on official-languages commitments which federal departments were to undertake in terms of senior management accountability, language training, partnerships, and the right to work in the official language of one's choice.

[*English*]

QUESTION PERIOD

HUMAN RESOURCES DEVELOPMENT

BOVINE SPONGIFORM ENCEPHALOPATHY— AID TO BEEF INDUSTRY WORKERS

Hon. Leonard J. Gustafson: Honourable senators, in explaining why the government has not yet announced a package for Canada's beef industry, the Leader of the Government in the Senate has stated that we do not yet know the full extent of the damage that has been done to the beef industry as a result of the BSE scare.

Earlier this week at the western premiers conference, premiers from Canada's western provinces came up with a figure of \$400 million for potential aid for Canada's cattle industry. Since it is a known fact that the government is also engaged in

some initial number-crunching to determine the size of any potential aid package, could the Leader of the Government in the Senate please tell us what her government's response is to the figures put forward by the premiers? Are the western premiers on the same page as the federal government?

Hon. Sharon Carstairs (Leader of the Government): I am sure the honourable senator would not want me to start a federal-provincial-territorial battle on the floor of the Senate about those figures versus our figures, or some other mythical figures.

I can inform the honourable senator that the Minister of Agriculture will be meeting tomorrow, in Vancouver, with his counterparts in agriculture from the provinces and the territories. Obviously, the subject of BSE will be high on their agenda.

• (1350)

Senator Gustafson: Canadians who work in the beef industry do not have the luxury of waiting for an extended period of time for an aid package to emerge. These points were underscored by the Canadian western premiers.

Since we have no idea when our trading partners will reopen their border to Canadian beef, any aid package must have the flexibility to evolve with this uncontrollable circumstance. As well, it must work to effectively alleviate detrimental effects of the trade ban on Canada's beef industry on an ongoing basis. After all, some estimates state that for every day the trade ban is in place, the Canadian beef industry is losing \$11 million.

Senator Carstairs: Question?

Senator Gustafson: The question is, what assurances can the Leader of the Government in the Senate give us that the aid package promised by this government will be designed in a way that will respond to all these factors?

Senator Carstairs: Honourable senators, as you know full well, the number one priority of the Minister of Agriculture is to get that border reopened. The hope is that we will have it reopened sooner rather than later. The government is well aware of the effects that this situation is having on the industry. That is why the minister responsible for HRDC has put in place some work-sharing initiatives in Saskatchewan. That is why those eligible for EI have had their claims processed with speed. We are also aware that many people do not fit into those systems, and that the needs of those individuals must be addressed.

The honourable senator knows that the farmers who have had animals destroyed will receive compensation up to \$2,500. Many factors will have to be taken into consideration, but I assure the honourable senator that all aspects will be considered. I will make sure that his representations to me today are factored in, if indeed those issues are not already on the table.

Senator Gustafson: I certainly appreciate the answer of the government leader. Is the government aware of the broad impact that the mad cow disease scare is having? This scare is affecting truckers, process workers, farmers, of course, and feed lot

operators who are in very difficult positions, and even the service industries in these communities. I have been speaking to some honourable senators on the other side of this house who were out visiting in those areas, and they know the situation is very serious.

I request that the Leader of the Government look at this situation, and I am pleased to hear that she intends to do so.

Senator Carstairs: I thank Senator Gustafson for his question. Those who have not necessarily had direct dealings with the cattle industry sometimes do not understand the implications and far-reaching effects, right across the country. For feed lot operators, for example, not only is it costing them \$2.50 per cow per day, but those cows are putting on weight, which in fact reduces the value of that particular cow because it is always slaughtered at the optimum time. The problem is very complex, and I can only reassure the honourable senator that the government is looking at all aspects of that situation.

Senator Gustafson: I appreciate that, and I do want to say that it was drawn to my attention that even the feed industry, the coarse grain industry, is affected because of the problems they are facing. I am pleased to hear that the government is aware of that situation.

CITIZENSHIP AND IMMIGRATION

IMMIGRATION AND REFUGEE BOARD— ALLEGATIONS OF BRIBERY

Hon. David Tkachuk: Honourable senators, my question is a follow-up to the one I posed the other day concerning allegations of bribery involving the Immigration and Refugee Board. The RCMP has asked Justice Minister Cauchon to provide written consent for Quebec Crown prosecutors to lay charges of judicial bribery against judges involved in the scandal at the Immigration and Refugee Board. This is a serious charge that carries a 14-year jail sentence.

The Quebec Crown prosecutors had told the RCMP that they would not be seeking consent from the federal minister for this particular charge, intending, instead, to lay less serious charges carrying shorter jail terms. Understandably, the RCMP would like these crimes to be punished to the full extent of the law, and is therefore pushing for the minister to give his consent. What is the status of the RCMP request?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, the criminal courts of this country, as the honourable senator knows, are administered by the provinces. They are not administered by the federal government. The federal government does not direct the activity of Crown prosecutors in any province other than in some circumstances where federal Crown prosecutors handle special drug-related charges. In all other cases, the prosecutions are directed by the provinces.

The Justice Minister is following all of the rules available to him. He has made it very clear, and public, that he wants these charges laid.

Senator Tkachuk: Honourable senators, could the Leader of the Government tell us if any other RCMP investigations are currently underway, involving the Immigration and Refugee Board?

Senator Carstairs: Honourable senators, I cannot give you that information. The RCMP does not inform the Government of Canada when it is conducting investigations, nor do we want them to do that under the system in which we operate in this country.

Senator Tkachuk: I am not asking the minister to tell me the results, or even what the investigations are, but surely the minister would know if investigations are taking place that would have far-reaching implications in the department. The minister would be informed of those.

Senator Carstairs: No, senator, he would not be informed of those. You obviously do not understand the relationship between the Department of Justice, the Solicitor General, and the RCMP. The RCMP, quite frankly, do their work as they are appropriately mandated to do that work.

Senator Tkachuk: Honourable senators, I am asking because, since the Airbus scandal, there has been confusion about who knows what, and who does not know. While the minister or other department heads might not know of an investigation into a particular aspect, they would certainly know if further investigations are taking place with respect to the refugee board.

ACCREDITATION BARRIERS TO SKILLED IMMIGRANTS

Hon. Donald H. Oliver: Honourable senators, in spite of the many claims from Immigration Minister Denis Coderre that Canada needs to attract more skilled immigrants, a new report claims that the federal government is doing very little to help these people obtain professional accreditation once they arrive here. All too often, these highly skilled and educated individuals end up in menial jobs because of accreditation barriers. The Conference Board of Canada reports that more than half a million Canadians would earn an additional \$4 billion to \$6 billion annually if they were able to use their skills here in this country.

My question is for the Leader of the Government in the Senate: How can the government reasonably expect to attract skilled immigrants to this country if we do nothing to help them, once they arrive here, in terms of their accreditation?

Hon. Sharon Carstairs (Leader of the Government): That is why I was very pleased, honourable senators, with the announcement just this week of an immigration agreement between the Province of Manitoba and the Government of Canada, which specifically indicates that the Province of Manitoba will do everything it can to eliminate barriers to accreditation. That is the kind of agreement I hope the government will be able to work out with other provinces across the country because, as the honourable senator well knows, much of the accreditation barrier is posed by provincially-chartered associations.

Senator Oliver: In an effort to find solutions to this problem in its particular field, the Canadian Medical Association has suggested several initiatives to assist foreign-trained physicians who wish to practise in Canada. One of the proposals calls for an international medical graduate transition program to ensure that those who meet Canadian standards are treated fairly and have an opportunity to contribute to our health care system. Is the government considering such a proposal?

Senator Carstairs: Honourable senators, it is not for the Government of Canada to consider such a scheme. As you know, every doctor is registered in the province in which that doctor will be practising. For example, the Manitoba Medical Association would accept the recommendation of the Canadian Medical Association, and the proposal could move forward.

One of the big difficulties that I can express to the honourable senator with respect to physicians is the fact that many of them must serve a year or two of internship in order to be eligible to practise in the province to which they have moved. However, if the number of internship positions is limited to the number of medical school graduates in any one given year, then, of course, there will be no additional opportunities for foreign-trained physicians to go through that internship program.

• (1400)

Many provinces, including Manitoba, are now opening additional internship programs to ensure that the qualifications of such physicians are equivalent to the qualifications of Canadian-trained physicians, which will make them eligible to practice medicine in the province in which they live.

FOREIGN AFFAIRS

AFRICA—2002 G8 SUMMIT— COMMITMENTS TO PEACE AND SECURITY

Hon. Michael A. Meighen: Honourable senators, prior to our recent commitment to the Congo, Canada had a total of 27 peacekeepers in all of Africa. Now we have some 57 — 57 for a continent about which Paul Knox wrote in *The Globe and Mail* last week:

Measured by the number of human beings at risk, Africa's crisis dwarfs all others. Yet...it demands far more attention than it gets.

On Tuesday, in this chamber, the Leader of the Government explained, in response to my question on peacekeeping in the Congo:

Given the number of very difficult situations in the world and the size of our forces, it is clear that it is not possible to have them in every theatre of this kind of activity.

Indeed, only last month, the Minister of National Defence ruled out any significant increase in the size of Canada's army, this in spite of a report in the newspaper today that the Chief of the Defence Staff says our commitment to Afghanistan virtually eliminates the possibility of any other major commitments for 18 months.

How does the government expect to live up to its commitments to African peace and security, which it made at the G8 summit last year, when it refuses to beef up our military forces in order that we can contribute more meaningfully to peacekeeping on that continent, or are we only paying lip service to those commitments?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, the honourable senator asked a question the other day, to which I will not be able to provide an answer. He asked for the rules of engagement. The rules of engagement are never released. They are kept for security purposes, and therefore I will not be able to provide him with the rules of engagement in the area of the Congo.

As to the specific question with respect to peacekeepers in Africa, obviously, peacekeeping is only one facet of a government's policy toward, in this case, a whole continent. Canada, through its \$500 million Africa Fund, has led the way with the G8 nations to get them to recognize their combined responsibility to the continent of Africa.

NATIONAL DEFENCE

CONGO—DEPLOYMENT OF PEACEKEEPING TROOPS— RULES OF ENGAGEMENT

Hon. Michael A. Meighen: Honourable senators, I accept, at face value, the leader's response that the rules of engagement are a matter of security. However, can she at least assure me that our military personnel, who are serving there with the French forces under French rules of engagement, will be made aware of those rules of engagement?

Hon. Sharon Carstairs (Leader of the Government): When troops enter into any theatre, their officers and commanders are informed of the exact rules of engagement, but the public is not.

LIBERIA— DEPLOYMENT OF PEACEKEEPING TROOPS

Hon. Michael A. Meighen: Honourable senators, I suppose we will be able to guess fairly accurately what the rules of engagement are, by the conduct we will observe over the months to come and by how our troops respond to the activities with which they will be faced.

Have we been approached by the UN with regard to a possible peacekeeping effort in Liberia, where conflict is once again breaking out?

Hon. Sharon Carstairs (Leader of the Government): As honourable senators know, the Canadian government is party to the United Nations refugee policy with respect to Liberia. However, as to direct help to Liberia at this time, to my knowledge, no direct approach has been made.

REPLACEMENT OF SEA KING HELICOPTERS— TIMING OF DELIVERY

Hon. J. Michael Forrestall: Lo, honourable senators, June 11 has come and gone and still no helicopter soon.

During what I describe as the damage-control press conference of June — although the leader differs with me, as is her privilege — on the Maritime Helicopter Project, the Chief of the Defence Staff stated:

So we are anxious to replace the Sea King as soon as we can.

Can the minister tell this chamber why the CDS made this statement when the Department of National Defence had, only days earlier, stated that it would not accept delivery prior to 48 months after the contract award and had repeatedly stated that no incentives would be provided for early delivery under lowest price compliance?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I cannot think of anyone who would like to see the Maritime Helicopter Project come to its final awarding stage more than I, if for no other reason than I would not have to continue answering questions about it in this chamber.

In terms of the accepted delivery phase, as the honourable senator knows, we always have a timing of delivery of major purchases so that pilots and support staff can be adequately trained to use the new piece of equipment to the highest standard possible.

Senator Forrestall: Honourable senators, can the Leader of the Government tell us why, during that same damage-control exercise, Paul Labrosse, the project manager, told journalist Manon Cornéliier that it was due to industry feedback that the helicopter delivery would be delayed between 48 and 60 months after contract award, when one company had, as is public knowledge, promised first delivery for testing 35 months after the contract award?

Senator Carstairs: As the honourable senator knows, any piece of new equipment has a breaking-in period. Senator Forrestall and I would agree that the Cormorant is an excellent aircraft that is giving wonderful service. However, as he well knows, it had its own breaking-in period with some difficulties, some necessary repairs and some long-term training that was required. Flying any plane is a complex matter. Flying a helicopter is even more so, as Senator Forrestall is very well aware.

With regard to delivery dates, they will be determined by the Department of National Defence in line with their responsibilities to train people appropriately.

Senator Forrestall: Honourable senators, the government said 48 to 60 months afterwards and were not going to entertain delivery. There seems to be a number of inaccuracies here and perhaps a few omissions. Perhaps this was simply a case of a damage-control exercise that blew up in the government's face.

Indeed, Mr. Labrosse later told journalist Stephanie Rubec that the "earliest delivery date is predicated on a number of things, one being as early as they say they told us they could do it," "they" meaning industry.

Why would the project manager tell a journalist something that the project manager and the journalist knew to be absolutely wrong, since at least one competitor said they could do it in 35 months? There is a big difference between 35 months and 48 months, as even the government will admit. Every month we continue to fly those planes is another month of uncertainty for families, crew and anyone following the affairs of Canada's Armed Forces.

• (1410)

Senator Carstairs: Honourable senators, we are getting into a semantic argument. One industry spokesperson said it would take at least 35 months to produce a helicopter. The government has indicated, through DND, that operational requirements indicate that it would take 48 months at least. There is a testing period of approximately one year to meet the operational requirements before the helicopter arrives. We are now up to 35 months, plus 12 months, which is 47 months. We can split hairs about the remaining month, if my honourable friend wishes.

Senator Forrestall: If the government had not cancelled the EH-101, the personnel would be through the learning curve. They would be fully equipped. There would be backup equipment for good search and rescue in the Canadian North and on the extremities of Western and Eastern Canada. However, that breaking-in curve, the leader says, will not start until 48 months afterward. That is the problem. The learning curve could take one, two or three years, but it will not start until such time as the government decides on the equipment to put in place. That is my concern.

Senator Carstairs: The actual statement, as I understand it, was that 48 months are required before a new helicopter can enter service. That is not the time in which it may take to begin the training operations.

The honourable senator says, "Why did we not do it?" The answer is on the record: If we had not inherited a \$42 billion deficit, maybe we could have done it sooner.

Senator Forrestall: Honourable senators, I do not want misinformation out there. Would the minister ask these questions of the Chief of the Defence Staff? If he does not know, is there anyone in God's creation over there who does know? The project manager said that they would not accept delivery until 48 months afterward. We do not have the planes in our possession to start the learning curve. We will not have them until 48 months afterward. That is an observation more than a question, but if the Chief of the Defence Staff does not know, perhaps it is time we got someone who does know or who has the courage of his or her convictions.

[Translation]

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, I have the honour to table two delayed answers. The first one is a response to the question raised in the Senate on May 27, 2003 by Senator Keon, regarding severe acute respiratory syndrome; the second is a response to the question raised in the Senate on June 5, 2003 by Senator Kinsella, regarding bovine spongiform encephalopathy and the letter of a veterinary science employee to the Department.

[Senator Forrestall]

HEALTH

SEVERE ACUTE RESPIRATORY SYNDROME—RESPONSE TO NEW OUTBREAK

(Response to question raised by Hon. Wilbert J. Keon on May 27, 2003.)

It is not clear at this time how the 96-year-old man came into contact with SARS in the North York General Hospital.

An intense investigation is underway at this time to determine how this particular individual acquired the disease and the information will be made available to the Senator as soon as the investigation is completed.

Health Canada, Ontario Ministry of Health and Toronto Public Health as well as the U.S. Centers for Disease Control are participating in the investigation.

BOVINE SPONGIFORM ENCEPHALOPATHY— LETTER OF VETERINARY SCIENCE EMPLOYEE TO DEPARTMENT

(Response to question raised by Hon. Noël A. Kinsella on June 5, 2003.)

The disciplinary action involving Dr. Chopra was in no way related to his being one of the signatories on a letter about Bovine Spongiform Encephalopathy (BSE).

The letter that was sent to Dr. Chopra that was referred to in the media clearly outlined the reasons for the disciplinary action. The contents of the letter are confidential and protected by the *Privacy Act*, but the disciplinary action was not related to the BSE letter.

All staff have the opportunity to express their views through internal mechanisms. These individuals and other interested staff have the opportunity to exchange information, and discuss BSE-related issues internally.

A team of Health Canada scientists are working with specialists at the Canadian Food Inspection Agency (CFIA) in reviewing all relevant policies and practices, including those related to the use of rendered materials and animal feeds.

NATIONAL ACADIAN DAY BILL

MESSAGE FROM COMMONS

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons returning Bill S-5, respecting a National Acadian Day, and acquainting the Senate that they have passed this bill without amendment.

[English]

ORDERS OF THE DAY

PUBLIC SERVICE MODERNIZATION BILL

SECOND READING—ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Carstairs, P.C., seconded by the Honourable Senator Robichaud, P.C., for the second reading of Bill C-25, to modernize employment and labour relations in the public service and to amend the Financial Administration Act and the Canadian Centre for Management Development Act and to make consequential amendments to other Acts.

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, I wish to advise the house that Bill C-25 will be spoken to tomorrow. That will probably be the last speech the opposition will have at second reading on the matter.

Order stands.

[Translation]

CANADA ELECTIONS ACT INCOME TAX ACT

BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

Hon. Fernand Robichaud (Deputy Leader of the Government) moved the second reading of Bill C-24, to amend the Canada Elections Act and the Income Tax Act (political financing).

He said: Honourable senators, the purpose of the proposed legislation is to improve the transparency and fairness of Canada's electoral system and address the perception that corporations, unions and the wealthy exercise a disproportionate influence in our political system. The bill follows the Prime Minister's commitment of June 2002, in his excellent eight point action plan, to bring forward new legislation for political financing. This commitment was reiterated in the Speech from the Throne.

Bill C-24 builds upon existing political financial measures that exist both in Canada and elsewhere in the world. It also reflects the consultations held with the political parties, politicians and other Canadian stakeholders.

In recent weeks, the Standing Senate Committee on Rules, Procedures and the Rights of Parliament has heard 40 witnesses, mainly representatives of political parties, members of Parliament, political experts, and members of interest groups representing a broad range of opinions.

The committee carefully considered the bill and received some 212 amendments. Of that number, 81 were retained. The amendments made by the committee, and those added later at the report stage, have greatly improved the bill, while respecting its key principles.

I would now like to review the main elements of this bill. Under the present Canada Elections Act, only registered parties and candidates are required to disclose to the Chief Electoral Officer the contributions they have received and the money they have spent. Other important participants in politics, namely the constituency associations and the leadership or nomination contestants, are not obliged to provide this crucial information.

As a result, the Chief Electoral Officer has long been concerned about this lack of transparency. With Bill C-24, constituency associations, leadership and nomination contestants would, in future, all have to disclose contributions and expenditures.

The Chief Electoral Officer would also publish the names and addresses of contributors who have given more than \$200. This new, stricter requirement for disclosure was well received for the most part, but some political parties fear that it places too heavy a burden on participants in the political process.

Others, however, have called for even stricter disclosure requirements and have asked that participants in the political process report more frequently on contributions they have received.

Certain recommendations approved by the committee are responses to the concerns that have been raised. For example, when parties organize fundraisers, they will not be required to issue receipts for donations under \$25. Originally, the bill proposed issuing receipts for any contribution of \$10 or more.

• (1420)

Another amendment accepted by the committee, which was designed to reduce the burden of the new disclosure rules, raised from \$500 to \$1,000 the threshold where leadership contestants must report contributions received and expenses incurred.

The bill was amended to allow electoral district associations that are already registered to continue to exist in a new riding if the old riding disappears under the Electoral Boundaries Readjustment Act. It also includes a procedure to allow other associations to register in advance so as to be prepared to begin their activities as the representation order comes into effect.

Political parties that receive quarterly funding — and I will come back to this later — will be required to submit quarterly reports on contributions received, starting January 1, 2005. This new requirement is a response to the request for more frequent reporting.

Disclosing services that are necessary for a transparent and fair electoral system does not suffice to correct the perception that corporations, unions and the rich exert undue influence over politicians.

Under this bill, corporations, unions and associations will no longer be able to contribute funds to registered parties and leadership contestants.

There will be a small exception, since corporations, unions and associations would be permitted to contribute a maximum of \$1,000 per year to all contestants, riding associations and nomination contestants of a registered party. This exception recognizes both the importance of small contributions at the local level, given directly to contestants, and the role businesses and unions play in their communities.

The committee has made important amendments to these provisions. Corporations, unions and associations would be authorized to make supplementary contributions up to \$1,000, if a second election were to occur in the same year in the same riding.

Moreover, corporations, unions and associations would be permitted to contribute another \$1,000 to contestants who obtain their party's nomination, if their first contribution were made to a contestant who lost in the same riding.

The bill would place a limit of \$5,000 per year on contributions by an individual to a registered party, to all riding associations and nomination contestants. Individuals may also contribute \$5,000 to a contestant for the leadership of a party and to independent contestants in an election.

The committee agreed to lower the initial limit from \$10,000 to \$5,000, in response to a general feeling that it was too high to be able to really correct the perception of undue influence.

The bill provides that all the limits would be indexed to keep pace with inflation. The \$5,000 limit is a good balance between the need for financial contributions in a healthy electoral system and the goal of removing the impression of undue influence on those who participate in politics.

The committee accepted other important amendments about contribution ceilings. Thus, a contestant would be permitted to contribute an additional \$5,000 to his or her own campaign. In addition, paid leave given to an employee standing as a contestant would not be considered as a contribution by the employer during the electoral period. In addition, annual party membership fees of \$25 or less would not be considered a contribution.

The bill would set nomination campaign expenses for nomination contestants at 20 per cent of the limit that was allowed for a candidate's election expenses in that electoral district during the previous general election. This limit has decreased from 50 per cent to 20 per cent, following an amendment passed by the committee.

This is an extremely important measure for contestants, who have long been demanding equal opportunity for all with regard to nomination campaigns. Obviously, the restriction on

contributions by corporations and unions and the limits on contributions by individuals will have a significant financial impact on political candidates.

As a result, the bill proposes various public financing measures to compensate for the shortfall that parties and contestants will experience. These measures are in keeping with the traditional methods used for the public financing of the federal and provincial electoral systems. Registered political parties are currently entitled to a refund of 22.5 per cent of their election expenses. This percentage would increase to 50 per cent.

Furthermore, following an amendment passed at the report stage, this refund would increase to 60 per cent for the next election alone, so as to ensure the transition from the old system to the new. The definition of election expenses eligible for a refund would be updated and broadened to include expenditures on polling and the expense ceiling for refunds would be increased accordingly.

Candidates, who are currently are entitled to a 50 per cent refund of their election expenses if they obtain at least 15 per cent of the votes in their riding, would now be entitled to this refund if they obtain at least 10 per cent of votes.

This change reflects the reality of our multi-party system and would allow more candidates to receive a refund after a general election. Furthermore, as the result of an amendment adopted at the report stage, refunds of nomination expenses would increase from 50 per cent to 60 per cent. The registered parties would be entitled to an annual allowance of \$1.75 per vote, cast for them in the previous general election, to be paid on a quarterly basis.

A certain number of the report stage amendments relate to this allowance. It increases from \$1.50 per vote, as was initially proposed, to \$1.75. It would be indexed from now on.

• (1430)

The Receiver General for Canada would be authorized to pay part of this allowance to provincial or territorial divisions of the party, the leader of the party willing. As a transitional measure to help the parties, the 2004 allowance will be paid to the parties in a lump sum payment, as soon as possible after the act comes into force. It is the citizens who are the masters of the democratic process. The allowance would make every vote count and reinforce the sought-after connection between the political parties and the voters.

It should be noted that Quebec has been paying a similar allowance to political parties since 1977. When the chief electoral officer of Quebec appeared before the committee, he indicated that this system works well and is accepted by Quebecers. When I say committee, of course I mean the committee at the other place.

The bill also proposes amendments to the Income Tax Act. The amount of a contribution to a registered political party eligible for a 75 per cent tax credit would go from \$200 to \$400.

The two other credit brackets will undergo an upward adjustment accordingly. The maximum tax credit for any contribution of \$1,275 or more will go from \$500 to \$650. The purpose of this increase is to encourage individuals to contribute more money more often, and to forge stronger ties between Canadians and the political system.

The measures contained in this bill reflect a tradition of public support for our electoral system. It is a well-debated approach that will result in a system based on transparency and equity, and change the perception that corporations, unions and people with financial means have undue influence.

By forcing politicians to no longer rely on the largest contributions but on public financing and support from average citizens, we will reinforce the trust that Canadians have in their political system.

I encourage you, honourable senators, to support this bill, which I believe is very important.

[English]

The Hon. the Speaker: I see honourable senators rising to ask questions. I will start with Senator Oliver.

Hon. Donald H. Oliver: Honourable senators, since I have more than one question, I will ask them at once, if I may.

First, could the honourable senator tell us the number of days the committee in the other place had to hear witnesses on this important piece of framework legislation designed to improve the transparency of Canada's electoral system?

Second, could the honourable senator tell us whether this \$1.75 for each vote, based upon the previous election, is payable quarterly each year following the year 2004? Does this mean that in the year 2005 each and every political party will receive four payments a year based upon the previous year's election results at the rate of \$1.75 for each vote?

Senator Robichaud: If this bill is passed by this house, it is due to come into effect in January 2004. The political parties will receive a lump sum for that year. However, in 2005 they will receive quarterly, and I do not know if they can be called contributions or payments, based on the \$1.75 received in the previous election.

Senator Oliver: If there is a four-year period from that election, does it mean that each and every calendar year there will be four more quarterly payments made each and every year?

Senator Robichaud: Yes, that is what I understand the bill does.

In answer to the honourable senator's first question concerning the number of days the bill was in committee in the other place, I do not know. However, I know that the committee heard from 40 witnesses, some of whom represented political parties, some of whom were members of Parliament, political scientists and members of different groups of interest.

Senator Oliver: Is there any minimum threshold in this legislation for which a Canadian political party cannot go below in terms of the amount of money from the public purse to maintain it as a political party? For instance, if a party had 15 members and another party had 115 members, is there any minimum limit of money that a political party would receive from the public purse to maintain itself as a political party?

Senator Robichaud: Yes, there is a limit. I would not want to give an answer right now because I am not sure it would be correct, but there is a limit.

Senator Oliver: There are ongoing administrative expenses that all parties would have, in order to prepare for elections and so on, beyond which they should not have to go out of existence because they were not receiving a basic, minimum amount of money. There is a basic minimum threshold, is there?

Senator Robichaud: Yes, there is, provided a political party is registered. To be registered, there are also certain thresholds.

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, I wish to make a comment. I am one of those who objects to this massive injection of taxpayers' funds to substitute for private funds, which I think have done a remarkable job in keeping political parties afloat. I object to the comments of the Deputy Leader of the Government who at least three times used the word "perception"; that there is a perception out there that union funds and corporate funds have undue influence on legislators. There is no question those funds are given to highlight a cause, but I think it is not only insulting to the contributors but also to the recipients of those funds to have them seen as being given solely to gain influence.

I have been in politics long enough to have received funds at the municipal, provincial and federal levels. I do not think I am alone in saying that, while I welcome those funds, they have had no influence on decisions that I have been called upon to take at any of those three levels of government. Thus, I object to the introduction of the word "perception." If there were proof that those funds were such a heinous contribution with such disastrous results on our legislative process, then I might be more sympathetic to this bill.

If the Liberal government feels so strongly that corporate and union funds should no longer qualify as contributions to political parties, how is it that Liberal fundraisers as of yesterday were still collecting funds and ignoring totally the limitations imposed by this bill? Why are they not, right now, morally bound to respect the limitations of this bill? Instead the Liberal Party, and other parties I am sure, is soliciting funds in total disregard of the bill before the Senate.

[Translation]

Senator Robichaud: Honourable senators, I agree that different interpretations can be given to the word "perception." In using that word, my intention was not in any way to attribute ill will to those making the donations and infer they were not trying to support the political process.

• (1440)

I think that all benefited to some extent from these donations.

There is a perception, which is often unfounded, that those who make generous contributions have the ear of their MPs, whatever their stripes.

I have been a member of Parliament, and I do not believe it works that way. Still we heard people say unthinkingly: "Oh, we must pay attention to him; he has made large contributions." This is definitely not what I meant to say or even to suggest.

I do firmly believe that there is a perception, in some people's minds, that contributions have an influence. Why does the Liberal Party — and I am sure the other parties do as well — continue to solicit funds from corporations, associations or unions? I think that until the new legislation comes into force, the parties still need to be able to operate. There cannot be any period during which no contributions are made.

I think that everyone is well aware of the situation of political parties. They are seldom rolling in surpluses. They must continuously strive to make sure that their fund has working capital in it to maintain a permanent staff.

[English]

Senator Lynch-Staunton: As my final comment, it is quite obvious to me that the deputy leader is contradicting himself. He is saying there is a perception out there — not a reality, but a perception — that he or she who gives a significant amount has the ear of whoever. That is all based on rumour and innuendo. It is a false perception. We have yet to hear of a concrete case where a significant contribution has had an influence on legislation. That is what I want to hear.

In the United States, we know of the excessive amount of monies spent on election campaigns. We know of the excessive lobbying that goes on in Washington. By the way, they are called "lobbyists" because they are in the lobby of the Congress; they are there swarming all over the legislators; they are even in the committees, helping to write legislation.

Unfortunately, that perception of corruption has spilled over into the thinking of some people in this country, and we are suffering from that. However, that does not happen here. If it does, I have not seen it. I regret that we are treating corporations and unions and moral persons in this way. We are telling them that, "For years, we have benefited from your contributions to the political process. Now, suddenly, because there is a feeling out there that what you are doing is perceived to lead to undue influence, we are cutting you off without even a thank you." I think that is morally repugnant.

My final question has already been answered, and that is why I said there was a contradiction in the deputy leader's explanation. He insists on this perception but says we still have to collect from these people to act as a bridge before we get into the slush fund allowed by the General Revenue Fund of the Government of

Canada. If the Liberal government were serious about its feelings on the impact of corporate and union funds, the Liberal Party would say right away, "We do not want them any more." They could have said so years ago but, no, they say instead, "We will continue collecting as much as we can until the day this bill goes into effect." That is what I find most reprehensible about this whole approach to the question of campaign funds.

[Translation]

Senator Robichaud: The Honourable Leader of the Opposition has supported my use of the word "perception." It would appear that in the United States there has been some influence brought to bear. The Leader of the Opposition says that people may feel that the same thing happens here. That is exactly what a perception is: people believe a situation exists, but in fact it does not.

We are convinced that we have a progressive bill, so why have we not decided to stop canvassing companies and associations?

We are not the only ones to approach associations and unions. I think this would have unduly punished the parties, which do after all have to have financing until the bill comes into effect and they can count on financing to be distributed to them regularly, so that they may continue to operate and have permanent staff.

[English]

Hon. Leonard J. Gustafson: My question relates to the fairness of the democratic process. If one were to run as an independent, would he be able to have the same expenditures, the same income, as one who is part of a registered party?

Senator Robichaud: Yes, he would, as long as he meets the requirement. I think the minimum threshold would be to receive 5 per cent of the vote expressed at the riding level, if he is an independent in a certain riding.

Senator Lynch-Staunton: If he has not run before, he gets nothing.

Senator Gustafson: Do these regulations relate only to the time after the writ is dropped? I will explain myself. Under the old system, when I ran, a certain amount of money could be spent. However, if you spent money before the writ was dropped, that money was not included. That is going back a few years.

Senator Robichaud: Honourable senators, if you run as an independent, you will be allowed to receive contributions. The maximums are \$5,000 for an individual and \$1,000 from companies or other associations. Once an election is held, you will be receiving, under the provisions, reimbursement of electoral expenses. You will receive then those contributions, so you are not left out in the cold.

• (1450)

Senator Gustafson: What is the writ period now, 31 days? It used to be 61.

[Senator Robichaud]

Senator Robichaud: Forty-five.

Senator Gustafson: If monies are raised before the writ is dropped, is it included in the monies raised or spent after the writ is dropped? It used to be that we went out and spent money before the writ was dropped so we could have a bigger budget.

Senator Robichaud: The contributions are based on an annual basis, so money can be raised through the whole year, but the maximum for individuals is \$5,000 per year and for companies and unions it is \$1,000 per year.

There are exceptions where a company or a union contributes to a candidate seeking the candidacy but who does not win the nomination. In that case, another contribution can be made to the nominee or the person who wins the nomination for that riding.

[Translation]

Hon. Pierre Claude Nolin: Honourable senators, I would like to get back to the issue of discrimination against contributions by corporations. By virtue of what principle do you discriminate only at the national level, and not the local?

Senator Robichaud: I do not understand it as only national. It will apply at all levels. People can contribute in a constituency provided their total contribution for the year, for all contestants or associations of one party, do not exceed the ceiling of \$1,000.

Senator Nolin: There is total discrimination as far as contributions by corporations including labour organizations at the national level: Discrimination in that corporate contributions to a political party are not allowed at the national level. You have spoken to us of the people's perceptions and you will agree that this is utterly inadequate. You will need to give us far more food for thought than just to speak to us of what Canadians perceive because of the well-documented phenomenon in the United States.

My question is the following: At the national level, there is complete discrimination and at the local level, there is none. Why?

Senator Robichaud: I like to use the word "perception." I think that the perception of the honourable senator is different from mine. The honourable senator said that I said that the perception was based on what is happening in the United States. I simply said that the Honourable Leader of the Opposition referred to practices that occur south of the border and that perhaps some Canadians believe that those same practices occur here. I simply said that these practices had helped make the perception a reality. Just because it is there, this perception does exist.

Senator Nolin: Senator Robichaud did not answer my question. Forget the word "perception." You are establishing a principle of discrimination. You said a complete ban; there will be no corporate contributions to parties at the national level. You explained all that. We have heard about this ad nauseam since the

bill was introduced. Why refuse corporate contributions at the national level and allow them at the local level?

Senator Robichaud: Honourable senators, I do not see why you say there is discrimination. Contributions can be made to a party, an electoral district association or a territory. Political parties are present across Canada and corporations can make contributions to these parties. Parties will receive contributions from the Treasury based on their results from the last election. These funds are operating funds and may be used to do the work that political parties do between elections: holding conventions, studying issues of the day, developing policies and programmes and setting up their election platforms. They will be able to continue this. They will have the funds required to do this. At least, I believe they will.

Senator Nolin: Let me take another approach. For example, a public corporation with a board of 20 directors will be no longer be permitted to contribute \$100,000 to the Liberal Party of Canada; however, each director could contribute \$5,000, so the result is exactly the same. How do you deal with this perception?

Senator Robichaud: Honourable senators, people really should not say things that are not true. I do not want to make any accusations, but this bill states that a corporation cannot use its directors to make backdoor contributions. Whether they are company directors or not, they can make a maximum contribution of \$5,000 as individuals. I do not believe that we will be able to prevent them from doing so, therefore it will be allowed. However, corporations will be prevented from doing this. Nor will it be possible for individuals to use corporate funds or a corporate distribution system to try to circumvent the law. In fact, the bill contains clauses that seek to prevent such behaviour.

Senator Nolin: Were you inspired by what has been happening in Quebec since 1977? You mentioned the Chief Electoral Officer of Quebec. When he appeared before the committee, was there any mention of highly illegal but widespread practices in Quebec, whereby corporations in Quebec use their board of directors or their senior executives to accomplish what is otherwise prohibited by law?

Senator Robichaud: Honourable senators, it is hard for me to comment on this question. If such a practice occurs in certain places, it is against the law. Unwarranted statements can be made. This legislation, however, would not permit it.

Senator Nolin: A former Chief Electoral Officer of Quebec, having retired, very honestly and very publicly stated that, in Quebec, many businesses got around the principle of the act by doing that.

I want to thank the government for having accepted the amendments that I had introduced the last time we reviewed the Elections Act. For a long time now, I have supported the Chief Electoral Officer, who wanted to see more control over riding association finances. I congratulate you for agreeing with me.

What is the status of affiliated associations?

• (1500)

I mean, for instance, that the various political parties, including yours and mine, support about one hundred campus associations in universities and colleges across Canada. This is a very effective way to stimulate political activity among students in these educational establishments. Will these associations continue to exist? If they do, how will they be funded?

Senator Robichaud: I do not see why they could not continue to exist. How will they be funded? In many cases — I cannot speak for Quebec — some of these university or college associations operate in collaboration with the party they support, and there is an exchange of services. The party makes provision for these associations and their operations in its annual budget.

Senator Nolin: Allow me to ask the question in a different way.

[English]

The Hon. the Speaker: Honourable senators, I regret to advise that Senator Robichaud's 45 minutes have expired. Does he wish leave to continue?

[Translation]

Senator Robichaud: Honourable senators, I would like to ask leave to continue.

[English]

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

Hon. Senators: Agreed.

[Translation]

Senator Nolin: If the University of Ottawa Liberal Association wants to continue its activities after the bill is passed, will the party at the national level have to finance its activities? Will the association be allowed to continue its fundraising activities within the university framework?

Senator Robichaud: If the fundraising is done on behalf of a political party for the purpose of financing political activities, it is the political party that will have to record the contribution, so that people may be given a receipt for their contribution.

Senator Nolin: If the contribution is less than \$25, it is not recorded.

[English]

Hon. Gerard A. Phalen: Honourable senators, I am curious about what would happen to a party that would receive a large vote in an election but fall short of the 12 seats required and end up with 11 seats. Would the party still receive funding of \$1.75 per vote?

Senator Robichaud: No, they would not receive the funding. If they fall short, they fall short.

[Senator Nolin]

Hon. Consiglio Di Nino: On this point, I have a question —

Senator Robichaud: I am told that the honourable leader does not think it is right; I stand corrected.

Senator Di Nino: Honourable senators, with all due respect, Senator Robichaud is incorrect. I agree with the honourable leader. The recognition of a party for the purposes of issuing tax receipts is under the Canada Elections Act and has nothing to do with whether the group has official party status in the House of Commons. From some very sad experiences and difficult times, I can speak to the position of the Progressive Conservative Party in 1993; and I can assure senators that we issued many tax receipts.

Senator Robichaud: I do not disagree, and this is why I wanted to quit while I was ahead.

Hon. Douglas Roche: Honourable senators, I want to return to the question of corporations, not from the point of view of perception but in terms of intention. What was the intention of the government in so limiting contributions by corporations? What benefit does the government expect the Canadian public to receive as a result of the reduced ability of corporations to contribute to the political process?

Senator Robichaud: I am not sure that I understand the question.

Senator Roche: Why did the government reduce the level at which corporations can make contributions to the political process? What is the benefit that the government thinks the public will receive as a result of corporations not contributing?

Senator Robichaud: The question of perception is before us again. If we were to limit the donations or the contributions of companies to a specific amount, it is believed that this would help to eliminate the perception that the contribution buys influence, which it does not. However, the perception does exist.

We are reducing the amount contributed by corporations, but we are also introducing a contribution from the public purse, whereby voters would, in a certain way, contribute when the party receives its financing quarterly after the bill comes into force. Those who vote would be contributing to the party rather than to the corporations.

Senator Roche: I thank the deputy leader. Does the government expect that corporations would then have less influence on and less access to the legislative process?

Senator Robichaud: By responding to that, I would be saying that they have a lot of influence in the first place, but that is only a perception. I do not think they would receive any less or any more. Business people have a certain influence and knowledge, and they can offer counsel. I think politicians will continue to listen, which does not mean that they will be influenced or ready to accept anything. Those people will still be voting and contributing, not with a cheque but with their expertise and knowledge. Canadians will continue to participate in the political process.

Senator Roche: Honourable senators, it is the use of the word “perception” that has confused me. The deputy leader has more experience than I do in this process, but I would have thought that the making of legislation should be based on facts and not on perception.

How will this bill be handled, assuming it receives second reading? To which committee will it be referred and will there be a full range of witnesses? Does the deputy leader expect that a full range of witnesses will be called by the committee? What will be the time frame of the committee to complete its work?

Senator Oliver: That is a good question.

Senator Robichaud: Yes, it is a fair question. The honourable senator knows that a bill is referred to committee after it passes second reading, and we plan to send this bill to the Standing Senate Committee on Legal and Constitutional Affairs.

This committee, like any other committee of this house, does a thorough job. I do not expect any less with regard to this bill because it needs to be examined and considered to determine its intent and how it would be implemented.

• (1510)

I certainly look forward to the work that will be carried out by the committee on this bill in the very near future.

Hon. Marcel Prud'homme: Honourable senators, for 40 years I have never missed a meeting on electoral reform or redistribution reform. I went to court to change a district. I won. I was present and participated 100 per cent for 40 years at every meeting on redistribution.

I like the spirit of reducing the influence. I like the spirit of the bill.

I should publish how much it has cost to elect me with my strong opinions for my ten elections, for nine of which I ran. During the tenth election that I was a Liberal candidate, I came to the Senate. I think that the total cost of all my elections is no more than \$30,000. You can imagine how much I am in favour of restricting election expenses.

I am extremely concerned about opening a new can of worms on influence by allowing individuals \$5,000. I will give an example using no names. I remember someone who wanted to show how populist he was. He raised \$5,000 six times, from six individuals. He then made a bid to 500 people for \$10 each. That generated \$32,500, divided by 506, being the number of people who contributed.

Honourable senators may know of which member and ex-minister I speak. He looked like the most populist person. He had the greatest number of contributors, but we all knew the influence of the six people who each gave him \$5,000. I am concerned about that aspect.

I am less concerned about corporation donations, strangely. I would have preferred a bigger figure for corporations, but I will live with that.

I will raise the issue when I come to the committee about the immense danger of the influence on a local member who receives too many single donations of \$5,000, because these people will exercise more influence on that particular member than Bell Telephone, Bombardier or the five major banks.

By the way, this morning I attended the committee. They had a report in English only. I should have objected publicly. However, the message is delivered: It is unacceptable.

Having said that, do I understand correctly that the amount of \$1.75 is based on the number of votes cast at the last election? I will give an example. The Bloc Québécois received 1,377,727 votes without making any effort of any kind. They were merely sitting here in Ottawa, having Pepsi-Cola or champagne, as the case may be. They would get from the government \$2,341,002.02.

Do I understand the spirit of the bill? I would like to simplify, as I did with the gun control legislation, with the gun on one side and the bullet on the other side of the lock.

People in my district understand my sensitivity for the North. If you complicate matters, you lose yourself. In my case, getting older is getting easier to lose myself. I do not mind putting that on the record.

Honourable senators, do I understand the spirit? Do I understand correctly how that the \$1.75 will apply?

If you sit all summer, I would be more than delighted, because I am alone. I would sit here in the chamber and have company. I am not a member of the committee, but I like this as much as some like golf. I like this; I will be there to contribute positively.

I have a book prepared already of questions and witnesses because this is my favourite subject. I fought like mad in the other chamber the Americanization of our institution. I do not like it.

Do I understand correctly that the \$1.75 per year is for the vote received at the last election? The Liberals received 5 million. My heart is still Liberal. The Conservatives were singing a hymn to come home.

In a nutshell, do I understand that the \$1.75 is per vote received last time? Or is it per year? I see the two ministers acknowledging with their heads nodding, but the nods are not registered in the minutes.

[Translation]

Senator Robichaud: I would like to answer the questions raised by Senator Prud'homme. Yes, all the parties will receive the \$1.75 allowance annually, based on the number of votes received during the last election. For the first year, they will receive a lump sum payment in order to facilitate the transition between the current system and the new system. All the parties will receive this payment. This contribution comes from the Canadian taxpayers — those who voted. The parties having received these votes are entitled to receive these contributions.

[English]

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, I have two questions. First, if a corporation or a trade union makes a contribution of \$1,000, which is their limit, is that contribution and that limit attached to a donation to one party, or can they give \$1,000 to three different parties? In other words, could the total be \$3,000?

[Translation]

Senator Robichaud: The \$1,000 is a donation to a candidate, to an electoral district association or a provincial association. That amount applies to one party. There could also be a contribution to another party.

Senator Nolin: I misread the Quebec legislation.

Senator Kinsella: Am I to understand that, if there are five different parties, the corporation or labour union could give five times \$1,000, or a total of \$5,000?

Senator Robichaud: Provided these contributions are to representatives of different parties. It is very unlikely that this would happen. The legislation states that when a person has made a contribution to one nomination contestant and that person does not win the nomination — as often happens — another contribution can be made to the one who does get the nod. The purpose of this measure is to not unduly penalize those who want to participate in the electoral process.

[English]

Senator Kinsella: Honourable senators, my final question relates to the trade unions. Is it the intent of the government that the law provide that a trade union, notwithstanding how many locals it has, or certification orders from the appropriate labour relations board law it has received — that is, how many employees for which that union has exclusive bargaining responsibilities — can make only one \$1,000 contribution?

• (1520)

For example, if the Canadian Association of Carpenters, if such exists, has 15 locals, can each local make a contribution, or is it only the national organization that can make the contribution?

Senator Robichaud: It is my understanding that the \$1,000 is for this union, and all the locals are included in that.

Senator Kinsella: An established principle in the Rand formula provides that Canadians' right of freedom of association is reasonably limited when it comes to collective bargaining. He or she must contribute to the trade union that has been certified as the exclusive bargaining agent in a workplace but does not have to be a member of that trade union. Is the proponent of the bill not concerned that the trade union in this case would be making a political contribution, notwithstanding that the individual members of the union would be contributing to a political party that they would not be interested in supporting?

Senator Robichaud: I personally know someone who was a member of a union that was making contributions. They did not have a choice. That does not prevent that individual from making a contribution to the party of his choice.

Senator Lynch-Staunton: Did I understand the deputy leader to say that the \$1,000 limit is per district and not a total?

Senator Carstairs: Per party.

Senator Lynch-Staunton: Per party for what? Is the \$1,000 limit the total contribution that a corporation can make, or can it be \$1,000 here and \$1,000 there?

Senator Robichaud: It is an annual limit. It is a contribution of \$1,000 per party. It can be made at different levels, but it is all counted for that party nationally.

Hon. Serge Joyal: My question to the Honourable Deputy Leader of the Government is in relation to a Charter issue. Of course, this bill is fresh in this house of Parliament, and I have not had all the time I would have wanted to study it carefully. It is in relation to the proposed section 435.01(1). This is the section we were looking for in answer to the previous question by Senator Oliver, and it establishes the threshold. It states that the Chief Electoral Officer shall make an allowance payable to a registered party — so first it is a registered party — whose candidates for the most recent election receive at least — and this is the threshold — 2 per cent of the number of valid votes cast, or 5 per cent of the number of valid votes cast in the electoral district in which the registered party endorses a candidate. There are two thresholds.

I made that calculation last night, so it might need to be checked, but when one looks into the results of the last election and applies that threshold, one is able to determine which parties are included and which are excluded. The result is that the Communist Party is excluded, the Green Party is excluded, the Marijuana Party is excluded, the Marxist-Leninists are excluded, and the Natural Law Party is excluded. Those parties, according to the electoral act, are registered parties. They have to have 12 candidates.

The deputy leader will remember very well that the Standing Senate Committee on Legal and Constitutional Affairs dealt with the decision of the Court of Appeal of Ontario in the *Figueroa* case, which threw down the provisions of the Canada Elections Act that a party had to field 50 candidates to be registered. The court came to the conclusion that 50 were too many, and it is more than two. Following that, the government introduced an amendment and fixed the number at 12, which is the number in the present act.

The problem is that when we look into the amount of money that those registered parties, which are excluded under this provision of proposed section 435.01, would find themselves receiving, it would be nothing. Still being registered parties, they would be deprived of access to corporations and to financing of more than \$5,000. If we apply that criteria, they would have a diminishing amount of money.

According to section 15 of the Charter, every individual is equal before the law and is entitled to the same benefit under the law. I wonder if that aspect has been canvassed. The decision of the Court of Appeal of Ontario is under appeal at the Supreme Court level. It is clear in my mind that if we maintain the status of registered parties but deprive a party of access to public funds, which could be done, and at the same time you order them indirectly to have a diminishing capacity to raise money, we are inflicting or imposing upon them a condition contrary to the provisions of the Charter.

I know this question is complex, but it is very important because it raises a Charter issue. As my honourable colleague will know, the Charter is there to protect minorities. The decision of the Court of Appeal of Ontario in the *Figueroa* decision is clear. Canadian courts have always taken the approach of protecting the smaller party in their decisions reviewing the electoral act because the act was made for the large parties. That is understandable because it is done by parties that are represented in Parliament mainly. Small parties are not represented in Parliament, but they represent the views of Canadians who are entitled, under our Constitution, to freedom of speech, freedom of thought, freedom of association and to express their views.

Honourable senators, this is a complex question, a small question, but it is a question of principle. I think it is important in our review of the bill. I wanted to alert the deputy leader so that we had proper access to expertise from the Department of Justice to answer that question.

[Translation]

Senator Robichaud: Honourable senators, I agree with Senator Joyal that the matter he has raised is one of great importance. I also understand that bills must meet all requirements of the Canadian Charter of Human Rights.

However, for the committee to be able to address this matter strikes me as completely reasonable, and an approach that ought to be pursued in order to ensure that the bill does indeed comply with the Charter.

[English]

Senator Joyal: My last question is with regard to the amount of money that the Chief Electoral Officer is entitled to disburse from the public treasury and the amount of money that each and every party presently represented in the Parliament of Canada would receive.

• (1530)

I have the latest data available from the Web site of the Chief Electoral Officer, which are the results of the general election in 2000. I multiplied the figure there by the proposed 1.75 and concluded that the Bloc Québécois would receive \$2,066,999. According to the total contribution to parties that the Bloc Québécois declared for 2001, they received \$898,000. In other

words, there is a major discrepancy between what they raised in 2001 and what they will get from the treasury.

In the same year, 2002, the Canadian Alliance received \$4,788,000 in contributions. Under this formula, they would receive \$4,915,000, which is roughly the same, although they can still get \$1,000 per riding from corporations as well as \$5,000 from individual citizens. Therefore, that amount would increase, but at least they would receive, as a starting point, the same amount of money as they got in 2000.

According to the website, the Liberal Party raised \$12,469,000 and under the present formula would receive \$7,878,000. The NDP raised \$5,042,000. Under this formula, they would receive \$1,640,000, which is drastically less. The Progressive Conservative Party raised \$7,971,000, while under this formula they would receive \$2,350,000.

This formula of \$1.75 per citizen is a formula that seems to be equitable in principle, but when you apply it in practical terms to the parties, there is a major discrepancy for at least one party which was favoured by the formula. That is understandable, because it is a regional party that ran candidates in only one province.

Will the Deputy Leader of the Government investigate the analysis of this formula and explain to us at committee why a more graduated formula could not have been adopted that would have taken into account the number of votes as well as the number of ridings in which a party runs candidates?

When I apply the simple arithmetical formula of multiplying the total number of votes by \$1.75 and then dividing by the number of ridings in which candidates were run, I get a result much closer to what the party raised that year, because it is graduated. I find that this formula creates a distortion phenomenon: that is, the fewer ridings in which you run candidates, the more money you receive. At least, that is the way it looks on paper.

When the Deputy Leader of the Government comes to committee to help us understand the bill, will he explain what other formulas were proposed and why this one, which seems to cause a distortion with regard to one party, was preferred by the government?

[Translation]

Senator Robichaud: Honourable senators, I understand Senator Joyal's point of view. The bill proposed an annual contribution of \$1.50. When the committee looked at this issue — I have not looked at all the formulas they studied, but perhaps the committee could ask for information about that — they recommended increasing the contribution to \$1.75.

The situation has certainly been noted. Why this formula? At present, I cannot say why, but it is a question that should be looked into. The argument may be quite simple. It is necessary to find a formula that could, according to certain people, be discussed as if it did not represent what each party should receive.

I have already been told that the formula ought to be associated with the number of ridings in the country. That formula could introduce another formula that would reduce the contribution.

Why did we not go in that direction? I do not know. But I will try to find out.

[English]

Hon. Jeremiah S. Grafstein: Honourable senators, I thank the Deputy Leader of the Government in the Senate for being very sensitive to Charter issues. With regard to what Senator Joyal said, a fast reading of the bill raises the same question for me in a somewhat different way. In effect, does the formula discriminate among political parties, preferring those parties that are not national? In other words, are political parties discouraged from becoming national parties but, rather, to concentrate their efforts in a particular region in order to take advantage of the formula in the bill? If that is the case, as Senator Joyal suggests, is that a form of discrimination contrary to section 15, the equality provision, of the Constitution? I assume that we will be looking at that question as well, unless the Deputy Leader of the Government can respond now.

Taking this one step further, there is a very sensitive issue about freedom of expression based on the right of an individual, including an individual or person as encapsulated in a corporation. We have in this bill, as other senators have pointed out, a difference in treatment between a corporation and an individual. As a result, the rights of the corporation, under section 15, may be inhibited. As a matter of fact, that appears to be the objective of the legislation: to restrict and inhibit corporations from contributing and, therefore, excising the corporation's rights, if they have them, to freedom of speech or equality under section 15.

• (1540)

My question is: Has the Deputy Leader of the Government in the Senate satisfied himself that these questions were properly canvassed in the other place before this legislation was put into its final form, or is this a matter that we should be concerned about in our deliberations, to be satisfied that the constitutional requirements of this bill have been fully met?

[Translation]

Senator Robichaud: Honourable senators, in light of the comments made by the Honourable Senator Joyal, I agree that bills must meet all the requirements set out in the Charter. The committee will decide how to proceed; it is the committee's decision. I am not setting out guidelines, as it is not my job to do so. Only the Senate as a whole can do so in committee.

The committee will do as it sees fit in this regard. All the important issues will, I hope, be addressed. The witnesses who will be asked to appear will certainly be able to help us find the answers we are seeking.

I have no doubt that the committee will explore all these issues, such as whether all the requirements have been met, and, obviously that no individual or group is discriminated against.

[Senator Robichaud]

[English]

Senator Grafstein: On the subject of equality of treatment, I was taken by what Senator Nolin said about the question of perception and what other senators said about the perception of influence with respect to corporations.

For what it is worth, in my experience, I have never really felt the influence of corporations but, from time to time, I have felt — and my friend Senator Prud'homme is smiling — I have felt the influence of individuals. Having said that, I felt it and responded to it. That is fair game. As can any senator in this chamber, I can handle myself when confronted with that sort of situation. However, is there not some concern that by treating individuals in a greater sense, by allowing them to spend more money than corporations, that is, in effect, handing more power to individuals as opposed to a particular corporation?

Senator Prud'homme: That is what I said.

Senator Robichaud: I do not think so, but this is my view.

An Hon. Senator: That is your perception.

Senator Robichaud: I hate to use the word “perception,” because every time we do so, we somehow get into a debate that takes on a life of its own.

I hear what the honourable senator is saying, but it is a question of how you interpret reality in some cases, and this is where perception comes in.

Senator Oliver: My question is for the Deputy Leader of the Government. When making his original dissertation, the honourable senator told the Senate that under this new bill there will be changes made in what is and what is not an expense under the Canada Elections Act. In his dissertation, he said that under the present regime, if you have incurred polling costs or done research during the writ period, in the past that has not been considered an election expense. He indicated that amendments will be made to include that as an expense and that there will be a comparable amount of money given to political parties to pay for that sort of thing.

My first question is: What other items, other than polling, will now be included as election expenses that were not included before? Second, if a party were to spend \$2 million on polling research during a writ period, and spent that amount, but another party could only afford to spend \$200,000 on polling and research during a writ period, is there any inherent disadvantage to the smaller parties?

Senator Robichaud: I would like to ask the indulgence of the honourable senator so that I can further research the question. This is a very specific question. I would like to come back to him, either through the committee process where we can really explore that matter, or maybe in the later stages of this bill.

Senator Prud'homme: The deputy leader mentioned that the Standing Senate Committee on Legal and Constitutional Affairs is starting to organize its work and will start hearing a series of witnesses. They are beginning with the Chief Returning Officer of Quebec. It could take time to do an appropriate job, as one expects the Senate to do.

Is the deputy leader under a deadline by saying that this must pass before the Senate adjourns or suspends? Could we not suspend and then, when the committee finishes its work, we could be called back? Is there a deadline that honourable senators might be informed of so that we will know what to expect and how to prepare for a good study of the bill?

[Translation]

Senator Robichaud: That depends on what the committee decides to do and which witnesses it decides to call. I think that this matter must be left to the discretion of the committee and its members. I would not like to impose or dictate which witnesses can be heard and which not. We would like Bill C-24 to be passed before the summer recess.

But, the committee will have all the time it needs to do its job, consider the bill and present its report. There is no doubt in my mind that, given the expertise in this house and the committee, the work will be done well and we will be able to meet the deadline.

[English]

Senator Kinsella: My honourable colleague Senator Prud'homme has made an interesting suggestion, which was to let the committee have sufficient time to do its study, as it deems appropriate, and let the Senate rise and be called back when the committee has completed its work. I believe that was the sense of Senator Prud'homme's question. I find that an interesting suggestion. Would the deputy leader share with us his views on that suggestion?

[Translation]

Senator Robichaud: I am being asked to perhaps provide, in a roundabout way, committee guidelines or to set our schedule.

• (1550)

Senator Prud'homme: Honourable senators, we have to be logical.

Senator Robichaud: Honourable senators, it is simple. When the committee receives the bill, it will take as long as it needs. Some would like to take ten months to do the work, while others would probably like to take a week. At some point, people always reach a compromise that allows the workload to be dealt with. The work is done and a report is tabled. That is where we come in, honourable senators.

Senator Prud'homme: Honourable senators, between now and ten months, let us compromise and say three months.

On motion of Senator Kinsella, for Senator Angus, debate adjourned.

[English]

[Earlier]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in our gallery of Mr. David Webster, formerly of the Department of Indian and Northern Affairs, where he managed the Inuit Cultural and Linguistic Section for the past two years with Parks Canada, establishing two historic sites in Nunavut: one near Baker Lake and the other near Arviat.

Mr. Webster is accompanied by his wife, Sally, son Peter, sister-in-law Janet Tagoona and her son, Dmitrius Tagoona. They are the guests of Senator Adams.

Welcome to the Senate.

SPECIFIC CLAIMS RESOLUTION BILL

AMENDED REPORT OF COMMITTEE PRESENTED

Leave having been given to revert to Presentation of Reports from Standing or Special Committees:

Hon. Thelma J. Chalifoux: Honourable senators, I wish to present a revised fourth report concerning Bill C-6. In the report presented earlier today, there was a typographical error in one of the proposed amendments. It must be corrected.

Concerning number 5, proposed clause 77.1, the fourth sentence should read:

"claimants" shall be read as a reference to "claimants under this Act or under the Specific Claims Policy of the Government of Canada".

The typographical error concerns the word "of" which should read "or".

I ask that this new report replace the one I presented earlier this afternoon.

The Hon. the Speaker: Is it agreed, honourable senators, that the corrected report replace the report that was presented earlier today?

Hon. Senators: Agreed.

The Hon. the Speaker: Copies of the revised report will now be distributed.

[Translation]

CANADIAN INTERNATIONAL DEVELOPMENT AGENCY BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Bolduc, seconded by the Honourable Senator Cochrane, for the second reading of Bill S-17, respecting the Canadian International Development Agency, to provide in particular for its continuation, governance, administration and accountability.—(*Honourable Senator De Bané, P.C.*).

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, this is the fifteenth day this item has appeared on the Order Paper, and I had forgotten that Senator Roche had indicated his intention to speak. I am pleased that he will now speak.

[English]

Hon. Douglas Roche: Honourable senators, the Honourable Senator De Bané has given me his consent to speak.

Honourable senators, I wish to congratulate Senator Bolduc on bringing forward Bill S-17, which I support with enthusiasm. It is time for the Canadian International Development Agency to have a statutory basis. I commend the bill to all honourable senators.

For the better part of 30 years, I have been following CIDA closely and have seen at first-hand the implementation of CIDA aid programs in many countries. I am not without my criticisms of CIDA, but at its best it does a superb job of lifting up the human condition.

In particular, I think of Bangladesh, a country I first visited in 1976, and where in recent years I have seen the remarkable development process of women helped by aid-sponsored education programs. Where CIDA has concentrated resources on NGO programs of community development, we have seen remarkable progress.

I also bring to this debate my background as Chairman of the National Advisory Committee on Development Education. Honourable senators are probably not familiar with this body because it was put out of business 10 years ago in another ill-considered move by government to save a few dollars at the expense of deepening public understanding about the great human crisis of endemic poverty.

I truly wish I could devote a whole speech to praising the positive accomplishments of development assistance, but I

cannot. I must deal immediately with the false economy of government cutbacks in development, including development education, that have reduced Canada's participation to an abysmal level.

The challenges posed by global poverty are immense. More than 1.3 billion people live on less than \$1 per day. Most live in countries unable or unwilling to provide them with the kind of social safety net we have been able to establish here in Canada. As a result, they are often unable to access basic education and health care, and must struggle just to feed themselves. The tragic outcome of this situation is that 30,000 children under the age of five die every day, most from preventable disease. With the gap between the rich and the poor continuing to widen, conditions for the poor are deteriorating.

Canada has long had a tradition of humanitarianism, of showing concern for the plight of the disadvantaged around the world. Why, then, have we virtually turned our backs on the poor? Over the past decade, Canada's official development assistance budget has been slashed precipitously and continuously, reaching a 30-year low in 2001. Several members of the Organization for Economic Cooperation and Development, namely, Denmark, the Netherlands, Norway, Sweden and Luxembourg, have surpassed the UN target of devoting 0.7 per cent of GNP to international aid. Meanwhile, Canada's spending declined from 0.45 per cent in the early 1990s to 0.22 per cent in 2001. We fell from sixth place in the 22-member OECD in 1995 to nineteenth in 2001.

• (1600)

The 29 per cent cuts made to bilateral assistance during the 1990s surpassed the cuts made in other sectors. Yes, the budget was balanced, but on the backs of the poor. Within the ODA budget itself, it was once again the poorest who shouldered the greatest burden.

As Gerry Barr, President of the Canadian Council for International Cooperation, the CICC, has noted, 70 per cent of the world's poorest people live in rural areas and depend on a vibrant agricultural sector for their livelihood. However, programs directed at food security and agriculture were cut by 58 per cent in the 1990s. Aid to sub-Saharan Africa, one of the poorest regions in the developing world, was cut by 40 per cent between 1992 and 2001.

Over the past decade, Canada has failed to live up to its reputation as a world leader in defending the rights of those living in abject poverty. However, recent announcements by the government have signalled a reversal of this disheartening trend. The prime minister has announced plans to increase aid by 8 per cent annually until the end of the decade. Half of this new money is to go to Africa, which contains 34 of the world's 48 least developed states.

While this is an encouraging development, even with an annual 8 per cent increase, it will still require 10 years just to get back to the proportions of GNP devoted to aid in 1993. A study conducted by the CICC indicates that it will take Canada until the year 2040 to reach the target of 0.7 per cent of GNP. We must do better than that.

Another important issue is “tied aid.” Historically, up to 70 per cent of Canadian aid has been “tied,” forcing recipient states to purchase Canadian goods and services with the aid money granted by Canada. Canadian products are more expensive than those available in developing countries, resulting in extra costs of \$500 million annually. CIDA has recently moved to untie significant portions of its aid to allow local contractors to bid on CIDA projects.

This does not include food aid. Flooding developing economies with free Canadian grain can drive down the prices to levels at which local farmers can no longer make a living. As a result, national agricultural production falls, which increases dependence on imported food and aid. Instead, we need to stimulate the agricultural sector in developing countries by, whenever possible, allowing local farmers to supply the food that is needed by the poor in their country.

Many have argued that increased access to international trade is a key prerequisite for development. Over the past 20 years, the poorest fifth of the world have seen their share of world trade fall from 0.6 per cent to 0.3 per cent. Canada recently moved to eliminate trade barriers across the board for exports from Africa’s least-developed countries. This is the kind of leadership we need to show but, again, we must do more.

The World Bank has estimated that the removal of agricultural trade barriers by the world’s richest nations would have brought \$30 billion in benefits to the developing world between 2002 and 2005. We need to work in the WTO and in bilateral relations with the U.S. and the European Union for the elimination of these barriers, while ensuring that limited exceptions exist for developing nations to guard against domestic food shortages.

There is an emerging consensus in the international development community that eradicating global poverty should be the primary goal of international aid. The Millennium Development Goals issued by the UN in September 2000 commit to cutting the percentage of people living in absolute poverty to one-half of the 1990 levels by 2015.

In 1995, CIDA sharpened its focus on poverty by dedicating 25 per cent of aid funding to delivering “basic human needs.” That was good, but Canadian aid dollars are still widely dispersed: CIDA currently funds projects in more than 100 developing countries around the world. A minimal — though increasing — aid budget, combined with this dispersal, has made it difficult for Canadian aid to have any significant, measurable impact. The government has recently identified nine priority countries, six in Africa, to receive the lion’s share of new aid funding. While this represents an important step forward, it is not enough. Funding should be reallocated from middle-income countries to those states which need it most, consistent with CIDA’s primary objective of fighting poverty.

The spread of AIDS has triggered a crisis, particularly in Africa where the very fabric of society is under siege from a disease that demands extensive health spending for effective treatment and

prevention. In 2000, the G8 pledged to help reduce the number of young people infected with AIDS by 25 per cent by 2010, but these efforts have not received sufficient funding. At least 30 million Africans currently have the HIV virus, and 200,000 people die from AIDS every month.

I think that Canada’s pledge of \$100 million to the AIDS fund over four years — which is proportionately one of the smallest contributions among the wealthy nations of the world — is insufficient. If we are serious about focussing our development efforts in Africa, we must do more to address one of the most significant threats facing that continent.

Honourable senators, the challenges of global poverty are complex and truly staggering, as Senator Bolduc showed in the lengthy and comprehensive speech that he gave in introducing this bill. I think that Canada can play a significant role. This bill, introduced by Senator Bolduc, is another step in the direction that we can take in order to move forward.

In 1994, the special joint committee reviewing the Canadian foreign policy recommended that CIDA be given a clear mandate for poverty reduction and that this be enshrined in legislation. Senator Bolduc’s bill will fulfill that recommendation. The bill will create a statutory framework for CIDA which will give it an independent status with respect to Parliament. Instead of being accountable to the Department of Foreign Affairs and International Trade for its objectives, policies and strategies, CIDA will answer directly to Parliament.

The department does have a legitimate interest and a legitimate mandate in providing for Canadian security and economic interests. However, CIDA’s mandate must be different; it must be to contribute to the eradication of global poverty. Clearly separating these organizations will enable each to pursue its mandate, while also providing a forum for the coordination of development and foreign policy.

Increased accountability to Parliament will also give Canadians a stronger voice in the management of aid policy. The international assistance budget is currently at \$2.3 billion, of which \$1.85 billion is managed by CIDA — which is the lion’s share, and projected to grow. It is thus no longer appropriate for governments to maintain the option of significantly altering CIDA’s primary objectives and strategies without consulting Parliament. Enhanced accountability will also help to ensure that Canada’s aid budget is managed as effectively as possible and is focused on the eradication of poverty.

Finally, this bill will create an opportunity for a thorough examination of Canadian aid policy in committee. CIDA has historically worked in partnership with Canadian NGOs, which have a wealth of frontline development experience. However, many of these Canadian organizations have felt sidelined in the ongoing reorganization of Canadian priorities and strategies. These are very experienced people. Committee hearings will give them the opportunity to make presentations on issues that are not only within their expertise but their passion. The NGOs’ abilities to advance development education across Canada must be restored.

Honourable senators, we have an opportunity to play a role in the improvement of Canada's international assistance policy framework. We should work together to pass a well-considered bill that will make Canadian aid more effective in pressing the needs of the world's poor.

• (1610)

Hon. Marcel Prud'homme: Honourable senators, this is a subject of high interest but this is not the time. I used to be a critic of CIDA under Mr. Trudeau and Mr. Turner. I would like to ask that this be adjourned under my name.

[Translation]

Senator Robichaud: Honourable senators, the debate stands in the name of Senator De Bané, who intends to speak next week. For Senator De Bané, I move that the debate stand until the next sitting of the Senate.

On motion of Senator Robichaud, for Senator De Bané, debate adjourned.

STUDY ON PROPOSAL OF VALIANTS GROUP

REPORT OF THE NATIONAL SECURITY AND DEFENCE COMMITTEE

On the Order:

Resuming debate on the consideration of the fourth report of the Standing Senate Committee on National Security and Defence (*study on the proposal of the Valiants Group*) tabled in the Senate on December 12, 2002.
—(Honourable Senator Day).

Hon. Joseph A. Day: Honourable senators, this is a report of the Subcommittee on Veterans Affairs of the Senate Standing Committee on National Security and Defence. The subcommittee heard Hamilton Southam, President of the Valiants Group, Sidney Wise, historian with the Valiants Group, and Lieutenant General Charles Belzile, President of the Royal Canadian Legion. We also heard from various government departments.

Knowing their position, the committee concluded that the proposal to commemorate the efforts of the Valiants Group was commendable. As a result, the committee recommends that the government examine the Valiants Group's project.

[English]

Honourable senators, in the last few days in this chamber we have been discussing monuments with respect to World War I and World War II, those monuments being located in France and Belgium. This proposal recommends the creation of a monument in downtown Ottawa to salute the heroic wartime sacrifices of those individuals who fought victoriously for the independence of Canada during the 17th century, 18th century, 19th century and 20th century.

[Senator Roche]

The original Valiants proposal presented to the Subcommittee on Veteran Affairs calls for a series of 16 statues in line along Elgin Street, south of the National War Memorial. The statues would commemorate six major periods of conflict and resolution that provide us with a basis for Canada's journey from a European colony to an independent nation.

Honourable senators, the individuals mentioned on the list of nominees are a virtual who's who of Canadian history. To name a few: Marquis de Montcalm, General James Wolfe, General Sir Isaac Brock, Charles-Michel de Salaberry, Laura Secord and General Sir Arthur Currie. These are but a few of the storied men and women who we would be able to visibly honour and admire by making this project a reality.

Honourable senators, this project would create an enhancement to the National War Memorial that would be appropriate and in keeping with the historic significance of that monument here in Ottawa.

The Subcommittee on Veterans Affairs was also informed by the proponents of this project that they were willing to assist in the funding of the project. The subcommittee was told that the government had made the decision not to contribute to this project. That decision appears to have been made after deputy ministers examined the proposal in late 2002.

The reasons provided for this disappointing development were that 16 statues were too many, there were too many officers nominated for statues vis-à-vis other ranks, and that the estimated cost was too high. It was at that stage that the proponents of the project decided to come before the Subcommittee on Veterans Affairs requesting that we look at the proposal. This report is a result of the deliberations of the subcommittee.

Honourable senators will know that in this report we recommend that the Minister of Canadian Heritage reconsider the project, especially given that the group has proven to be flexible in terms of the size of the project and is prepared to raise funds to contribute it. To that end, I am pleased to report that the Minister of Heritage has agreed to review the project and has facilitated meetings between government officials and the proponents of the project.

As a result of those discussions, an alternate measure has been devised that addresses the initial criticisms raised by the government but still achieves the overall objectives of the Valiants Group. This alternative would be the erection of a mural panel made of stone or bronze that would depict the 16 valiants in question. The proposed mural would be located on the south side, or the canal side, of the extended sidewalk that surrounds Confederation Square, between the National Arts Centre and the recently announced political history museum, the former railway station across from Chateau Laurier.

Honourable senators, this proposal has an estimated cost of \$1 million, which is far less than the original proposal. Moreover, it exhibits the flexibility and determination of the Valiants Group in seeing that the project becomes a lasting memory to all Canadians.

To conclude, honourable senators, I want to publicly thank those individuals who were involved in this project for their time and effort, namely Mr. Hamilton Southam and his committee. I hope that our government has the foresight to help make this project a reality soon.

To that end, honourable senators, I encourage you to express your support to the Minister of Heritage for this project and ask her to make the completion of this project a priority. I look forward to the day when we can all see this monument help frame the National War Memorial, completing the picture that will forever encompass the Tomb of the Unknown Soldier.

Hon. Senators: Hear, hear!

The Hon. the Speaker: If no other senator wishes to speak, this matter will be considered debated.

• (1620)

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

ELEVENTH REPORT OF COMMITTEE— DEBATE ADJOURNED

The Senate proceeded to consideration of the eleventh report of the Standing Committee on Rules, Procedures and the Rights of Parliament, presented earlier this day.

Hon. Anne C. Cools: Honourable senators, this report is unknown to the chamber. Perhaps we could have an account of what is in the report.

Hon. Lorna Milne: Honourable senators, this report was circulated earlier today and it contains amendments to the attendance policy of the Senate in subsections 5(2) and 5(3). The amendments simply clarify the present attendance policy of the Senate and make it actually more responsible for senators, to ensure that they will never be accused of malingering.

Senator Cools: Honourable senators, I am wondering what the rush is? I would like to speak to this matter but I have not looked at it yet, and so I will speak to it tomorrow. I move the adjournment of the debate.

On motion of Senator Cools, debate adjourned.

THE SENATE

WORLD HEALTH ORGANIZATION— MOTION REQUESTING GOVERNMENT SUPPORT FOR TAIWAN'S REQUEST FOR OBSERVER STATUS ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Di Nino, seconded by the Honourable Senator Atkins:

That the Senate call on the Government of Canada to support the request of the Government of Taiwan to obtain observer status at the World Health Organization (WHO).—(*Honourable Senator Prud'homme, P.C.*)

Hon. Marcel Prud'homme: Honourable senators, I promised to speak to the motion of the Honourable Senator Di Nino last Monday. I stated in that debate that it would be quite interesting for senators to understand what this issue is about. The debate began on May 5 with a motion in the House of Commons, which was adjourned by one Liberal member. The debate resumed in the House of Commons on May 27 and, to the surprise of many, the entire cabinet voted against the wish of the House of Commons. With that, I decided to read the complete file of this very special wish of the House of Commons.

Last Thursday, June 5, I was not satisfied with what I had read and was waiting to ask questions of various cabinet ministers; and it was difficult for me to receive an answer. However, I was able to contact many ministers and all of their answers matched, which suited me just fine. However, it was too late for me to prepare to speak to the motion last Monday, as Senator Day wanted me to do for Senator Di Nino.

I regret that I disappointed the Taiwanese lobbyists' group on the Hill. However, I did speak to some of them on the phone about the delay but I did not give my reasons. Perhaps someone from the government would take on the debate after I make my small contribution today. I am now satisfied with the reason, invoked by the cabinet minister, for the vote of all parties against an immense majority of the House of Commons. The motion was negated by 163 to 67, I believe.

We all know, and for those of you who do not know, it goes back to the policy of Canada concerning China, like one country under two systems with Hong Kong. It was quite complicated. I have been interested in this matter for a long time. Prior to the Korean War, when I was a young Liberal, former Prime Minister Louis St. Laurent was about to recognize China. Unfortunately, the Korean War took place and that was the end of it until another Prime Minister whom probably some honourable senators have known, Pierre Trudeau, took the first step toward the recognition of China.

Since that time, Taiwan has wanted to be recognized separately. The perpetual debate between China and Taiwan, and the Canadian policy towards the policy in China, leads us to the expression of many wishes by the rich and powerful people of Taipei, whom I respect very much.

Taiwan probably has more gold reserve than any country in the world, which means that it could be open to danger. We may see Taiwan turn to another power more willing to recognize her as a country. Each of these events is a small step toward that. Some people could provide the house with a much clearer and more refined explanation. However, that explains the hesitation of the Canadian government.

I am satisfied that that is why the cabinet ministers voted against the motion. I had promised Senator Day and Senator Di Nino that I would make that kind of intervention. I have not received the assurance that I was on the right path. I will not talk about other issues that took place between now and then. I have carried the burden on my shoulder and I have made my

contribution. I have nothing else to say. I am sure that by the time I sit down, His Honour the Speaker will ask if the house is ready for the question, at which point I will probably shout: "No standing vote." Someone else will doubtless say "On division." Senator Di Nino, Senator Day and a few others will be very happy, but do not count on it. It would be a very strong wish expressed by both Houses, but I do not think much action will be taken on it.

Hon. Pierrette Ringuette: As I listened to our honourable colleague, I realize that I was very fortunate to visit Taipei a few years ago and become acquainted with the people, the economy and their vision of what they want to do in the world. I was impressed with their comments.

I considered Senator Prud'homme's comments and I looked at the wording of the motion. Knowing all of this, does the honourable Senator Prud'homme not think that he could move an amendment to the motion such that the Senate should support this motion?

• (1630)

Senator Prud'homme: I am a very strong supporter of the World Health Organization, but I do not like an organization using one of the saddest illnesses in the world to go around the circle and say, "Who wants to help the people of Taiwan, Hong Kong, China or Toronto?"

Taiwan tried. They tried somewhere else. They tried to be a member of the Asia-Pacific Parliamentary Forum. I am co-founder of that organization along with Mr. Nakasone from Japan. His Honour chaired a meeting in Vancouver. I had always been a delegate to Asia-Pacific, until I became an independent senator. Mr. Nakasone, who is now 60 years in Parliament, is still looking for me at every convention, hoping that I will return some day. Unfortunately, I am not a delegate.

Taiwan is trying to slip into the WHO. They try to slip into every organization. I wish them good luck. That is the reason, honestly, that I did not expect this motion to be adopted.

[Translation]

This explains why we are attempting, because of this tragic situation, to recognize them as observers.

[English]

Honourable senators, I think it is a good thing to recognize them as observers, but it is the other attached consequences that are worrying the cabinet ministers. I was also a founder of the Canada-China group over 25 years ago. Another beloved Speaker, when only a senator such as I, Senator Molgat became the first chairman of Canada-China.

I do not know what happened to me. I am an honorary chairman of Canada-China. No one recognizes me because there is a new chairman, Senator Austin. I flew out the window when I

[Senator Prud'homme]

became an independent. I lost everything, but I still consider that I did my duty as a good Canadian parliamentarian 25 years ago.

Having said that, I will not pursue the topic further. Please do not ask more questions because you will get to know a little bit more.

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I will also be voting against this motion, but I want to make it very clear why I will be voting against this motion. The honourable senator is quite correct in saying that it has been the tradition of the Government of Canada to have a one-China policy. We do not vote on motions that would in any way jeopardize that policy, which we have held for a very long time.

The issue is not a simple one. It would appear that the people of Taiwan did not get access to WHO services as quickly as they should have received them.

I want honourable senators to know that while I will vote against this motion, I have made an intervention with the Minister of Health and asked her to make an intervention with WHO to ensure that the information that the people of Taiwan have every right to expect as citizens of this planet never again be denied to them in a speedy way. They should not be prevented in any way from having the most up to date, most thorough information that they require to protect their citizens. Despite how we might feel about a one-China policy, the people who live in Taipei are worthy of our respect and worthy of receiving services.

Hon. Consiglio Di Nino: Honourable senators, I move the motion standing in my name.

The Hon. the Speaker: Is the house ready for the question?

Hon. Senators: Question!

The Hon. the Speaker: It was moved by the Honourable Senator Di Nino, seconded by the Honourable Senator Atkins, that the Senate call on the Government of Canada —

An Hon. Senator: Dispense.

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

Some Hon. Senators: Yes.

Some Hon. Senators: No.

The Hon. the Speaker: On division?

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Did His Honour say carried, on division?

The Hon. the Speaker: I was about to say that.

Senator Kinsella: Good.

The Hon. the Speaker: Honourable senators, I do not see anyone pressing for a voice vote. I will say that the motion is carried, on division.

Motion agreed to, on division.

CANADA ELECTIONS ACT

MOTION TO REFORM PARTY FINANCING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Di Nino, seconded by the Honourable Senator Kinsella:

That the Senate urge the Government of Canada to reform the Canada Elections Act and other pertinent Acts to eliminate all donations to political parties and to replace them with a system of full public financing, and to establish an impartial, independent committee to direct and oversee the said system, including setting and enforcing standards and rules of conduct.—(*Honourable Senator Di Nino*).

Hon. Consiglio Di Nino: Once again, honourable senators, the clock is ticking on my motion. I will speak for 10 seconds and ask that the motion be adjourned in my name so that the clock can start ticking again.

We know that this issue is now before us. I would certainly like to hear debate on this issue. I will be participating on this issue, and I would like to see that it remain on the Order Paper. Therefore, I would ask for adjournment in my name.

Hon. Marcel Prud'homme: I will help the honourable senator, who has already spoken; therefore, I will speak on his behalf to turn back the clock.

The Hon. the Speaker: The honourable senator can adjourn the item again for the remainder of his time.

It is moved by the Honourable Senator Di Nino, seconded by Senator Keon, that this matter be adjourned to the next sitting of the Senate for the balance of his time and that it continue to stand in his name. Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

On motion of Senator Di Nino, debate adjourned.

POSSIBLE CLOSURE OF FISHERY FOR NORTHERN AND GULF COD STOCK

INQUIRY

On the Order:

Resuming debate on the inquiry of the Honourable Senator Cook calling the attention of the Senate to a Position Statement presented to the Minister of Fisheries and Oceans concerning the possible closure of the fishery for Northern and Gulf Cod in NAFO Areas 2J3KL and 3Pn4RS.—(*Honourable Senator Rompkey, P.C.*).

Hon. Bill Rompkey: Honourable senators, I wish to make some comments on the inquiry of Senator Cook. I thank her for bringing the subject forward.

This inquiry really has to be seen in relation to the report of the committee previously on straddling stocks because the two are combined. The effect of the closure of the cod fishery on my province, in particular — it is not a moratorium any more, it is a closure — has been devastating.

Much attention has been paid to mad cow disease in Alberta and much attention has been paid to the SARS issue in Toronto. We feel for those areas. We feel for the people of Alberta, because we know what they are going through, and we feel for the people of Toronto, because we know what they are going through. The closure of the cod fishery is a devastation for us as well, and it affects not just our economy but our very being.

• (1640)

I was reminded the other day, while listening to *Cross Country Checkup*, that when we came into Confederation in 1949, 70 per cent of all of Canada's eastern offshore came with us. We came in then with a \$40 million surplus and a good fishery. The fishery was up and down. Some years it was good, some years it was not so good, but it was there, and never was there no cod at all.

For almost 500 years, people fished for a living. I remember very well in 1992 when the moratorium was first imposed. It was a Newfoundlander who had to impose it — John Crosbie, who was minister at the time. I know the pain that he went through and the anguish that he felt in taking that particular decision.

I remember a television interview of an older man from Petty Harbour, near St. John's. This man was probably 50 or 60, had fished all his life and really knew no other occupation. He was interviewed on how he felt about the moratorium that had been imposed in 1992. Honourable senators must remember that these men get up early in the morning. They get up before dawn, and they have maybe a little lunch but not a full breakfast, and they go and haul their nets or check their fishing grounds, or whatever they have to do, but it is an early morning activity. They have been doing this all their lives during the fishing season — the early rising, the checking of the nets, the coming back, if they have a small boat. If they have long runner, they are gone for a longer period of time. He said, "The worst part for me is when I get up in the morning, I do not know what to do with the rest of the day." I remembered that because it was so striking.

If there was a young person in the fishery, in his 20s or 30s, he could find something else to do. There are possibly things you could train for, or other jobs you could take, but for a man in that category, and there are many of them, it does not just affect his economy, his income, his family, but it affects what he does for a living and it affects his life, and the way he lives. You have to understand that to understand the effect on my province. It is not just a matter of the economy.

The fact is that the fishery in Newfoundland, in terms of its contribution to GDP, is probably bringing in more now than it did before, because the species that are being fished are high end and high value, like shrimp, crab, and so on, but those groundfish stocks that have been the traditional staying power of the fishery in Newfoundland are gone. That is what affects not only their economy but their way of life, so there has been a devastating effect.

The Minister of Fisheries has tried to compensate by increasing crab quotas and by increasing shrimp quotas and by allocating to people other species, and that is good. That is part of a solution, but I think we must also do a couple of things we have not done. We have added some funds to the Employment Insurance fund to bring about compensation in that way. I think we should go a little farther, if I may say so. I think we should do the kind of things that we did in the 1990s.

We compensated a lot of people in the 1990s, but those who stayed beyond the 1990s were what I would call the professional class. Honourable senators must remember that a lot of people are engaged in the fishery, some more seriously than others, some part-time, some full-time, and a lot of the people who were eliminated, if I can put it that way, from the fishery in the 1990s were those who did it as a part-time occupation. The full-time, serious, professional fishermen stayed, because it was a hope. There was a moratorium, and the hope was that maybe the cod would come back: Let's hang on, let's keep our nets, let's keep our boats, and let's keep our equipment in case something happens and it improves — but it did not improve. Those people, those full-time, long-time, historic, professional fishermen, now have to leave and do something else.

I think we should do a couple of things. We should, first of all, buy their licences, as we did in the 1990s. I think that would be a reasonable thing to do. There is adequate precedent for that, and we should do that. For people who have no other source of income and cannot get one, who cannot go to Fort McMurray, who cannot go to Thompson, Manitoba, who cannot go wherever there are jobs, either because, for one reason or another, they cannot move or because they cannot get the training or because they are too old, there has to be some compensation. There is adequate precedent for that, too, whether it is a railway closure or automotive plant closure or whatever it happens to be. We have that obligation to Canadians wherever they are and whatever they do. We have an obligation to people in that fishery as well.

The other thing that I think we have to do is more adequate research, because we have not had access to the information that we need. One thing that happens when you attack the deficit and when you try to control spending and cut down your budgets is that you look for ways and means to do that, in every department across the board. Unfortunately, one thing that happened in the Department of Fisheries was that the money allocated to research was trimmed, cut and reduced. Apart from other activities in that department, that is one of the things that happened. You cannot do that and expect to know what is happening to stocks.

It is hard enough anyway to know what happens to fish. You can count caribou, as Senator Watt and Senator Adams know. You can count trees, as my colleagues from New Brunswick

know. However, it is very difficult to know what is down under the sea. We have not mastered the technology that will tell us exactly what fish stocks there are, and where they are. We need to apply money to that research, to know what is happening under the sea and to know where the fish are and where they are going and where they are going to be. Now that we are healthier in terms of our own budget here in Ottawa, we need to put some of the money into research that was there before those cuts.

Another thing we need to do is seriously look at the seal population. The reason for the decline of the cod is complicated. There are perhaps five or six major factors. The principal factor, in my opinion — and I do not know if my colleagues from Newfoundland would agree with me or not — was the over-application of technology. It was the large ships, the draggers with the small-sized nets. You will remember Brian Tobin's display in New York of the size of the net and the lasting impression that he made with that small, last little turbot clinging by its fingernails to the Grand Banks.

There was overfishing with the wrong kind of technology, with small nets, and those draggers cleaned up everything from the bottom, whether it was large or small. The primary factor for the demise of the cod was the over-application of technology. This was not confined to us. We have seen now that this, in fact, is a worldwide phenomenon. The danger to marine life is worldwide. It is not confined to us. However, the pain we feel is our own pain. One of the reasons is the over-application of technology.

Clearly, environment was another factor. Global warming was a factor. The other day, the people of Cape Breton found a walrus off their shores. They had not seen one in hundreds of years. It came down, they say, from the Arctic on the ice floes and happened to see Cape Breton as it was passing. "That seems like a nice place; I think I will go stop there for a while." That is the kind of thing that is happening with global warming. Senator Adams can tell you about polar bears in the Arctic. The ice cap is diminishing at a much more rapid pace than it ever did before. The most telling comment on global warming came from Iqaluit, where people explained, "This is what is happening with us." Global warming had an impact on the water, and it has had an impact on the demise of the cod.

The third issue, apart from the technology and apart from global warming, is the increase in the seal population. A seal eats a ton of fish a year. We do not know what kind of fish, but Morrissey Johnson, who was a Member of Parliament for Bonaville and also a sea captain, said with regard to what seals eat, "They sure do not eat hamburgers." They eat cod, shrimp and all sorts of other things, but they do eat cod, and they eat only part of the cod and leave the rest.

There are 7 million seals, and the population is growing. No matter what anyone says, that is a factor in the demise of the cod, because seals have no predators. The Government of Canada must institute a cull. I know of no other way to say it. There must be some control of that aspect of marine life, because nothing else is controlling it. As other aspects of marine life diminish, the seals are increasing.

• (1650)

This is an issue with which the government and the country must come to grips. Whether the environmental movement, Greenpeace or the International Fund for Animal Welfare like it or not, this is a serious issue that must be dealt with.

As I said, this motion must be viewed in relation to the report of the Fisheries Committee on straddling stocks. I believe it was Mr. Trudeau who said that fish swim and they do not know where the 200-mile limit is. They have no idea whether they are 150, 200, 250 or 300 miles out. We are the only coastal state that does not have its outer limit at the edge of the continental shelf. We have it at 200 miles, but the continental shelf extends further than 200 miles, and fish can be caught outside our 200-mile limit.

Canada should, first of all, sign the Law of the Sea, which it has never done. The Law of the Sea was negotiated in the 1970s and agreed to in 1978, but never signed. Canada must, second, exercise control over the portion of the continental shelf that extends beyond 200 miles, including the Flemish Cap.

Honourable senators, I wanted to draw your attention to these matters in order to give my colleague time to deal with some business, which I hope is proceeding favourably. I am grateful to Senator Cook for bringing this issue forward, and I hope that her contribution and mine will have some effect on policy.

Hon. Jane Cordy: Will the honourable senator take a question?

The Hon. the Speaker: Senator Rompkey has used his entire 15 minutes.

Are you requesting additional time, Senator Rompkey?

Senator Rompkey: Yes.

The Hon. the Speaker: Is it agreed that Senator Rompkey be accorded additional time, honourable senators?

Hon. Senators: Agreed.

The Hon. the Speaker: Senator Rompkey, will you accept a question?

Senator Rompkey: I will.

Senator Cordy: I want to thank Senator Rompkey very much for giving the senators in the chamber an idea of the effect of the demise of the cod fishery on the Province of Newfoundland. The Atlantic Liberal Caucus has been kept up to date on this issue by members of the Newfoundland caucus, including senators and members of the House of Commons.

This is certainly a great problem for Newfoundland and all of Eastern Canada. As Senator Rompkey stated, it is not only the economy that is affected. The way of life of Newfoundlanders has changed, and there have been social ramifications as a result.

The story Senator Rompkey told about the older gentleman getting up in the morning and asking what he would do for the rest of the day is very poignant. Many of these people started fishing as young as 12 years of age and have been in the fishery for 40 or 50 or even 60 years. Senator Rompkey mentioned some things we could do for the people of the region, one being to buy back licences and another to have adequate research done on the fishery, which is extremely important.

I was struck by the size of the seal population. I saw a video presented by the Department of Fisheries that showed a very congested grey seal population. It covered an area 50 miles wide and 90 or 100 miles long. That was very telling with regard to what the seal population is doing to the fishery in Newfoundland.

There was some talk of sterilization of the seals. That would be a fairly slow process to reduce the seal herd, and I am not quite sure how it would be done. I would not want to be in charge of such a program.

Greenpeace and the environmentalists have done a wonderful job of telling us that we should not kill seals. A picture of a seal on a brochure is certainly much more appealing than a picture of a codfish. How do we overcome the public perception to enable a culling of seals in Newfoundland?

Senator Rompkey: At the beginning of my remarks, I said that we could sympathize with people in Alberta with regard to mad cow disease. What happened to the cows that were suspected of having mad cow disease? The cows were killed because they were a danger. The cows may have had a disease and they had to go. I heard no hue and cry about killing diseased cows, but I did hear a hue and cry about killing seals that are also causing disease. When seals eat cod, they leave something called a seal worm in the cod stocks, which causes disease. This is not a pleasant topic, but neither is mad cow disease. However, we were able to take the necessary action in that situation because the population was sympathetic.

I have found over the years that it is very difficult to win the debate on seals because the environmental groups are very well funded. When the person who began the International Fund for Animal Welfare retired, he went to the United States with millions of dollars in the bank. This is a very lucrative industry. I am not saying that there are not well-meaning people in the environmental industry; there are, but there are also people who make a very good income from this.

In the 1980s, we tried to counteract the environmentalists. Four of us from Canada, and Newfoundland in particular — Pierre De Bané, then Minister of Fisheries and Oceans; Brian Peckford, then Premier of Newfoundland; Jim Morgan, then Minister of Fisheries of Newfoundland; and I — went to six European countries in five days. In France, we sat down with the minister of fisheries because the French were buying seals. As Senators Watt and Adams know, income for the seal fishery was coming from Europe, and Europe was closing that down.

The French Minister of Fisheries said that he understood what we were saying, that he accepted our logic and that he did not question our facts, but what was he to do about Brigitte Bardot? The influence of Brigitte Bardot was far more than that of not only the Government of Canada but also of the Inuit in the Arctic and the fishermen in Newfoundland. We had a difficult time overcoming those who had made such a forceful and lasting impact on public consciousness, and we were unable to overcome that.

• (1700)

In regard to mad cow disease, somehow or other people were willing to accept a solution, but, thus far, a great portion of the population has not been willing to accept a solution on seals. I do not know what sterilization means or how one goes about doing it. There are no limits to what the bureaucratic mind can invent because what has to be done with the population is that it has to be culled.

Senator Prud'homme: Bill C-10B.

Senator Rompkey: I do not know if that is an adequate answer.

Hon. Willie Adams: I would like to ask Senator Rompkey a question. The Fisheries Committee heard that there are approximately 6 million seals in the Newfoundland region. Does the honourable senator know how many tons of cod 6 million seals eat each year?

Senator Rompkey: I do not think there is an accurate estimate. That is the part of the problem. The seals eat other things as well, not just cod. I do not know if there is an estimate. Clearly, if there are 7 million seals and they eat a ton of fish a year, they eat an awful lot of cod.

Hon. Mira Spivak: I would like to distinguish between animal rights people and environmentalists. Many environmentalists understand that we need to condone hunting and culling or we will not have habitat.

What emphasis would the honourable senator place on the seals as opposed to the freezer trawlers that bring up everything? What is the emphasis in terms of the extinction of the cod?

Senator Rompkey: Someone said something interesting to me the other day. I think it was Tom Kent, in Newfoundland, who received an honorary degree from Memorial University. We were talking at lunch and came to the subject of seals. He said, "I remember saying that part of the problem in decimating an animal population was the invention of the rifle."

Over the years, we have applied technology to harvesting, but we have over-applied that technology. We have allowed the technology to expand, no matter what the species. I am not an expert on other species, but I do think that is true with the application of technology: Bigger and bigger ships, with bigger and more improved technology, can do things quicker and more easily without discrimination.

[Senator Rompkey]

A fisherman who has a single hook and line in the water, discriminates. He catches a large cod, and cod have been known to grow as large as 100 pounds or more. Large boats that have small meshes in their trawls catch everything, small and large. If the small fish that reproduce are caught, they do not reproduce any more. What we are really doing is attacking the source of the cod.

If there is a prime factor out of the five or six involved in the demise of the cod, I think it is the over-application of technology, the trawlers, the large vessels with the technology that we have allowed to come into our waters and catch that fish.

Senator Spivak: This has been known for a number of years. Why has there not been legislation to control the size of the nets and control overfishing?

Senator Rompkey: We need to do things differently. What we have been doing up to now has not worked. A very interesting idea came up yesterday. It is not new, but it was mused by John Crosbie, who suggested that we look at cutting the ocean up into sections and allocating a section just as we would for a piece of farmland. We would allocate a section of the sea.

I do not know much about this idea. It is not new. Dividing of the ocean into lots that can be allocated to either a fisherman or groups of fishermen or companies has been applied in other territories, and I do think it is worth studying.

One thing this chamber and the fisheries people should do is to examine that idea. Not every country in the world has made a mess of its fishery. Iceland has one of the most lucrative fisheries in the world. It has high GDP, low unemployment and a 98 per cent literacy rate. Iceland is going great guns. I hope that Senator Johnson will contribute to the debate because she knows more about it than I do. She has knowledge of both Newfoundland and Iceland.

There are countries that make their fisheries work, but we, in this country, have not made it work. When Newfoundland came into Confederation in 1949, we brought with us 70 per cent of the eastern offshore region. That 70 per cent, in those 50-odd years that we have been in Canada, has been decimated. The cod are gone.

Honourable senators, what we have been doing is not right. We must look for new methods, and Mr. Crosbie's suggestion is one we should examine.

Hon. Joan Fraser: Honourable senators, I could not agree more about the seals. I wonder whether the public mood about seals may not be shifting and there may not be more possibility now to address this issue than there was 20 years ago.

I wonder if Senator Rompkey could talk more about the Law of the Sea. I have never understood why we did not sign it. My recollection is that Canada was among the lead negotiators of the Law of the Sea. Did it fall off the table somewhere along the line? Did we find something in it that made it risky for us to sign? Why did not we sign it? If we had signed that document, would it have helped us deal with these factory trawlers?

Senator Rompkey: I think the Law of the Sea would have helped us.

In regard to Senator Fraser's earlier point about the shift in public opinion in relation to seals, Senator Joyal noted quite importantly that Brigitte Bardot is getting old and perhaps that is the explanation why the mood is turning.

I do not know much about Canada not signing the Law of the Sea, but I think the reason for not signing was partly due to the Americans and the Europeans. As I understand it, the European Community is about ready to sign. People, including our own Minister of Fisheries, tell me that we could soon sign that document.

• (1710)

If we do not have some kind of policing operation, then that will not be any good either. The operation that we have had in place, the North Atlantic Fisheries Organization, which came out of that exercise, has been for all intents and purposes a toothless tiger. It has not been able to enforce its own quotas. For example, Spain and Portugal, even though a quota is set for them, have ignored it and they fish what they like with impunity.

If we do not have an international regime that polices that area, then Canada has to set up its own. My understanding of the Law of the Sea is that it evolves as countries change their laws, their regimes and their ways of doing things. That is how the Law of the Sea comes about, and that is how the law evolves.

One of two things must happen: Either we have to change NAFO, giving it some teeth, meaning and authority, or Canada has to extend unilaterally its jurisdiction beyond 200 miles and over the nose and tail of the Grand Banks.

The Hon. the Speaker: If no other honourable senator wishes to speak, this inquiry will be considered debated.

[Translation]

FOREIGN POLICY ON MIDDLE EAST

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Prud'homme, P.C., calling the attention of the Senate to Canadian foreign policy on the Middle East.—(*Honourable Senator Prud'homme, P.C.*)

Hon. Marcel Prud'homme: Honourable senators, I almost feel like offering you a quote from Charles de Gaulle, as opposed to Winston Churchill, who said all his life that he had to bear the Cross of Lorraine. The Cross of Lorraine, of course, was a reference to Charles de Gaulle.

[English]

It was quite a pain for Winston Churchill to do that.

[Translation]

Unfortunately, for nearly 50 years now, I have had a heavy cross to bear, but not, as Senator Lapointe would say, the cross of Christ, but rather the cross of my opinions on the Middle East.

I have considerable knowledge of the subject, having devoted more than 50 years of my life to seeking one and only one thing: peace in the Middle East with justice for all. Justice for all, however, does not mean eliminating anyone. I got an extraordinary piece of advice from the Right Honourable Prime Minister Trudeau: "If you get involved in this issue, hang your hat on a single argument and never let up on it, or let anyone else turn you from it, or you will be lost."

I consulted Prime Minister Giulio Andreotti, and he told me that I would pay for it politically, if I got involved in anything to do with the balance in the Middle East. Mr. Couve de Murville, Minister of Foreign Affairs under Charles De Gaulle, told me the same thing; Gérard Pelletier was there at the time and was most embarrassed.

I have never, honourable senators, budged an inch, regardless of provocation, insult or pressure, from my constant desire to seek peace in the Middle East, as a Canadian. But when you see the real role of Canada in this tragedy we continue to witness today, you will see that Mr. Trudeau was very wise to tell me not to budge. On November 29, 1947, we had United Nations Resolution 181. You will see, I have all my notes here. I have boxes and boxes of them that I will not use.

We must return to the spirit of UN Resolution 181. It was voted on with 33 countries in favour, all good Christians and Catholics. Thirteen voted against and ten abstained, among them Great Britain and China. I have never deviated from this resolution on the immense responsibility of Canada.

The Right Honourable Lester B. Pearson was the Deputy Minister of External Affairs and was head of the Canadian delegation to the United Nations at that time. Israel calls him the Great Facilitator. When I was there recently with Mr. Chrétien, they were referring to him as "Balfour Number 2," so he is highly respected.

The main creator of Resolution 181 was a Justice of the Supreme Court of Canada, Ivan Rand, whom workers remember more for his "Rand formula." Justice Rand and Mr. Pearson were the ones who led the United Nations to adopt this famous resolution.

From that time on, there were to be two states on the territory of Palestine, one for the Jews and one for the Palestinians. I have never deviated from that resolution. I have always vigorously fought any form of anti-semitism, because this is a cancer that devours one from within. A person is entitled to hold an opinion on the Middle East that does not suit a certain lobby in Canada, which attacked me mercilessly barely two minutes after I was

chosen over Sheila Copps as President of the Liberal Caucus of Canada. In that secret ballot, I had a 22 vote lead, out of the 88 cast. In the seven times that I served as chair of the Foreign Affairs Committee and as President of the Quebec Caucus when there was a secret ballot, I always won. I suppose I was expressing views that others did not like to express openly. And where are we at today?

As they say, back to square one, where Mr. Bush himself is now, being viciously attacked because he said there should be two states in the land of Palestine. I am not sure he read resolution 181. That is exactly what happened on November 29, 1947, by a vote of 33 to 13 against and 10 abstentions.

There are many women here in the Senate. I say to you that you should go and check. You would have the greatest admiration for a woman who was in foreign affairs. Her name was Elizabeth McCullen. She was known, in a friendly way, as the leader of the official opposition to Mr. Pearson. Her every word was read by Mackenzie King because he had a great deal of respect for one of the first women in foreign affairs. She said, "We will pay, in 50 years from now, for what we are doing today." What a woman of vision she was!

I am not going to start talking about terrorism, or about Shamir and Begin, who had arms from Czechoslovakia. This you will read soon. I want to be positive. I will not talk to you about the assassinations that took place in 1945, 1946 and 1947. Lord Moyne was assassinated in Egypt. Both Mr. Shamir and Mr. Begin were shooting people. They were scaring the people away. This is not the subject. I am a dreamer and a reconciliator. I have endured enough but I have never moved an inch.

Some members here better be careful because I can name them, including their husbands who attacked me when I was elected Chairman of the National Liberal Caucus in a secret ballot under John Turner. I was viciously attacked by the big powers of the day. I did not move. I did not react.

You can smile. One of them was your husband.

• (1720)

I want to know what role Canada can play in the Middle East. Do you know why? Because Canada is so respected around the world — but we are frozen. We do not dare. We should have been on top because we have everything here. We have the brains; we have the knowledge; we have the respect around the world. People want Canada to play a role in the Middle East. I am telling you what I said 50, 40, 30, 10 years ago. Prime Minister Trudeau sent me as a delegate to the United Nations for a full session. I voted against Canadian instruction; he did not recall me. He probably knew what I was going to do without telling me.

In 1974, November, the President of Algeria was President of the United Nations. That was the year that Arafat spoke and said, "Please do not let me down." That was in 1974, and here we are

back at square one. We could have a world war because we refuse to see the light. We refuse to take sides. As Canadians, we are expected to be fair.

We have powerful people here in the Senate and all across Canada who could play a role. Why do they not help? Why do they not help to go back to the spirit of Resolution 181 of 29 November 1947? As long as we delay and delay, there will be more and more horror stories.

This is a sensitive man speaking. The insults directed at us hurt me, but I am not reacting. We dare to want to restore balance to the Middle East; a role humanity expects Canada to play. Who is preventing us from playing this role to the fullest? Rather than give you hints, I will ask you some questions. We, in Canada, enjoy all the privileges.

Yesterday evening, you heard the comments by His Excellency the Ambassador of Morocco. The Jewish community is respected in Morocco. We were able to hear the poem read by His Excellency the Ambassador of Morocco on the subject of Canada. That is the image we project throughout the world. Reasonable, respectful of the First Nations, of each other, such is Canada in its diversity.

It is puzzling that we would be so absent from this horrible dispute that is spreading like a fatal illness through the human race. How much longer must we remain silent? The French Canadian population of Quebec will ask you: how much longer will we be afraid?

[English]

Unable to take heart; unable to speak up. I am an old man. There is no worse price I can pay now but to be ignored. As long as there are two or three people who believe in you, it is enough. I am in search of peace in the Middle East, in the Holy Land.

Before we were part of it. Honourable senators, just see how things started in 1947. It only grows and grows. Like a cancer, it spreads around the world. Then you have chemical arms, biological arms, atomic arms, nuclear arms. We ask people to sign treaties. They sign, and then we say they do not respect them. There is a country there that exists.

I was not allowed, as chairman of the Foreign Affairs Committee, to mention that the State of Israel had nuclear arms. The man who revealed that fact is still in jail after 15 years or more. He was kidnapped in Rome, shipped in a container and condemned. Instead, he should have been nominated to receive the prize of peace.

[Translation]

This man should be given a peace prize because he inspired our neighbours to enjoy the same privileges. When will we become realistic? When will we stop insulting one another?

[Senator Prud'homme]

Some honourable senators, close friends, ministers and ladies say to me: "Obviously, you are against this or that group." Such comments are insulting. A sensitive man like me, against someone because of religion, choices, or characteristics? A sensitive man like me, against someone whose opinions differ from my own? Honourable senators, that is madness.

My father said to me: "To be strong, you have to resist the temptation to give equal treatment to those who hurl insults."

I respect other people and their opinions, because that strengthens my determination to convince my colleagues and say to them: Do you not see the madness that is spreading throughout the world? I do not claim that this reality is the only source of human folly, but it is certainly a start.

I would hope that other honourable, intelligent, cultivated and well-informed senators would rise in turn and voice their proposals about how Canada could, one day, play a more significant and fundamental role. I will repeat that, for the 40 years I have been in Parliament, the situation has only been getting worse.

I have, on numerous occasions, won debates with ambassadors. Those ambassadors who dared to confront me on television were told: "It would be nice if you were right, but I am afraid that things are getting worse."

Consider the hatred that has been unleashed against the President of the United States, George W. Bush. He is brave enough to tell it like it is, at the risk of losing the next election.

Mr. Bush sees things clearly. Do we, honourable senators, see things as they are?

Honourable senators, I ask you: Do you not have a role to play? Have you no suggestions to make, so that Canada can continue to live up to its excellent international reputation as a balanced country that believes in human rights?

[*English*]

As I always said, if you believe in human rights, you cannot pick and choose. You believe in the universality of human rights or you remain silent. I will sit down.

Hon. Anne C. Cools: Honourable senators, I would like to join this debate. I will move the adjournment. Perhaps I shall do some work and re-examine a bit of history, particularly what Senator Prud'homme just mentioned, which was the assassination of Lord Moyne, the resident minister in Cairo in 1944. I would like to take the adjournment and have a look at that situation. Lord Moyne was famous in the British Caribbean because of the Moyne commission.

On motion of Senator Cools, debate adjourned.

• (1730)

CRIMINAL CODE

BILL TO AMEND—MESSAGE FROM COMMONS— REPORT OF COMMITTEE

Leave having been given to revert to Presentation of Reports from Standing or Special Committees:

Hon. George J. Furey, Chair of the Standing Senate Committee on Legal and Constitutional Affairs, presented the following report:

Thursday, June 12, 2003

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

FIFTH REPORT

Your Committee, to which was referred the motion of the Honourable Senator Carstairs, P.C., dated June 10, 2003 and the Message from the House of Commons dated June 6, 2003, relating to certain amendments to Bill C-10B, An Act to amend the Criminal Code (cruelty to animals), passed by the Senate on May 15, 2003, has, in obedience to its Orders of Reference dated June 10, 2003 and June 11, 2003 respectively, examined the said motion and Message and now reports as follows:

PART I

Your Committee recommends that a Message be sent to the House of Commons to acquaint that House that, with respect to its Message to the Senate dated June 6, 2003 regarding Bill C-10B:

- (i) the Senate notes that the House of Commons has agreed with the amendments numbered 1 and 5;
- (ii) the Senate does insist on its amendment numbered 2;
- (iii) in lieu of the amendment numbered 3 with which the House of Commons has disagreed, the Senate adopts the following amendment and requests that it be concurred in by the House of Commons:

3. *Page 3, clause 2:* Add after line 10 the following:

"(3) No person shall be convicted of an offence under paragraph (1)(a) if the pain, suffering, injury or death is caused in the course of traditional hunting, trapping or fishing practices carried out by a person who is one of the Aboriginal peoples of Canada in the area in which the Aboriginal person has harvesting rights under or by virtue of existing aboriginal or treaty rights within the meaning of section 35 of the *Constitution Act, 1982*, and any pain, suffering or injury caused is no more than is reasonably necessary in the carrying out of those traditional practices."; and

(iv) with respect to the amendment numbered 4, the Senate accepts in part the wording proposed by the House of Commons, but adopts the following amendment and requests that it be concurred in by the House of Commons:

4. *Page 4, clause 2:* Replace lines 22 to 24 with the following:

“**182.5** For greater certainty, the defences set out in subsection 429(2) apply in respect of proceedings for an offence under this Part.”.

PART II

Your Committee carefully considered the message sent by the House of Commons on the subject of Bill C-10B. The Committee held meetings on the arguments contained in the message as well as the debates that took place in the House of Commons on the Senate amendments. The Committee heard from Mr. Paul Macklin, Parliamentary Secretary to the Minister of Justice, in order to fully assess the rationale for the decision of the House of Commons on the Senate amendments to Bill C-10B. It was clear from this latter meeting that there is a fair amount of agreement in both Houses on the need for cruelty to animals legislation that recognizes reasonable and generally accepted practices involving animals (e.g. scientific research conducted in accordance with generally accepted standards, traditional hunting and fishing practices of Aboriginal peoples, reasonable and generally accepted practices of animal management, husbandry or slaughter). Where the Houses differ, however, is on the methodology that should be adopted to ensure the legal recognition of such practices.

Therefore, in a spirit of cooperation and in order to ensure swift passage of Bill C-10B, your Committee appreciates the agreement of the House of Commons on amendments 1 and 5 and it accepts, with modification, amendment 4. With respect to amendment 2, your Committee has insisted on its original amendment because it remains convinced that this amendment offers better protection to individuals engaged in generally accepted practices involving animals, as referred to above. The Committee also remains convinced as to the merits of amendment number 3 dealing with Aboriginal peoples. However the Committee did make a change to the amendment in order to address concerns raised in the House of Commons that the Senate amendment as originally proposed would allow an Aboriginal person from one geographic region to go to any area where Aboriginal peoples have rights and make a claim under the proposed provision.

Respectfully submitted,

GEORGE J. FUREY
Chair

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

On motion of Senator Furey, report placed on the Orders of the Day for consideration at the next sitting of the Senate.

[Senator Furey]

[*Translation*]

OFFICIAL LANGUAGES

THIRD REPORT—MOTION TO AUTHORIZE COMMITTEE TO REQUEST GOVERNMENT RESPONSE ADOPTED

Hon. Rose-Marie Losier-Cool, pursuant to notice of June 10, 2003, moved:

That, in accordance with paragraph 131(2) of the Rules, the Government of Canada, namely the Department of Justice, provide the Senate and the Standing Senate Committee on Official Languages with a complete and detailed response to the Third Report of the Committee, adopted by the Senate this past June 5, 2003.

Motion agreed to.

[*English*]

HUMAN RIGHTS

COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT ON STUDY OF LEGAL ISSUES AFFECTING ON-RESERVE MATRIMONIAL REAL PROPERTY ON BREAKDOWN OF MARRIAGE OR COMMON LAW RELATIONSHIP

Hon. Shirley Maheu, pursuant to notice of June 10, 2003, moved:

That the date for the presentation by the Standing Senate Committee on Human Rights of the final report on its study on key legal issues affecting the subject of on-reserve matrimonial real property on the breakdown of a marriage or common law relationship and the policy context in which they are situated, which was authorized by the Senate on June 4, 2003, be extended to Wednesday, December 31, 2003.

[*Translation*]

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, I have a question for the Honourable Senator Maheu. Will the committee endeavour to present its report in the Senate while the Senate is sitting? It is highly likely that we will not be here on December 31.

[*English*]

Senator Maheu: Thank you. It was no later than December 31, so it will be ready.

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

Motion agreed to.

- (1740)

MARRIAGE BILL

MOTION TO RESTORE TO ORDER PAPER— DEBATE ADJOURNED

Hon. Anne C. Cools, pursuant to notice of June 11, 2003, moved:

That the Order of the Day for resuming debate on the motion for second reading of Bill S-15, An Act to remove certain doubts regarding the meaning of marriage, which dropped from the Order Paper on June 5, 2003, pursuant to rule 27(3), be now restored to the Order Paper.

She said: Honourable senators, this is a very tiny matter, and it is in the nature of the situation faced by Senator Di Nino a little while ago. Our rules state that if an order or question is not spoken to after 15 days, it drops off the Order Paper. A few days ago, I had a question on the Order Paper that was on its fifteenth day. I was distracted and did not speak to it. This motion is simply a request for its reinstatement to the Order Paper — a simple matter because the motion is explicit. It states, essentially, that it dropped from the Order Paper on June 5, pursuant to rule 27(3), and that it now be restored to the Order Paper.

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

On motion of Senator Robichaud, debate adjourned.

The Senate adjourned until tomorrow at 9 a.m.

CONTENTS

Thursday, June 12, 2003

	PAGE		PAGE
SENATOR'S STATEMENT		Liberia—Deployment of Peacekeeping Troops.	
Opening of Juno Beach Centre		Hon. Michael A. Meighen.	1607
Hon. Joseph A. Day.	1602	Hon. Sharon Carstairs	1607
		Replacement of Sea King Helicopters—Timing of Delivery.	
		Hon. J. Michael Forrestall	1607
		Hon. Sharon Carstairs	1607
		Delayed Answers to Oral Questions	
		Hon. Fernand Robichaud	1608
ROUTINE PROCEEDINGS		Health	
Specific Claims Resolution Bill (Bill C-6)		Severe Acute Respiratory Syndrome—Response to New Outbreak.	
Report of Committee.		Question by Senator Keon.	
Hon. Thelma J. Chalifoux.	1602	Hon. Fernand Robichaud (Delayed Answer).	1608
Budget Implementation Bill, 2003 (Bill C-28)		Bovine Spongiform Encephalopathy—Letter of Veterinary	
Report of Committee.		Science Employee to Department.	
Hon. Lowell Murray	1603	Question by Senator Kinsella.	
Hon. Sharon Carstairs	1603	Hon. Fernand Robichaud (Delayed Answer).	1608
Rules, Procedures and the Rights of Parliament		National Acadian Day Bill (Bill S-5)	
Eleventh Report of Committee Presented.		Message from Commons.	
Hon. Lorna Milne	1603	The Hon. the Speaker.	1608
Merchant Navy Veterans Day Bill (Bill C-411)			
First Reading.		ORDERS OF THE DAY	
Hon. Fernand Robichaud	1604	Public Service Modernization Bill (Bill C-25)	
Hon. Sharon Carstairs	1604	Second Reading—Order Stands.	
National Security and Defence		Hon. Noël A. Kinsella	1609
Committee Authorized to Meet During Sitting of the Senate.		Canada Elections Act	
Hon. J. Michael Forrestall	1604	Income Tax Act (Bill C-24)	
Official Languages		Bill to Amend—Second Reading—Debate Adjourned.	
Notice of Motion to Authorize Committee to Study Official		Hon. Fernand Robichaud	1609
Languages Commitments of Federal Departments.		Hon. Donald H. Oliver.	1611
Hon. Jean-Robert Gauthier.	1604	Hon. John Lynch-Staunton	1611
		Hon. Leonard J. Gustafson.	1612
		Hon. Pierre Claude Nolin	1613
		Hon. Gerard A. Phalen.	1614
		Hon. Consiglio Di Nino	1614
		Hon. Douglas Roche	1614
		Hon. Marcel Prud'homme.	1615
		Hon. Noël A. Kinsella	1616
		Hon. Serge Joyal	1616
		Hon. Jerahmiel S. Grafstein	1618
QUESTION PERIOD		Visitors in the Gallery	
Human Resources Development		The Hon. the Speaker.	1619
Bovine Spongiform Encephalopathy—		Specific Claims Resolution Bill (Bill C-6)	
Aid to Beef Industry Workers.		Amended Report of Committee Presented.	
Hon. Leonard J. Gustafson.	1604	Hon. Thelma J. Chalifoux.	1619
Hon. Sharon Carstairs	1605	Canadian International Development Agency Bill (Bill S-17)	
Citizenship and Immigration		Second Reading—Debate Continued.	
Immigration and Refugee Board—Allegations of Bribery.		Hon. Fernand Robichaud	1620
Hon. David Tkachuk	1605	Hon. Douglas Roche	1620
Hon. Sharon Carstairs	1605	Hon. Marcel Prud'homme.	1622
Accreditation Barriers to Skilled Immigrants.		Study on Proposal of Valiants Group	
Hon. Donald H. Oliver.	1606	Report of the National Security and Defence Committee.	
Hon. Sharon Carstairs	1606	Hon. Joseph A. Day.	1622
Foreign Affairs		Rules, Procedures and the Rights of Parliament	
Africa—2002 G8 Summit—Commitments to Peace and Security.		Eleventh Report of Committee—Debate Adjourned.	
Hon. Michael A. Meighen.	1606	Hon. Anne C. Cools.	1623
Hon. Sharon Carstairs	1607	Hon. Lorna Milne	1623
National Defence			
Congo—Deployment of Peacekeeping Troops—			
Rules of Engagement.			
Hon. Michael A. Meighen.	1607		
Hon. Sharon Carstairs	1607		

The Senate

World Health Organization—Motion Requesting Government Support for Taiwan's Request for Observer Status Adopted.	
Hon. Marcel Prud'homme	1623
Hon. Pierrette Ringuette	1624
Hon. Sharon Carstairs	1624
Hon. Consiglio Di Nino	1624
Hon. Noël A. Kinsella	1624

Canada Elections Act

Motion to Reform Party Financing—Debate Continued.	
Hon. Consiglio Di Nino	1625
Hon. Marcel Prud'homme	1625

Possible Closure of Fishery for Northern and Gulf Cod Stock

Inquiry.	
Hon. Bill Rompkey	1625
Hon. Jane Cordy	1627
Hon. Willie Adams	1628
Hon. Mira Spivak	1628
Hon. Joan Fraser	1628

Foreign Policy on Middle East

Inquiry—Debate Continued.	
Hon. Marcel Prud'homme	1629
Hon. Anne C. Cools	1631

Criminal Code (Bill C-10B)

Bill to Amend—Message from Commons—Report of Committee.	
Hon. George J. Furey	1631

Official Languages

Third Report—Motion to Authorize Committee to Request Government Response Adopted.	
Hon. Rose-Marie Losier-Cool	1632

Human Rights

Committee Authorized to Extend Date of Final Report on Study of Legal Issues Affecting On-Reserve Matrimonial Real Property on Breakdown of Marriage or Common Law Relationship.	
Hon. Shirley Maheu	1632
Hon. Fernand Robichaud	1632

Marriage Bill (Bill S-15)

Motion to Restore to Order Paper—Debate Adjourned.	
Hon. Anne C. Cools	1633



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