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THE HONOURABLE DAN HAYS
SPEAKER

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THE SENATE

Tuesday, February 17, 2004

The Senate met at 2 p.m., the Speaker in the Chair.

Prayers.

SENATORS' STATEMENTS

EXCHANGE BETWEEN LEADER OF THE GOVERNMENT AND LEADER OF THE OPPOSITION

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, tempted as I still am to raise a question of privilege following an exchange with the Leader of the Government last evening, I am resisting the almost overwhelming urge to do so in the interest of not delaying regular proceedings unduly and, instead, will limit myself to putting the facts on the record.

As yesterday's Hansard shows, Senator Kinsella asked, "Why are we here tonight?" The Leader of the Government in the Senate replied, "To hear from Senator Lynch-Staunton."

No one on the government side, nor on this side, was ever told by me that I intended to speak on any item on yesterday's Order Paper because, as I had advised the Deputy Leader of the Opposition last week, I had a longstanding engagement to speak in Halifax yesterday, which I did. I was not to return to Ottawa until late afternoon.

This information was provided to the Deputy Leader of the Government during the routine meeting yesterday morning to plan the business of the day. Senator Murray also inquired directly and received the same information.

The Leader of the Government also said:

Let us tell the rest of the story. Senator Kinsella asked why we were here tonight and I said that we were here to hear Senator Lynch-Staunton speak because his name is on the Order Paper.

Nothing could be further from the truth. Such sophistry cannot be allowed to stand unchallenged. Government legislation is never shown on the Order Paper in any senator's name. Rule 49(2) states:

A motion to adjourn the debate on any item of government business shall be deemed to be a motion to postpone that debate to the next sitting day. In this case, the item shall not stand on the Orders of the Day or the *Order Paper* in any Senator's name and may be called pursuant to rule 27(1).

Lest anyone miss the key element which the Leader of the Government in the Senate seemed inclined to dispute yesterday,

let me repeat for the benefit of honourable senators — and particularly for that of the honourable leader — that the item shall not stand on the Orders of the Day or the Order Paper in any senator's name.

I trust that this sets the record straight, and that the Leader of the Government will not hesitate to confirm it and act accordingly.

JUNIOR WOMEN'S CURLING CHAMPIONSHIP

CONGRATULATIONS TO WINNING NOVA SCOTIA TEAM

Hon. Wilfred P. Moore: Honourable senators, I rise today to offer my congratulations to the Nova Scotia team who captured the Canadian Junior Women's Curling Championship this past Sunday, February 15, in Victoria, British Columbia, in a dramatic, come-from-behind, 6-3 victory over the talented Marie-Christine Cantin team from Quebec. The Nova Scotia rink of the Chedabucto Curling Club in Boylston, Guysborough County, Nova Scotia, will now go on to represent Canada at the World Junior Curling Championships.

The new Canadian champions are: Skip, Jill Mouzar of Liverpool; Third, Paige Mattie of Boylston; Second, Blisse Comstock and her sister Chloe Comstock, Lead, both of Lunenburg.

Jill works in Halifax, Paige attends McGill University, Blisse attends Acadia University and Chloe attends St. Mary's University. It is a testament to their dedication, energy and sacrifice that these young women have been able to come together and achieve this high level of championship teamwork.

I am certain that all senators join with me in offering their congratulations to the Nova Scotia team and wishing them every success as the representative of Canada at the World Junior Curling Championships to be held March 20-28 next, at Trois-Rivières, Quebec.

LOW VOTER TURNOUT AMONG YOUNG PEOPLE

Hon. Donald H. Oliver: Honourable senators, this is a statement that I intended to give a week ago but this is the first opportunity I have had to give it. I apologize that it is a bit late.

I would like to bring to the attention of honourable senators an important event that took place more than a week ago in Bedford, Nova Scotia. Elections Canada chose that location to launch a new Web site for young voters and also to announce the results of a national contest for high school students to create a video that encourages voting. These initiatives were undertaken in response to the sharp decline in recent years in voter turnout among young people.

I am pleased to announce that one of the winning entries for the video contest was from the Flexible Learning and Education Centre in Nova Scotia. The creators of this video were Michael Carr, Nic Foster and Ashley McNeill. I ask all senators to join me in congratulating them and the other winners from across the country. I hope their advertisements and the Elections Canada initiative can help reverse the trend of low youth participation in the democratic process.

In the most recent federal election in 2000 when the overall voter turnout was 64 per cent, an historic low for Canada, only 25 per cent of 18- to 24-year-old Canadians eligible to vote bothered to cast a ballot. Put another way, three out of four young Canadians did not exercise their most basic democratic right. In addition, honourable senators, research conducted by Professor John Pammet of Carleton University also shows that not only are young people voting in fewer numbers but, over time, their willingness to participate also declines. According to this research, the implications are clear: If nothing is done to halt or reverse this trend, voter turnout will continue to decline over time to the detriment of the democratic process in Canada.

The reasons behind this decline in youth voter turnout are many but the main reasons given are that they see little relevance in the political process, and the belief that issues that matter to them do not seem to be a priority for the politicians. These are very harsh words, honourable senators, and we should heed them if we want to maintain the vibrancy of our democracy.

Honourable senators, we need to actively encourage initiatives to make the young people of Canada understand that by playing a role in the democratic process they can take charge of the future of this country. By exercising their right to vote during the electoral process, they are honouring the legacy handed down by their parents and grandparents over the last sixty years to ensure that the most basic right of democracy, the right to vote, is theirs to exercise. We need to let them know that, in a world where hundreds of millions of people do not have this right, we are among the fortunate few.

• (1410)

[Translation]

LA MAISON MATHIEU-FROMENT-SAVOIE

FIFTH ANNIVERSARY

Hon. Maria Chaput: Honourable senators, last Sunday I attended a concert marking the fifth anniversary of the opening of La Maison Mathieu-Froment-Savoie. The honorary chair of the event was Senator Viola Léger.

La Maison Mathieu-Froment-Savoie is a palliative care centre in the Outaouais. Founded in 1993, its objective is to help the terminally ill and their families through this important stage of their lives with respect and dignity.

The house was named in memory of Mathieu Froment-Savoie, a young cellist from the region who died of cancer in 1991 at the age of 13.

I would like to say a word in praise of one of our honourable colleagues, Senator Sharon Carstairs, whose continuing efforts have persuaded our government to support palliative care through the employment insurance program.

The theme of the fifth anniversary for La Maison Mathieu-Froment-Savoie was "Speak to me of love."

This project could never have been launched nor continue to exist without its many volunteers, donors and contributors.

Today, I would like to recognize more specifically the contribution of a number of artists who treated us to their unforgettable poems, songs and melodies on the theme of love. Thanks to them, the concert raised some \$10,000 for La Maison Mathieu-Froment-Savoie.

Too often we take the volunteer activities of our artists for granted. But these are the people who allow us to appreciate the beauty of life in all its facets, whether through poems, books, songs, music, the visual arts, or so much more.

Today, I would also like to pay tribute to all my honourable colleagues who are also artists, in particular, the honourable Senator Viola Léger, who read a poem, with piano accompaniment by Ms. Pierrette Froment-Savoie, the mother of the young cellist who died of cancer.

Senator, you touched the hearts of everyone present and your exceptional contribution to this event brought honour to the Senate of Canada.

[English]

NUNAVUT ELECTION

Hon. Willie Adams: Honourable senators, yesterday, residents of Nunavut voted in their second general election since the territory was created in 1999.

Nunavut consists of 26 communities, which are represented in 19 ridings. Nunavut takes up a very large part of Canada and communities tend to be isolated from one another. The population of Nunavut is approximately 26,000 and from this number 82 Nunavummiut put their names forward to run in the election.

Voter turnout was 95 per cent, and this indicates how involved the people of Nunavut want to be in their government. I am pleased to report that two women were elected to the legislature.

I would like to congratulate the new members of the Nunavut Legislative Assembly and wish them well as they undertake their new responsibilities. The names of the new members and their ridings are as follows:

Paul Okalik—Iqaluit West
 Hunter Tootoo—Iqaluit Centre
 Ed Picco—Iqaluit East
 Olayuk Akesuk—South Baffin
 Peter Kattuk—Hudson Bay
 Patterk Netser—Nanulik
 Peter Kilabuk—Pangnirtung
 Jobie Nutaraq—Tunnunig
 Steve Mapsalak—Amittuq
 David Simaliak—Baker Lake
 David Alagalak—Arviat
 Levi Barnabas—Quttiktuq
 Levinia Brown—Rankin Inlet South-Whale Cove
 James Arreak—Uqummiut
 Tagak Curley—Rankin Inlet North
 Leona Aglukkaq—Nattilik

BIOSAND WATER FILTER

Hon. Mira Spivak: Honourable senators, last week I succumbed. I could not resist the invitation of Monte Solberg in his little infomercial, and so I had the pleasure of seeing a remarkably simple, low-cost piece of Canadian technology that is bringing clean drinking water to tens of thousands of Cambodians.

The BioSand water filter, developed by Canadian Dr. David Manz, was on display in the Centre Block. As its name implies, through a slow-sand filtration process, it turns unsafe river water in developing countries into badly needed potable water.

Some 11,000 of them have been installed in two Cambodian provinces since January 2001. The Water for Life project is a joint effort of the Canadian International Development Agency, CIDA, and Samaritan's Purse Canada, a Calgary-based relief agency. Dr. Manz has generously allowed the agencies to use the water filter for humanitarian purposes.

Today, as a result of the project, 77,000 people in Cambodia can lead healthier lives, free of waterborne diseases that the World Health Organization estimates are causing 3.4 million deaths a year. This is just a simple little box with sand in it — a concrete pillar — that costs about \$75.

The next step for project workers, if CIDA grants its support, is to install 13,000 more water filters to help another 94,000 Cambodians. CIDA has also partnered with Samaritan's Purse on similar projects in Nicaragua and Ethiopia.

After seeing what this simple device can do, I applaud the project and sincerely hope that CIDA will continue lending its support to this important humanitarian work.

I must say that obviously Monte Solberg cannot be all bad if he stood up in the House of Commons and invited people to come to see this project in action.

ROUTINE PROCEEDINGS

SUSTAINABLE DEVELOPMENT STRATEGIES

DOCUMENTS TABLED

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, I have the honour to table a number of documents on the sustainable development strategies on behalf of ministers of the Government of Canada. I would remind honourable senators that these documents are available at the Journals Branch and I would ask the Table to ensure that all senators receive a copy.

HUMAN RIGHTS

REPORT PURSUANT TO RULE 104 TABLED

Hon. Shirley Maheu: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on Human Rights. This report outlines the expenses incurred by the committee during the Second Session of the Thirty-seventh Parliament.

(For text of report, see today's Journals of the Senate, p. 130.)

2002 BERLIN RESOLUTION OF ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE PARLIAMENTARY ASSEMBLY

REPORT OF HUMAN RIGHTS COMMITTEE PRESENTED

Hon. Shirley Maheu, Chair of the Standing Senate Committee on Human Rights, presented the following report:

Tuesday, February 17, 2004

The Standing Senate Committee on Human Rights has the honour to table its

SECOND REPORT

Your Committee, which was referred for consideration on February 10, 2004, a resolution encapsulating the 2002 Berlin OSCE (PA) Resolution, respectfully requests clarification on the mandate and its purpose.

Respectfully submitted,

SHIRLEY MAHEU
Chair

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

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

[Translation]

OFFICIAL LANGUAGES

REPORT PURSUANT TO RULE 104 TABLED

Hon. Maria Chaput: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on Official Languages on expenses incurred by the committee during the Second Session of the Thirty-seventh Parliament.

(For text of report, see today's Journals of the Senate, p. 131.)

REPORT OF COMMITTEE ON THE APPOINTMENT OF THE HONOURABLE JEAN-ROBERT GAUTHIER AS HONORARY CHAIR TABLED

Hon. Maria Chaput: Honourable senators, I have the honour to table the second report of the Standing Senate Committee on Official Languages concerning the selection of an honorary chair.

• (1420)

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO CONTINUE STUDY ON OPERATION OF OFFICIAL LANGUAGES ACT AND RELEVANT REGULATIONS, DIRECTIVES AND REPORTS

Hon. Maria Chaput: Honourable senators, I give notice that at the next sitting of the Senate I shall move:

That the Senate Standing Committee on Official Languages be authorized to study and report from time to time upon the operation of the Official Languages Act, and of regulations and directives made thereunder, within those institutions subject to the Act, as well as upon the reports of the Commissioner of Official Languages, the President of the Treasury Board and the Minister of Canadian Heritage;

That the Committee table its final report no later than June 30, 2004; and

That the papers and evidence received and taken on the subject and the work accomplished during the second session of the 37th Parliament be referred to the Committee.

[English]

HUMAN RIGHTS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO ENGAGE SERVICES

Hon. Shirley Maheu: Honourable senators, I give notice that tomorrow, I shall move:

That the Standing Senate Committee on Human Rights have power to engage the services of such counsel and

technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject matters of bills and estimates as are referred to it.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO PERMIT ELECTRONIC COVERAGE

Hon. Shirley Maheu: Honourable senators, I give notice that tomorrow, I shall move:

That the Standing Senate Committee on Human Rights be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

[Translation]

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO CONTINUE STUDY ON LEGAL ISSUES AFFECTING ON-RESERVE MATRIMONIAL REAL PROPERTY ON BREAKDOWN OF MARRIAGE OR COMMON LAW RELATIONSHIP

Hon. Shirley Maheu: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Human Rights be authorized to examine and report upon 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.

In particular, the Committee shall be authorized to examine:

- The interplay between provincial and federal laws in addressing the division of matrimonial property (both personal and real) on-reserve and, in particular, enforcement of court decisions;
- The practice of land allotment on-reserve, in particular with respect to custom land allotment;
- In a case of marriage or common-law relationships, the status of spouses and how real property is divided on the breakdown of the relationship; and,
- possible solutions that would balance individual and community interests.

That the papers and evidence received and taken on the subject and the work accomplished by the Senate Standing Committee on Human Rights during the Second Session of the Thirty-Seventh Parliament be referred to the Committee;

That the Committee submit its final report no later than June 25, 2004, and that the Committee retain all powers necessary to publicize the findings of the Committee contained in the final report until July 30, 2004.

RECOGNITION OF WRONGS DONE TO ACADIAN PEOPLE

NOTICE OF INQUIRY

Hon. Gerald J. Comeau: Honourable senators, I give notice that at the sitting of the Senate of Thursday, February 19, 2004:

I will call the attention of the Senate to the *House of Commons Debates* of February 11, 2004; specifically the concerns caused by Bloc Québécois Stéphane Bergeron's Motion M-382 in which he is seeking:

That a humble Address be presented to Her Excellency praying that, following the steps already taken by the Société Nationale de l'Acadie, she will intercede with Her Majesty to cause the British Crown to recognize officially the wrongs done to the Acadian people in its name between 1755 and 1763.

OFFICIAL LANGUAGES

BILINGUAL STATUS OF CITY OF OTTAWA— PRESENTATION OF PETITION

Hon. Jean-Robert Gauthier: Honourable senators, pursuant to rule 4(h), I have the honour to table in this House petitions from another 1,000 signatories, for a total of 27,840 to date, asking that Ottawa, the capital of Canada, be declared a bilingual city, reflecting the country's linguistic duality.

The petitioners wish to draw the attention of Parliament to the following:

That the Canadian Constitution provides that English and French are the two official languages of our country and have equality of status and equal rights and privileges as to their use in all institutions of the Government of Canada;

That section 16 of the Constitution Act, 1867, designates the city of Ottawa as the seat of the government in Canada; and

That citizens have the right in the national capital to have access to the services provided by all institutions of the Government of Canada in the official language of their choice, namely French or English;

That the capital of Canada has a duty to reflect the linguistic duality at the heart of our collective identity and characteristic of the very nature of our country.

Therefore, your petitioners call upon Parliament to affirm in the Constitution of Canada, that Ottawa, the capital of Canada — the only one mentioned in the Constitution — be declared officially bilingual, under section 16 of the Constitution Acts from 1867 to 1982.

[English]

QUESTION PERIOD

HEALTH

PLANS FOR PANDEMIC INFLUENZA— STATUS OF VACCINE SUPPLIER

Hon. Wilbert J. Keon: Honourable senators, my question is for the Leader of the Government in the Senate. Last week, Health Canada unveiled its plans for dealing with pandemic influenza, including its intention to provide enough vaccine for every Canadian. The contracted supplier for the vaccine is Shire Biologics of Laval, Quebec. The supplier's British parent company, Shire Pharmaceuticals Group PLC, is reportedly in the process of trying to sell this company or spin it off.

Despite this news, there is no back-up vaccine supplier named in Health Canada's pandemic plans. Even if this particular company were not sold, Health Canada should have a contingency plan in place in the event that the original supplier is unable to produce the vaccine or to meet full demand for whatever reason.

Could the Leader of the Government in the Senate tell us if Health Canada will set up a contingency plan regarding the procurement of flu vaccine?

Hon. Jack Austin (Leader of the Government): Honourable senators, I cannot imagine why the contract with the designated supplier would be interfered with in any way if the ownership of the company were transferred to another company. The contract would still be viable. I cannot see why the company would not continue to be in business.

However, the suggestion that there be a contingency supplier may be well worth taking into account. Of course, the Honourable Senator Keon knows that asking someone to set up a contingency program costs a great deal of money because they would have to be able to manufacture the vaccine just as quickly as the primary supplier. I cannot take the honourable senator beyond this level of answer, but I will look into it. Perhaps we could have a discussion about the issue.

• (1430)

PLANS FOR PANDEMIC INFLUENZA— POSSIBILITY OF SPLITTING SUPPLIER CONTRACTS

Hon. Wilbert J. Keon: Honourable senators, I must say that this situation is not unusual. One of the things that has worried me over the last number of years relates to decisions being made by governments of every political persuasion and jurisdiction to consolidate, and thus have one big dinosaur that, in turn, can roll over and die, and then we are left with nothing. It would seem more reasonable to me that contracts of this size should be awarded to two companies instead of one, in order to keep internal markets and foster healthy competition. I appreciate that it is not always as simple as that because sometimes they cannot get the quality assurance that they require, but I think we must encourage that much more than we have in the past.

We have had far too much consolidation in health resources in Canada. I attended the health summit in Washington a couple of weeks ago — I am sorry, Your Honour, for this harangue — and it is interesting that there has not been a single consolidation in America of health care resources, hospitals and such, that has not resulted in an increased cost to the consumer. We must be very careful about putting all of our eggs in one basket.

My supplementary question is: Could the government look into the possibility of splitting these contracts and giving half of the contracts to another supplier?

Hon. Jack Austin (Leader of the Government): Certainly, I will take up the question with the Minister of Health, Senator Keon. I know that the primary focus of the government at the moment is ensuring, when a viral infection occurs, that it can be identified very quickly because, as you well know, the response time to make enough doses of vaccine to cover any appreciable part of the Canadian population is quite long.

JUSTICE

BUSINESS DEVELOPMENT BANK—QUEBEC SUPERIOR COURT RULING EXONERATING FORMER PRESIDENT

Hon. Marjory LeBreton: Honourable senators, my question is for the Leader of the Government in the Senate. A few weeks ago, the Quebec Superior Court ruled that François Beaudoin, the former president of the Business Development Bank, had every reason to believe he was the victim of a vendetta led by friends of the former prime minister, including Jean Carle and Michel Vennat. Mr. Justice André Denis said:

If one had to break Mr. Beaudoin and ruin his career, one would not have acted differently. This entire affair leaves a profound impression of an injustice.

Honourable senators will recall that Mr. Beaudoin's integrity was impugned when he was first stripped of his powers as the bank president, forced out of his job at the bank, and then accused of manipulating the pension fund to his personal advantage. He was the subject of an extraordinary early morning police raid on his home and cottage. Mr. Beaudoin and his family were put through the wringer by the thuggery tactics of this government.

Can the Leader of the Government tell us when the Prime Minister will issue an apology on behalf of the Prime Minister's Office and the Government of Canada to Mr. Beaudoin and his family for the immense pain and suffering caused by these horrific events?

Hon. Jack Austin (Leader of the Government): Honourable senators, I would not for a moment begin to dispute the decision of the judge in the *Beaudoin* case. I am personally appalled by the findings that the judge has made with respect to the circumstances.

As for an apology by the government, this is one step that I am not sure is appropriate. It was not this government that was responsible for the actions of that day.

Senator Lynch-Staunton: The RCMP?

Senator Austin: I do not know how they are involved in an apology, but in any event I might say that the events as described by the judge are highly regrettable.

Senator LeBreton: On August 3, 2000, then Industry Minister John Manley appointed Mr. Michel Vennat as President of the Business Development Bank for a five-year term. Honourable senators will recall that Mr. Vennat had acted as chairman of the board during the period when Mr. Beaudoin was stripped of his powers as the president. In light of Mr. Justice Denis' damning indictment of Mr. Vennat's action, can the Leader of the Government tell us if the Government of Canada has requested the resignation of Mr. Vennat, and if not, when will they do so?

Senator Austin: Honourable senators, I will simply reply to that question by saying that I have no information on what consideration the Government of Canada is giving to the question that Senator LeBreton is asking.

Senator LeBreton: Honourable senators, can the Leader of the Government in the Senate then tell us how much this civil suit has cost the Business Development Bank and the taxpayers of Canada?

Senator Austin: Honourable senators, I cannot give you an answer to how much this action has cost. I think the whole nature of the question is designed to suggest that this government is somehow culpable, and I deny that that is the case.

BUSINESS DEVELOPMENT BANK

LOANS TO AUBERGE GRAND-MÈRE AND AUBERGE DU GOUVERNEUR

Hon. Marjory LeBreton: My final supplementary question is this: On March 28, 2001, a newspaper report stated that the former prime minister had used his role as a member of Parliament to help the Auberge du Gouverneur and the Auberge Grand-Mère. Both of these hotels had loans from the Business Development Bank, and it is reported that both hotels are now in bankruptcy. In fact, one of them, I think, was practically ruined by fire.

Can the Leader of the Government tell us how much the Business Development Bank lost in these two ventures because of the interventions of the former prime minister?

Hon. Jack Austin (Leader of the Government): Honourable senators, I do not believe any money was lost due to the intervention of the former prime minister.

JUSTICE

BUSINESS DEVELOPMENT BANK—QUEBEC SUPERIOR COURT RULING EXONERATING FORMER PRESIDENT

Hon. David Tkachuk: Honourable senators, the Chrétien administration and the Liberal government condoned what I would call “jackboot techniques” in the raids on François Beaudoin’s house and cottage, and this government has continued in the same vein. We all were shocked about the raid on Juliet O’Neill’s home and office. My question follows up on Senator LeBreton’s question about an apology for Mr. Beaudoin. Can the Leader of the Government tell us when Mr. Beaudoin will receive an apology from the RCMP?

Hon. Jack Austin (Leader of the Government): Honourable senators, I cannot imagine a situation in which the RCMP, acting on information it believed was valid and having been given the authority by a judge to take action, raises the circumstance, in the Ms. O’Neill case, of any kind of an apology from the RCMP.

Senator Tkachuk: Can the Leader of the Government assure us that there will not be a further vendetta against Mr. Beaudoin, and that the vendetta against Juliet O’Neill will end now?

Senator Austin: I have no idea whether the word ‘vendetta’ or such actions has anything to do with these matters, but I can assure the honourable senator that this government will not have a vendetta with any Canadian citizen.

An Hon. Senator: What about Sheila?

Hon. Gerry St. Germain: Honourable senators, my question is for the Leader of the Government in the Senate. The honourable leader tells us that his government is not culpable of, nor are they, carrying on vendettas. Yet Mr. Vennat and Mr. Carle came right out of the PMO and went over to the Federal Business Development Bank. When François Beaudoin questioned the loans in which the former prime minister was implicated, therefore, these two gentlemen who had worked for the former prime minister, especially Mr. Carle, were right on the scene.

My question — and what British Columbians are asking, as are Canadians right across this country — is this: If the RCMP were utilized in this manner, or perceived to have been utilized in this manner — that may be a better way of putting it — then what is next? Could they possibly use CSIS, Revenue Canada, or the Senate, or anyone else, to get back at whoever is perceived to be an enemy of those who are in power? I think this is an important question, Senator Austin, because it is being raised. People are fearful of the abuse of power that has taken place across the way.

Senator Austin: Honourable senators, I do not believe that anyone could perceive that the RCMP is under political control or is acting under the direction of anyone in the government itself. The RCMP has the highest integrity and is acting as law requires it to act in judgement of the facts that it develops. I have heard no one in British Columbia question the integrity of the RCMP.

• (1440)

Senator St. Germain: Honourable senators, I do not think they are questioning, necessarily, the integrity of the RCMP. They are questioning the integrity of the PMO in utilizing and forcing the RCMP. With regard to the Airbus affair, it was clear that the RCMP acted on innuendo. Mr. Mulroney was paid \$2 million as a result of a witch hunt and an attack on his personality. They refused to withdraw the investigation in spite of the fact that they had not a single ounce of proof that Mr. Mulroney was involved.

When we look at the Vennat and Carle situation, it is an exact replay of the same thing: utilizing the RCMP in a political way. This goes against the grain of most Canadians. The minister may not have heard about it on the West Coast because, to be fair, he is quite busy here — maybe he has not been home enough — but I would like to hear his comments.

Senator Austin: When Senator St. Germain argues that the RCMP are being utilized, what he is saying is that the RCMP have no integrity. I absolutely refute the concept that there is any political direction to any of the work of the RCMP. It is just not the case. When questions are raised with respect to former employees of the Prime Minister’s Office, they relate to their role in their post-employment situation, and the ministry has no responsibility for answering those questions.

Senator St. Germain: The honourable senator is saying that the ministry has no responsibility. Who has responsibility, then? To whom do these people answer when they take on these roles? When Jean Carle went over to the Federal Business Development Bank, who sent him?

Senator LeBreton: Who prepared the speaking notes?

Senator St. Germain: That is right. As Senator LeBreton just pointed out, who prepared the speaking notes? To whom do they answer? Do they answer to no one? Canadians want to know the answers to these questions. The standard Liberal line is, “We did not know what was going on.” Well, someone must take responsibility. The buck stops somewhere. Where does the buck stop, Senator Austin? Tell us.

Senator Austin: It is very easy to tell you, Senator St. Germain. With respect to any behaviour of any employee of the Business Development Bank, Mr. Justice O’Connor has given his views. The consequences will flow therefrom, and they are civil consequences.

With respect to the question that relates to the behaviour of government employees or officers of the Crown, the Government of Canada has taken steps to initiate a judicial inquiry. The government has referred these matters to the Public Accounts Committee in the other place and the RCMP is conducting an investigation. I think every possible form of action that could be taken by the government to look into these matters has been taken. The results will be transparent and we will know what steps to take thereafter.

Senator St. Germain: Why is the Sûreté du Québec now investigating instead of the RCMP? Answer that question for me, sir.

Senator Austin: Very simply, honourable senators, the RCMP itself asked the Sûreté du Québec to look at one of the aspects raised in the Auditor General's report, namely, the funding that went from the communications branch, via whatever route, to the RCMP to allow it to produce musical rides. The RCMP, not wanting to be in a position to have one unit of the RCMP investigate another, asked the Sûreté du Québec, as the best arm's-length way of proceeding, to examine and report on that particular aspect.

Senator Tkachuk: Honourable senators, in the *Ottawa Sun* of February 15, in an article taken from the court transcripts and also from interviews with Mr. Beaudoin, it states that Vennat, who is a chairman of the board of the Business Development Bank and a good friend of the Prime Minister, wrote two separate letters to RCMP Commissioner Giuliano Zaccardelli: one asking the federal police to investigate Beaudoin for misappropriation of bank property during his tenure; the other claiming he was the source of the forged Grand-Mère document leaked to the *National Post*.

Is the Leader of the Government telling us that the government is taking no action against the chairman of the board to find out what really happened and why those actions were taken against Mr. Beaudoin?

Senator LeBreton: Or the commissioner for even seeing it.

Senator Austin: Honourable senators, at this moment I do not have any information with respect to what review is taking place of that particular judgment as it may affect any person who is directly the appointee of the Governor in Council. I will make inquiries. If I receive any information, I will be happy to provide it.

PUBLIC WORKS AND GOVERNMENT SERVICES

AUDITOR GENERAL'S REPORT— SPONSORSHIP PROGRAM—OFFICIALS INVOLVED

Hon. Jack Austin (Leader of the Government): Honourable senators, while I am on my feet, I want to provide the answer to a question asked by Senator Angus, something that I was reminded about by Senator Kinsella yesterday. I said that I would provide the answer yesterday.

I was asked, "What are the roles of Pierre Tremblay and Charles Guité?" Pierre Tremblay was the Executive Assistant to then Minister Gagliano for the period June 1997 and August 1999. He then became the Executive Director of the Communications Coordination Services Branch, CCSB, from August 1999 to September 2001. Charles Guité was the Executive Director of the Communications Coordination Services Branch. He was in that position from November 1997 to August 1999.

THE SENATE

UNITED STATES—PARTICIPATION IN MISSILE DEFENCE SYSTEM—REQUEST FOR DEBATE

Hon. Douglas Roche: Honourable senators, the Leader of the Government in the Senate will be aware that tonight, in the House

of Commons, a special debate is being held on the issue of the possible participation of Canada in the U.S. missile defence system. I want to ask the leader if he will consider having a debate in the Senate so that senators will have the opportunity of giving their views on this important matter. I hope he will not suggest that I should launch an inquiry. I am talking about a government-sponsored motion, for example, that would refer the matter to the Standing Senate Committee on Foreign Affairs, inasmuch as it is the Department of Foreign Affairs that is the lead department in the government on this matter.

Hon. Jack Austin (Leader of the Government): Honourable senators, my suggestion is that we await the outcome of the debate in the other place and see if there is anything we can add to it.

FOREIGN AFFAIRS

UNITED STATES—PARTICIPATION IN MISSILE DEFENCE SYSTEM—EFFECT ON POLICY AGAINST WEAPONIZATION OF SPACE

Hon. Douglas Roche: Honourable senators, on February 3, 2004, at page 26 of Hansard, the Leader of the Government said, in answer to my question concerning Canada's possible participation in the missile defence system, that:

It is abundantly clear that Canada has no intention of participating in a program that deals with the militarization of space.

The Prime Minister made a similar pledge on February 5.

Is the Leader of the Government aware that on February 2, the U.S. Missile Defence Agency submitted its budget request for money to start testing a space-based interceptor in 2005, which confirms the planned integration of the ground-based system with space weapons in 2012?

The U.S. plans are absolutely clear: Missile defence is headed for weapons in space. Will the government now state clearly that Canada will not violate its long-standing policy of no weapons in space and, consequently, not join the missile defence system? When the Leader of the Government suggests there is nothing new on this subject, there is something new of a substantive nature that ought to be debated here in the Senate.

Hon. Jack Austin (Leader of the Government): Honourable senators, it is my information, as I have said before, that we are holding discussions to determine what the U.S. missile defence program intends to achieve. We have made it clear, and I will make it clear again, that it is not the policy of the Government of Canada to participate, in any way, in a program that could lead to space-based missiles.

With respect to the current program that the United States is conducting, I am advised that the U.S. would like to deploy a missile defence system by the end of this year, which would be land- and sea-based only. We are now having some discussions about that program, but we have not yet entered into any negotiations nor made any decision as to whether or not we will participate.

• (1450)

The Honourable Senator Roche is quite familiar, I am sure, with the domestic debate in the United States as to whether a research program should go forward with respect to the space-based part of a possible policy. My information is that they are far from taking any decision in the United States at this time.

PRIME MINISTER

AUDITOR GENERAL'S REPORT— SPONSORSHIP PROGRAM—INVOLVEMENT

Hon. Consiglio Di Nino: Honourable senators, the Auditor General's report and the scandal identified by Ms. Fraser have had an impact, I believe, on all parliamentarians. I am sure honourable senators on both sides have been the recipient of the wrath of the public on this issue. I have to agree with some of the things I am hearing, and I wish to ask the Leader of the Government in the Senate a question.

Paul Martin was the finance minister during the HRDC debacle, when a billion-plus dollars of taxpayers' money went down the drain. He was the finance minister during the gun registry debacle, which cost Canadian taxpayers at least a billion dollars, if not more than that. He was there at the time of the decision to purchase the planes that those in the know said, "You do not need them; you should not take them." He was the finance minister. He has said that he does not know anything about the CSL situation, and now he is saying, "I do not know anything about this most recent disregard of taxpayers' money."

The question that I am being asked, and that I would like to pose to the Leader of the Government in the Senate, is this: If he did not know, should he not have known? Ought he not to have known what was going on?

Hon. Jack Austin (Leader of the Government): Honourable senators, this question of Senator Di Nino's is just a repeat of questions that were put to me last week, and in particular a question put to me by Senator Carney that I answered fully at that time. I will answer it briefly now because I know Senator Stratton likes succinct answers.

The succinct answer is that the Minister of Finance is not a microcontroller of the operations of a department or a program. He controls the process of the macroeconomy. He deals with the allocation of revenues to various government programs, and a completely separate system is supposed to deal with the administration of funds.

Senator St. Germain: The CFO of Enron is in jail.

Senator Austin: That is a stupid comment.

Senator St. Germain: It is not. He is the CFO.

Senator Austin: As it applies to this situation.

Senator Di Nino: Honourable senators, if this were happening in the private sector, there would be repercussions behind the debates and questions on the floor of the two chambers of the Parliament of Canada.

The question is this: Is Paul Martin competent? Is he able to do the job? That is the question.

Some Hon. Senators: Yes.

Senator Di Nino: Do not answer me; answer the public out there. Can this man do his job? Did he do the job that the taxpayers of the country were paying him to do, Mr. Minister?

Senator Austin: Honourable senators, of course he is the most competent person in Canada to be Prime Minister of Canada. Ultimately, the people of Canada will make that judgment in the next election.

Senator St. Germain: You bet.

Senator Di Nino: You are the leader. You go first.

Hon. Terry Stratton: Honourable senators, is the honourable leader saying that that is competency? Is he saying that Paul Martin deserves to be the Prime Minister because of his competency? He did not know about the billion dollars spent in the firearms registry for gun control; he did not know about the billion dollars wasted in the HRDC debacle; he did not know about the hundred million dollars' worth of aircraft that were purchased. That is competency?

Senator Kinsella: Competence.

Senator Austin: Honourable senators, the Minister of Finance does the job of the Minister of Finance. He cannot, as Minister of Finance, know everything that goes on in the Government of Canada.

In terms of competency, the people of Canada have held him in very high esteem as a Minister of Finance, probably the most successful Minister of Finance we have had in recent years, and the combination of Mr. Chrétien and Mr. Martin delivered great service to Canada in dealing with the deficit that was left to us following the Mulroney government years in office.

Some Hon. Senators: Hear, hear!

Senator Stratton: Honourable senators, perhaps Senator Austin knows that there is a 43-point-something-billion dollar surplus in the EI account. How did Minister Martin get the deficit down? By the way, how much does the GST bring in yearly — a tax that he intended to get rid of? Tell me, how much?

Senator Austin: Honourable senators, let me just say I take note of Senator Stratton's point of view.

CITIZENSHIP AND IMMIGRATION

FOREIGN STUDENT VISAS OBTAINED THROUGH EDUCATIONAL INSTITUTIONS— MASTER LIST OF LEGITIMATE SCHOOLS

Hon. Donald H. Oliver: Honourable senators, my question is for the Leader of the Government in the Senate, and it deals with visa schools. Federal immigration workers warned last fall about the rapid rise in the number of so-called visa schools in Canada which provide an avenue for entry into our country for criminals and potential terrorists by selling them fake student documentation. They also take money from unsuspecting foreign students by charging them high tuition fees and offering little or no education in return.

Last month an internal government memo was released which states:

...most people worldwide would probably be surprised to hear that the Canadian government does not consider it important whether the school for which it issues student authorizations are bona fide educational institutions...

My question for the Leader of the Government in the Senate is this: Since this issue was initially raised last fall, what has the federal government done to ensure that schools listed on student visas are genuine?

Hon. Jack Austin (Leader of the Government): Honourable senators, my understanding is that the government has initiated measures to check credentials of schools, but these schools are, of course, given credentials by provinces. I recognize that there has been a problem, and a problem may still remain. I will pursue that line of questioning to see whether I can obtain any further information.

Senator Oliver: Currently, immigration officials cannot reject a student visa application based on his or her choice of school. Also, there is no master list of valid Canadian schools for officials to check when reviewing student visa applications. A national master list of legitimate educational institutions maintained by the industry and approved by the federal and provincial governments may provide a solution to this problem.

Last fall, the federal government said that it could do nothing in this matter due to jurisdictional issues, very much in the way that the honourable senator just alluded to, which does nothing to protect either foreign students or Canadians.

Will the federal government, in consultation with the provinces, establish a master list of legitimate Canadian schools for the purpose of reviewing foreign student visa applications?

Senator Austin: As I said, honourable senators, I will be happy to look into the question of what dialogue now exists between the federal government and the provinces to create such a master list.

A great deal of information is available now in the public domain with respect to universities. There are university associations, and there is accreditation given by universities and colleges in the country. The problem has existed with specialized schools that are, for example, English language schools or, particularly, business programs in hospitality, hotel management and so on. There are many legitimate schools around the country. However, as to the process of discovering which are and which are not legitimate and how active that process is today, I shall attempt to get that information and provide Senator Oliver with a written comment.

• (1500)

PAGES EXCHANGE PROGRAM WITH HOUSE OF COMMONS

The Hon. the Speaker: Before going to Orders of the Day, honourable senators, I wish to introduce guests from the other place, through the page program.

Katrina Stewart, of Red Deer, Alberta, is pursuing her studies at Carleton University. Katrina is majoring in history.

Mahshid Frouhar of Pierrefonds, Quebec, is pursuing her studies at the Faculty of Social Sciences at the University of Ottawa. She is majoring in criminology.

Welcome.

Hon. Senators: Hear, hear!

ORDERS OF THE DAY

REPRESENTATION ORDER 2003 BILL

SECOND READING—ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Smith, P.C., seconded by the Honourable Senator Robichaud, P.C., for the second reading of Bill C-5, respecting the effective date of the representation order of 2003.

Senator Robichaud: Question!

The Hon. the Speaker: Hearing no senator asking that this be stood, are honourable senators ready —

Hon. John Lynch-Staunton (Leader of the Opposition): It is a government bill. If they do not speak to it, then I will speak to it tomorrow, probably.

The Hon. the Speaker: “Stand,” I think, is all we need.

Order stands.

SEX OFFENDER INFORMATION REGISTRATION BILL**SECOND READING—DEBATE ADJOURNED**

Hon. Landon Pearson moved the second reading of Bill C-16, respecting the registration of information relating to sex offenders, to amend the Criminal Code and to make consequential amendments to other Acts.

She said: Honourable senators, it is my privilege to rise on second reading to speak in support of Bill C-16. This bill provides police with a new tool to investigate sex offences and to find the predators and bring them to justice.

[Translation]

Bill C-16 contains proposals in response to a unanimous request by the provincial and territorial governments that the federal government establish a national registry for sexual offenders. An agreement was reached on the registry in a relatively short time, the federal, provincial and territorial governments having worked closely together.

[English]

For several years, honourable senators, provincial justice ministers have pressed the federal government to create a national sex offender registry, particularly for child sex offenders.

Targeted federal measures to protect children from sexual predators began in Canada in 1994, after broad consultations with partners and stakeholders. Subsequently, the Solicitor General, along with ministers of justice and health, launched the national screening system for persons in positions of trust with children and other vulnerable groups. This system allows the screening agency to access criminal records on the Canadian Police Information Centre, better known as CPIC, through police agencies.

The screening system was further enhanced in August 2001, when the Criminal Records Act was amended to ensure that even the records of pardoned sex offenders could be accessed for screening purposes.

Today, CPIC provides Canadian police agencies with access to criminal history records and other police information supported by fingerprints. Direct access to CPIC information is strictly limited to accredited law enforcement agencies, but, as I have said, it can be accessed for child protection screening purposes.

However, CPIC is not without its limitations. For example, CPIC's current capacity to provide an up-to-date address or other pertinent information is limited because offenders who have completed their sentences are, of course, no longer under supervision and therefore are not required to report to authorities. In addition, CPIC does not have the capacity to search its holdings by address or offence, a feature that would greatly assist police in their investigations of crime.

On March 13, 2001, the House of Commons voted overwhelmingly in support of a motion calling for the federal government to create a national sex offender registry. In

supporting the motion, former Solicitor General MacAulay stated that we have a proven and reliable sex offender registry now but are committed to going even further. The Solicitor General indicated that the CPIC database could be enhanced by adding information on the current address of individuals as records for sex crimes, as provincial and territorial officials requested.

At the September 11, 2001, meeting of Ministers of Justice in Nova Scotia, the Solicitor General announced upgrades to the CPIC database so that the current addresses could be included and updated.

Honourable senators, this new sex offender database is intended to improve the ability of police to quickly locate sex offenders who live or work near a crime scene by enabling searches by current address, by offence or by name. This is precisely what the provinces and territories requested.

Once agreement was reached on the development of the database, we held further consultation with provincial and territorial ministers and senior officials. They asked us to help create a truly national system under federal legislation.

Subsequently, at a meeting of federal-provincial-territorial ministers of justice on February 13, 2002, the Solicitor General and the Minister of Justice announced that they would make their best effort to bring forward federal legislation mandating the registration of sex offenders. The only stipulation was that any plan brought forward would need the support of all jurisdictions.

Honourable senators, we continued to work together, and two years later the legislation is before us. The national consensus is that the legislation should be enacted as soon as possible.

The registration system being proposed is comprised of three components, namely, the federal legislative framework, an electronic sex offender database maintained by the RCMP, and administration and enforcement of the legislation by all police agencies in their areas of jurisdiction. The registration system will allow police to quickly consult the registry, to search its contents using established criteria and to develop possible sex offender suspects in the vicinity of the crime.

Honourable senators, allow me to take a moment or two to describe the main highlights of the legislative framework set out in Bill C-16.

Offenders who are convicted of a sex offence listed in the Criminal Code will be required to register with police within 15 days following the issuance of an order by the court or following release from custody. Thereafter, they will be obligated for at least 10 years, and often for life, to remain registered with police. This means that they will have to notify police of any change of address or name within 15 days and will have to report in person annually to renew or update information entered on the registry. Failure to do so will constitute a criminal offence punishable by up to two years in prison on second offence and up to \$10,000 in fines.

When offenders report to police, as they will be obligated to do under the proposed legislation, they will be required to provide information such as current address, telephone number, place of employment, date of birth and the like. They will also be required to disclose any distinguishing marks and tattoos and may be photographed and fingerprinted. On subsequent visits to the police registration centre, they will be required to update information about them contained in the registry.

Honourable senators, the government understands that Bill C-16 will have an intrusive impact on the lives of those who will be subject to registration, in some cases for life.

• (1510)

However, let me assure honourable senators that this proposed legislation respects Charter and constitutional limitations and provides adequate safeguards on the rights of Canadians while providing police with an effective investigative tool.

The registration system that is being proposed is consistent with principles of justice and the Charter of Rights and Freedoms and will ensure the fair treatment of persons subject to the registry through a series of balancing measures.

The requirement for an offender to register can occur only by judge's order in a hearing, where the offender has the right to counsel and the right to be heard. The presiding judge will have discretion to refuse Crown applications for registration orders based on the grossly disproportionate test already provided for in the Criminal Code for DNA Identification Act orders.

Application for a registration order must be made at the time of sentencing and registered offenders will have the right to apply for a review of their status after 20, 10 or 5 years, and/or when they have received a pardon.

Registered offenders will have the right to appeal a registration order as well as the right to review their data within the sex offender database and to request corrections.

Honourable senators, this government is equally concerned that public disclosure of registration information might drive offenders underground to conceal themselves and their whereabouts. The offenders' effort at concealment is not only dangerous in the short term, but also it destroys efforts at rehabilitation.

The fear of identification may encourage offenders to move out of a particular province and away from any community supports they may have. For these reasons, access to registry data, except by authorized persons for authorized purposes, is strictly prohibited in this bill and criminal penalties are provided for the misuse of the data.

In other jurisdictions that operate sex offender registries, public access has often led to misuse and misunderstanding that mistakenly alarms the public, sometimes even resulting in acts of vigilantism. Consequently, there is no provision in Bill C-16 for public access to the registry.

In closing, honourable senators, sex offender registries should only be regarded as a public safety tool developed in order to reduce the risks to children and to other citizens from sex offenders by facilitating investigations.

We must understand that no measure within the criminal justice system exists in a vacuum, sex offender registries included. We must recognize that sex offender registries have not proven to be a panacea against sexual violence in jurisdictions that have them. The offender who chooses to evade registration, in spite of the risk of a fine or imprisonment or for failure to register, may still be susceptible to detection by good old-fashioned police work.

A successful approach to reducing recidivism by sex offenders will require an effective, multi-faceted approach that includes a series of measures at various stages in the criminal justice system.

[Translation]

Honourable senators, Bill C-16 follows up on the unanimous recommendation of provincial and territorial premiers and justice ministers. It also addresses a concern shared by all that every effort be made to protect our children, and vulnerable adults as well, from sexual predators who might want to harm them.

I urge honourable senators to pass Bill C-16 so that it can take effect as soon as possible.

On motion of Senator Di Nino, debate adjourned.

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Trenholme Counsell, seconded by the Honourable Senator Massicotte, for an Address to Her Excellency the Governor General in reply to her Speech from the Throne at the Opening of the Third Session of the Thirty-seventh Parliament.—(8th day of resuming debate)

Hon. Viola Léger: Honourable senators, in their responses to the Speech from the Throne, Senators Poulin and Banks eloquently focussed on the vitality of the artistic contribution to Canada and its importance to this country. Yesterday, in his brilliant argument in favour of preserving our cultural heritage, Senator LaPierre stressed the place culture holds in our historic heritage. Given my active participation in the arts, I was particularly pleased and proud to hear these comments on the excellence and the influence of our cultural life. It is always very gratifying for artists when the importance of their contribution gains this kind of recognition.

Canadian artists are abounding in inventiveness and originality. Some even feel there has never been so much cultural activity at any other time in the history of Canada. The formidable talents of our creative Canadians have been given recognition and added renown through one prestigious reward after another. With every awards ceremony, the impressive list of Canadian winners continues to grow.

We recall, for instance, the double victory at the latest Cannes festival, as well as the Oscar nomination, for Denys Arcand's *Barbarian Invasion*. A similar path was followed by Zacharias Kunuk's *Atanarjuat — The Fast Runner* — with its totally Inuit cast.

Then there is the magic of Cirque du Soleil, which continues to amaze and delight audiences. On the musical front, we have Diana Krall and Céline Dion, who rank among the most famous and admired singers in the world.

In theatre, dance, literature, in all forms of artistic expression from the most classical to the most avant-garde multi-media presentation, the horizons of our creative geniuses continue to expand well beyond our borders.

[English]

All cultures are made up of a system of codes by which a society reminds itself of what it has been, what it is, and what it aspires to become. These reminders are found throughout artistic creation. That is what the arts do, as well as being the most enjoyable way of finding out how others live their lives.

Like individuals, societies want to preserve their identity. Through art and culture, we preserve human expression, exchange, dialogue and creation. We preserve our identity. Culture is our colour and identity. Culture is the soul of a people.

Canada's solid reputation for artistic creativity has raised awareness all over the world of the richness of our history, our heritage and the diversity that is so important to us.

Through our cultural achievements, we demonstrate on the global stage that Canadians express themselves mainly in English and in French, but also in a multitude of Aboriginal languages. Our art in its various guises proves that in Canada we are not limited to one mode of feeling but that we are capable of sharing the whole range of human emotions, despite linguistic and racial differences.

Therefore, it is no exaggeration to say that Canada's creative artists and performers, and our cultural undertakings, are among our best ambassadors on the international scene.

[Translation]

The positive effects of this explosion of artistic talent are not limited to expanding Canada's reputation throughout the world. It is a known fact that a solid and flourishing artistic sector constitutes an essential component of a healthy community on all levels.

As Senator Banks said in his speech on February 13, cultural activity is a spur to the economy, through the considerable revenue it generates and the opportunities it makes available. Every year many tourists are attracted to our festivals, museums, art galleries and artistic performances.

[Senator Léger]

• (1520)

Furthermore, international visitors attending our cultural events are likely to take a favourable image of Canada back home with them. Without a doubt, the arts have a positive effect on our economic performance.

Artistic creation is a place of reflection, escape, inspiration, entertainment and comfort. Art moves us to laughter or tears, and helps us to discover things, develop our imagination, see the world differently, and reflect and meditate on the human condition. Art brings balance into our lives, lifts our spirits and allows us to live and breathe. Without beauty and laughter, we cannot survive.

[English]

There is a tenacious prejudice that art is a useless frill, but let us think for a moment about what we would be without such sources of inspiration and distractions as books, films and plays. What would we do without painting or dance? How would it be possible to live and die without music? Music softens the rough edges of our behaviour and uplifts us in dark times.

Honourable senators will remember in the film *Titanic* the scene where, as the ship was sinking, the musicians continued to play so that the passengers could face their fate. In the film *The Bridge on the River Kwai*, when the bridge was on the point of giving way, the soldiers went to their deaths valiantly whistling.

In the Senate chamber our surroundings are ideal for the work we do. We owe this to the skill of the artists who created the panorama of striking images that make the walls of the chamber less austere. All the beauty in this room and this building is the end product of the vision of gifted creators.

The cultural sector is just as important as the other sectors of activity. It is just as vital as national defence. History shows us that our culture, and the men and women who devote themselves to it, constitute one of our most precious natural resources. We are delighted by the successes that our best-known artists enjoy, but do we pay enough attention to the conditions in which the whole arts community has to live and work and create?

Let us free our minds for a moment and listen to this poem by Thompson Hughes:

Rake the sand from your eyes
and collect it in an hourglass
so you can lie awake and count
every liquid minute dripping
from the leaky faucet hours
every melted hour dropping
from the moon's candle glow
and in your room,
the awful din of silence
beats like windswept ice
pellets against your window
roars like North Atlantic waves
crashing into the hollow space
that was once filled with the
slow, placid rhythm
of another sleeper's breath.

[Translation]

There is good reason to wonder whether we are always aware of the great sacrifice made by these human beings who produce the marvellous creations of which we are so proud. Sometimes I think not, when I see how underfunded culture is. Public spending on culture falls far short of expectations and even farther short of what is needed.

Everyone knows that the situation of artists — of most artists — is very difficult. Many of them are still unable to earn a decent living on the strength of their art alone. Despite the goodwill of the authorities, the greatest danger facing artists today — and surely tomorrow if nothing is done — is the lack of support. I urge the federal government to respond as quickly as possible by improving assistance for the artists of today, who are often living in difficult conditions. The success of some should not make us blind to the straitened circumstances of others. There are still some who are barely making ends meet.

As I was saying earlier, Canadian creators and interpreters are riding a wave of success. I am convinced that each of us hopes that this success will continue unabated. I sincerely hope that we continue to move forward, but for that to happen, we must invest in the future.

This is not to say, however, that the current explosion of talent happened by chance. In the recent past, these artists received training through the generosity and deep commitment of the great educators often found in classical colleges. Then, in 1951, the Massey-Lévesque Report provided the framework that led to the emergence of several generations of gifted, innovative and independent Canadian artists.

Unfortunately, times have changed, and there have been budget cuts...

We must protect our talent and encourage people to take up the calling. We must provide a framework for creativity in school by introducing young people to the arts and providing training for our most talented young artists. Much work has been done in schools to train young people, but, very often, having been awakened through education to art appreciation, they cannot afford to advance any further. The federal government must prepare the succession by ensuring that our young people between the ages of 20 and 30 will be able to carry on this great tradition.

[English]

Governments must provide basic arts training, and it must be solid training, with the best teachers. Governments must really believe in the value of culture and must ensure that it survives by giving it the support it deserves. It is important to inject money into promoting culture, as so many European countries do. However, there is more involved than simply increasing culture's share of general expenditures.

The Prime Minister promised in the Speech from the Throne to work with parliamentarians to modernize our arts and cultural policies. I applaud him for this commitment. In my opinion, a revision of our cultural policies is necessary for two reasons. First, we are today confronted with a virtual reality whose scope and intangibility place it beyond our control. More and more the world is marching to the beat of the information and communication technologies, particularly the Internet. Our era is one of organizational and technological innovation, and it is important that we adapt our cultural policies to the formidable digital era. The Government of Canada, in partnership with the other levels of government, must make sure that the Canadians of today receive an arts training that is worthy of our forebears, but adapted to our time.

Second, it is obvious that our era is being shaped by globalization, and globalization's watchwords are competition, laissez-faire, the withdrawal of government, profitability, the superiority of the market, consumption. Taken to its logical conclusion, this trend can only result in the commercialization of all sectors of activity. We must be vigilant. Culture must not become merchandise, and the government must see that it does not.

• (1530)

It is up to us to adjust our approach so that it takes into account the reality of the 21st century, marked by a giddy, universal spin towards materialism, immediacy and speed. Such an adjustment can only be made by redefining and strengthening the foundations of our cultural pillars.

The Hon. the Speaker *pro tempore*: Honourable senators, I must advise Senator Léger that her time has expired.

Senator Léger: May I have leave to continue?

The Hon. the Speaker *pro tempore*: Honourable senators, is leave granted?

Hon. Senators: Agreed.

[Translation]

Senator Léger: Honourable senators, I urge governments to adopt a vision of Canadian culture in the 21st century in order to achieve a balance with such unbridled consumerism. This new policy should reaffirm culture as essential to life.

The Government of Canada will never be able to say too much about this vision or about how important the arts are to Canada. Our aim must extend beyond globalization and materialism.

The government has a duty to put creators in the forefront and, together, Canadians will make a contribution to modern-day civilization.

I want to give Acadian poet and filmmaker Léonard Forest the last word.

J'ai planté partout mes jardins de liberté,
il y pousse parfois des fleurs menacées,
blanches surtout,
fleurs d'humanité,
je ne sais où les aller pleurer.

J'ai semé partout mes jardins d'avenir,
il y pousse parfois des fleurs inespérées,
blanches surtout,
fleurs d'amour,
À leur coupe, je ne sais qui boira.

J'ai planté partout mes jardins de joie,
il y pousse parfois des audaces nues,
blanches surtout,
fleurs d'été,
quand tu viendras, j'y dormirai.

[English]

Hon. Consiglio Di Nino: Honourable senators, during the debates on the Speech from the Throne, I heard many wise comments, and I hope that mine will add a different perspective and be of some value.

I will deal primarily with two issues: The effects of terrorism on the daily lives of citizens, and the failure of Canada, and other developed countries, to truly help to improve the suffering of the millions of people in the developing world. I believe that these two problems are linked and that neither is adequately addressed in the Speech from the Throne.

In the Speech from the Throne, the word "terrorism" is hardly used. It is only mentioned in a few sentences near the end of the speech. It seems to me to be an afterthought in the Prime Minister's agenda. Certainly, the Prime Minister has put a new "super minister" in charge of our security. A good symbolic move, perhaps, but does this ministry have the resources and authority to address the real causes of the problem, or is it simply window dressing? On the other side, are there risks of creating more and more elements of a police state? This whole issue deserves a more thoughtful and reflective discussion.

The global terrorist threat is a well-established fact. Sadly, in every corner of the world, a normal way of life now includes living with the threat of terrorism and its consequences. It is my belief that, in most of the world, the consequences may be more invasive than the risk of potential acts of terrorism.

I recently had the opportunity to attend and participate at the Assembly of the Council of Europe. Vigorous debate took place on a report called "Terrorism: a threat to democracies." The report suggests that the preventive measures undertaken to safeguard societies, including restrictions on our activities,

invasion of our privacy and lifestyle changes, may become the norm rather than the exception. An example of this is airline travel and the invasive nature of security checks, and the cancellation of flights because of security concerns.

As we all know, legislatures around the world have enacted laws that restrict rights and privileges and invade the private spaces. Some new laws have had greater consequences in certain parts of the globe. This has resulted in stereotyping, which has also led to profiling. Many examples of this have been widely reported globally, including in Canada.

Another disturbing consequence is the application and enforcement of terrorism laws enacted to eliminate, or at least lessen, the occurrences of terrorist acts. For example, we are all well aware of the horrifying breach of civil liberties recently perpetrated by the RCMP in the search for information related to the Arar case. To swoop down on the offices of *The Ottawa Citizen* and the home of reporter Juliet O'Neill would have been unthinkable just a few years ago. The actions of the RCMP have been described as a gross abuse of power and have created quite a controversy. Happily, parliamentarians of all political stripes, and indeed many eminent Canadians, have condemned the RCMP and are demanding a review and/or repeal of the legislation passed in response to the events of September 11, 2001, which gave the police the authority to conduct such raids.

Plenty of anecdotal evidence also exists about police harassment in many democratic countries around the world, based on unfounded suspicions. There are numerous reports that some countries may be violating people's rights and liberties under the pretext of combating terrorist threats. Yes, honourable senators, sadly, terrorism has created, and continues to create, a threat to our democratic rights and has permanently changed the way that we live. Unless we defeat this human cancer, humanity as we know it may indeed be at risk.

Terrorism is an enormously difficult problem and, as safe as we try to make ourselves in "Fortress North America," we will never conquer it unless we better understand and tackle its root causes. Some of these root causes are poverty, ignorance and lack of education. I know that some of you will disagree with me and will tell me that Osama bin Laden is very wealthy, or that the Middle East is awash in oil. You may be right. However, the foot soldiers forming cells in Indonesia or in Mogadishu or in Canada cannot be dismissed that simply. Poverty is not the only cause of terror, but it is one of the ingredients that fuel it. Our policies on international aid, which I view as inadequate window dressing, add fuel to the fire.

In this constantly shrinking global village, it is impossible to isolate ourselves from the problems of poorer nations. Poverty and lack of education leave the citizens of these countries vulnerable to the influence of dictators, terrorists, criminals and the like. An empty stomach, honourable senators, is more easily tempted.

[Senator Léger]

We are affected in other ways. The developing world is less able to protect itself from health problems, which today are easily transported to the rest of the world at enormous costs to our economies. Surely a better-funded and administered development program would reduce the incidence of global health crises. Make no mistake: Even if there were no link between terrorism and poverty and the health of Canadians, I believe the humanitarian response of the Western world would still be insufficient. It is mainly window dressing. It shames us and needs to be fixed.

Most of the developed countries are far from achieving stated goals and targets with respect to international development aid, and that includes Canada. We have seen some improvement in the past few years but, like most of the rest of the world's nations with the resources and capability of doing more, we fall woefully short in responding to the dire needs of poorer nations. One has to question our political will when confronted with the fact that more than 50 nations are worse off today than they were ten years ago. I would make a strong argument that our failure to share our economic success with those in need costs us much, much more in the long term.

The issue of human development was recently, once again, put at the top of the global agenda when 189 heads of states and governments, including Canada, signed on to the millennium development goals at the UN Millennium Summit in New York in September 2000. The millennium goals aim to halve the number of poor people, get all girls into schools, put an end to child and maternal mortality, fight HIV/AIDS and ensure sustainable development. Canada is a signatory and has pledged to institute policies that will help meet these goals.

• (1540)

Unless Canada and other developed nations take the lead and do their part, particularly in funding this initiative, it will prove to be yet another empty or, at best, half-empty promise to appease our collective conscience.

The solution to the underfunding of aid programs is not overly difficult to find. We the developed nations need only look into mirrors where both the identity of and the solution to the problem will be found. Increasing aid contribution will not by itself lead to a total solution. Throwing money at the problem will not fix health care here at home and it certainly will not fix the problem of poverty and sickness abroad.

The structure of aid programs and their delivery are also wanting. Too often, aid is seen from the viewpoint of donor nations. Much of it takes the form of what is called "tied aid," meaning contributions with strings attached, strings that substantially reduce the benefits of the aid to its recipients. Also, aid must be better monitored to ensure that it gets to those most in need, especially women and children, usually the most disenfranchised.

A more difficult part of the solution is protecting aid contributions from corrupt officials, criminals and combatants in local conflicts. Much stronger support must be given to the

organizations charged with the responsibility of delivering aid, those on the front lines. Otherwise, as we have too often seen, the aid just lands in the hands of corrupt officials or is used to wage war.

Finally, I firmly believe that good aid programs are those that lead to self-sufficiency. Good programs will help break the dependency and lead to independence from handouts, such as providing tools and education to build sustainable economies. This will also lead to a significant reduction in asylum-seekers, another global problem that too often has tragic consequences.

Yet the Speech from the Throne and the Prime Minister's reply to the Speech from the Throne say little about these problems. The Prime Minister simply says that we want to make our international development approach "contemporary." It says our international assistance must "reflect our values."

What does that mean? I do not know. I have no idea.

A recent *Toronto Star* column referred to our development budget as anaemic. Nothing in the Speech from the Throne indicates that there will be any meaningful change in that. Canada's overseas development assistance of \$2.46 billion in 2003 represents 0.22 per cent of gross national product. In 1992, it was 0.45 per cent, double what it is today. The UN's global goal is 0.7, a mark the government has repeatedly stated it intends to meet but never quite gets there.

Development data is not enough to solve the problem of poverty itself. Perhaps the most fundamental and most controversial action required of us is the creation of real trade opportunities for developing countries, particularly in agriculture. To achieve this, we must adjust our thinking on tariffs, non-tariff barriers and the export and internal subsidy programs that tend to distort the marketplace and make poorer nations uncompetitive. Rich countries' subsidies, such as the European Union's common agricultural policy and the American farm aid program — which President George Bush just increased by 80 per cent — together cost over \$300 billion U.S. per year. These subsidies and those of other nations keep millions of human beings in poverty, too many of whom starve to death every day.

Does it make sense that the European Union and the U.S. alone subsidize their farmers over \$140 billion while total foreign aid of the two entities is less than \$50 billion? Canada, in principle, supports the elimination of these subsidies. We are members of the CAIRNS Group of 17 countries lobbying for an end to these subsidies; yet, the Speech from the Throne barely mentions it. Instead Canada has played a part in derailing the talks that could lead to progress in this area. The last time Canada had an opportunity to raise this issue was during the Doha development round WTO talks in Cancun last September.

Our then Minister of International Trade, Pierre Pettigrew, led our delegation. He was asked to facilitate talks on the so-called Singapore issues. These are issues that, though worthy in their own right, should not — in the view of the developing countries — be part of the trade negotiation that had promised to focus on the issues and desires of those developing countries.

Many believe that they were placed on the agenda at the insistence of the European Union in order to turn attention away from the agriculture issues. We understand from reports that our minister vigorously pushed for the inclusion of these issues. Eventually, the talks broke down over this.

I am not suggesting that all the blame lies with Canada or our minister. However, it shows that our priorities and our resources were not where they should have been, if indeed we are serious about helping the poor of our world. The Speech from the Throne and the Prime Minister's reply provided a tremendous opportunity to highlight a problem like farm subsidies. It would not have been difficult to include a strong Canadian commitment to rectify the problem, even unilaterally, where possible, along with a commitment that the Canadian government would redouble its efforts at every international meeting to deal with this.

It will take enormous political will to change the situation, but it is a crucial component of ending the impoverishment of more than 2 billion human beings. We as Canadians are not strangers to political will. It was a Canadian Prime Minister, Mike Pearson, who revolutionized the way we deal with the misery resulting from conflicts by his bold idea to create peacekeeping.

The world needs another bold and principled leader to initiate a program to make the world a healthier and safer place for all of us. Prime Minister Martin had the opportunity to do just that and he failed.

In the meantime, millions of children continue to die every year from hunger. Shame on all of us. I would remind honourable senators of a statistic from the speech given by Senator Keon on February 12, the statistic that Senator Lynch-Staunton remarked should scare all of us. Senator Keon stated:

Today, as we sit in this chamber, 8,000 children will die of malaria in the underdeveloped world. These children could have their malaria cured for 3 cents U.S. or 5 cents Canadian. 8,000 children will die while we are sitting here today. Three million lives are lost every year through vaccine-preventable disease.

Honourable senators, the Speech from the Throne says some of the right things with respect to these issues, but talk is cheap. Canada needs to take a bold, courageous and principled stand and lead by example. That is the best way for us to "restore Canada's place of pride and influence in the world," just as Prime Minister Martin has promised.

Hon. Douglas Roche: I want to congratulate Senator Di Nino on a very fine speech.

Honourable senators, when Senator Graham gave his wonderful speech last night, he noted that that would be his last opportunity to give an Address in Reply to the Speech from the Throne. The inexorable movement of the clock is responsible. I, too, am in this unenviable position. After 33 years in public life,

years spent in the House of Commons, in diplomatic life and here in the Senate, the clock is dictating my exit. I do not think, Madam Speaker, that you will be able to "not see the clock" in this instance.

I wish to address that section of the Speech from the Throne that deals with Canada's role in the world and make some comments based on my experience. What we read in the Speech from the Throne was certainly uplifting and meritorious. One would not want to be churlish in responding to such elevated language as, "We want to see the benefits of global interdependence spread more fairly throughout the world."

Yes, indeed, Canada has the right intentions.

• (1550)

I say this not at all in sarcasm, for truly we live in a country blessed by God as surely no other place has been. I have been in every region of the world. I have walked through disease-ridden slums and shantytowns of Africa, Asia and Latin America. I have seen gaunt bodies, poverty, despoiled lands and the wreckage of Hiroshima. Every time I returned to Canada, I wanted to get down and kiss the ground.

When one looks at the actual conditions of much of the world, when one examines the alarming global statistics showing what is ahead, when one considers the scandalous amounts of money that are spent on arms in countries that lack adequate water and sanitation facilities, it is unthinkable not to be grateful for what we have in Canada. We should remember that in natural resources, minerals, land, forests, water, space, stable population base, industry, technology, in international reputation, in membership in every important world body, Canada holds a privileged position.

For most of my career, I have been going to the United Nations in one capacity or another, and I have always felt humbled by the esteem in which Canada is held. Yet, when we examine Canada's record — our deeds, not just our words — I find that our performance does not measure up to our ability. At the very moment when a world in turmoil needs the uplifting hand of leadership from a country that has it all, Canada looks inward. We are so torn with internal problems — buffeted by the conflicting forces of power, nationalism, greed, prejudice and crass politics — that we have not yet recognized the significance of this transformation moment in world history. We treat our problems as though we live in a separate world.

I was astounded not to be able even to find the words "the United Nations" in the Speech from the Throne. How can we possibly play a meaningful role in the world if we do not centre our foreign policy on the United Nations? By this, I mean our development policies, our disarmament policies, our environmental policies, our human rights policies. These are the pillars of global security and the Throne Speech should have given a new surge of energy to move Canada forward in adopting the UN strategies for peace.

Was this lapse only because the speech writer did not realize that United Nations Secretary-General Kofi Annan is coming to Ottawa on a state visit in March, which will be a truly historic occasion, or is the invitation to the Secretary-General only to put a little UN lustre on a new government's image?

If Canada wants to be true to what the UN and its outstanding Secretary-General stand for, the Martin government will put considerably more money into sustainable development, will work aggressively to rid the world of nuclear and other weapons of mass destruction, will support to the fullest extent the Kyoto Protocol, and will ensure that human rights are protected around the world, including the human rights of the prisoners the U.S. is illegally holding in Guantanamo Bay.

The terrorism of September 11, 2001, and the wars in Afghanistan and Iraq have brought about a new period of fear, confusion and a loss of a sense of direction. In this world, the best response to today's heightened vulnerability is for the United Nations to step up its life-saving work around the world: preventing and containing conflict, eliminating weapons of mass destruction, fighting poverty, reducing hunger, improving health care, defending human rights, protecting the environment and promoting democracy.

Taking a long-range view of world affairs, it is clear that the UN is still in its infancy. The focus should be on what it has and can accomplish, not what it has not. The UN is pilloried because it failed to stop the genocidal massacres in Rwanda in 1994 and in Srebrenica in 1995, but it is seldom credited with averting bloodshed in Lebanon, Georgia, Western Sahara, the Ivory Coast and many other places through its skilful use of mediation and negotiation. The UN has saved countless lives through developing and distributing affordable medicines, water supplies and sanitation methods. It has put the inherent dignity of each individual at the top of the international agenda. It has provided a catalogue of information on the interdependence of world systems never before available.

The agenda of the United Nations embraces all these steps and that is why Canada should support it. There is no better instrument to bring stability and security to the world than the United Nations. The way for Canada to exercise its values for peace and development is through the United Nations. We should be trumpeting and strengthening the United Nations.

Secretary-General Kofi Annan, the Ghanaian diplomat educated in the U.S., whose whole career has been spent in the UN system, personifies an artful and dextrous form of leadership in trying to implement this agenda I have described. Considering that the Secretary-General of the UN has no practical political power, it is remarkable that he has been so influential — so influential that he was awarded the Nobel Peace Prize a year or two ago. As *The New Yorker* magazine commented, "He controls no territory; he commands no troops; he cannot make or enforce laws; he cannot levy taxes; he exercises no administrative

authority outside the UN bureaucracy; and he hasn't even got a vote in its General Assembly or the Security Council." To put it plainly, the Secretary-General has nothing but his voice — but what a voice!

With the UN, Annan was awarded the Nobel Prize and he led the millennium celebrations at the UN with a special summit of world leaders for which he prepared a stirring document called, "We the Peoples: The Role of the United Nations in the 21st Century." Make globalization a positive force for all the world's people, he said, instead of leaving billions behind in squalor. "We must do more than talk about our future," Mr. Annan said. "We must start to create it now."

The leaders responded with a United Nations Millennium Declaration built on "fundamental values," which they described as freedom, equality, solidarity, tolerance, respect for nature, and shared responsibility. However, when it came to paying for the millennium goals, Canada and other wealthy nations kept their hands in their pockets.

• (1600)

Almost exactly a year after the declaration was adopted, this message of UN values received a defiant and horrifying rebuff in the September 11 attacks. Since then, tensions have escalated throughout the world and finally boiled over with the war against Iraq and are still boiling. Instead of moving toward the goals of the declaration, the world seems to be slipping into more conflict. This is precisely why the Secretary-General has said, "We have entered the third millennium through a gate of fire." In his speech accepting the Nobel Peace Prize, he said:

If today, after the horror of September 11, we see better and we see further — we will realize that humanity is indivisible. We must start from the understanding that peace belongs not only to states or peoples, but to each and every member of those communities.

Honourable senators, caught in the throes of one war after another, trying to balance the unilateral tendencies of the United States with the multilateral needs of the world community, determined to advance wide-ranging programs to build a culture of peace and supplement the culture of war, the UN valiantly holds up a candle of hope for the world.

So let us say, "Welcome, Mr. Secretary-General, to Canada," but let us accompany that welcome by reaffirming the United Nations as the cornerstone of our foreign policy.

Honourable senators, there is a lot of talk these days about whether Canada should participate in the U.S. missile defence system. Of course, Canada should not. The missile defence system is, as Canadian Nobel laureate John Polanyi has said, "a treadmill to weapons in space." A new nuclear arms race is a certainty if missile defence goes ahead.

This is not what Canadians want. Canadians want an end to nuclear weapons, not more of them. The Canadian government, in voting in support of the principal UN resolution of the New Agenda Coalition, can help build a bridge to a safer world. The government must seize its courage and strengthen the Non-Proliferation Treaty at the 2005 review by speaking out and acting vigorously.

This is what the United Nations is trying to do. The UN needs Canada to help the world and the militaristic nations put aside the culture of war.

The Hon. the Speaker *pro tempore*: I regret to inform that the honourable senator's time has expired. Does he wish leave to continue?

Senator Roche: Yes.

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

Hon. Senators: Agreed.

Senator Roche: Honourable senators, Canada needs the UN. We cannot tackle the huge problems in the world alone, but we can strengthen the one world body that is dedicated to building a culture of peace. Canada is needed in the world. We have the capacity to respond. Let us show in the forthcoming foreign policy review that we have the will.

Hon. Laurier L. LaPierre: Honourable senators, it is a little difficult to address this chamber on the Speech from the Throne after the three magnificent speeches that have just been delivered and the others that have preceded them over the past two to three weeks.

However, three points arise, two directly from the Speech from the Throne and one out of the spirit of the Throne Speech.

The first has to do with culture and multiculturalism. I know that honourable senators are getting tired of my yapping, as much as I can, about the fact that in not establishing a committee on culture and heritage the Senate is not living up to its responsibilities. The Speech from the Throne invites all Canadians and the government and the instruments of government to bring to bear the new technological possibilities of the digital age in an effort to reflect Canada's regional diversity and multiculturalism. The government must work with parliamentarians to modernize our art and cultural policies and our federal cultural institutions. This is an engagement in the name of the people of Canada, and the Senate will be absent because it does not have the instruments necessary to bring about concrete assistance to this question of culture and heritage.

Honourable senators, the cornerstone of our country, which is expressed through its art and culture, as Senator Léger so magnificently pointed out, and our contribution to the world that both Senator Di Nino and Senator Roche pointed out, is vested in the idea and in the value of multiculturalism. That is the essence of the being of Canada. That is its history since the beginning of its time. That is its contribution to mankind.

[Senator Roche]

The multicultural aspect of our country, the management of multiculturalism and the living of multiculturalism is the envy of the world. It points out to the world that Canada knows what is valuable in having become the refuge of mankind, in having over 150 different nationalities in our country speaking all kinds of languages and living all sorts of cultures. All of this is done in harmony, with a fundamental acceptance of the right of people to be who they are, individually as well as collectively. That is the lesson we have brought to the world and it is the lesson that we must continue to give. Multiculturalism is what it is all about.

Eight months from now, I shall leave this august place to take my retirement, to do what I really want to do, which I have not been able to do here; that is, to establish the foundations of a centre for the study and propagation of multicultural values in the world. I want to devote the rest of my life to the pursuit of the acceptance of multiculturalism. Every culture, no matter how small or large, is fundamental to the harmony of the world. I may have several thousand years in which to accomplish my goal, or I may have only one. It does not matter. What is important is that my heart must be there to be able to achieve this awareness, this acceptance of the validity of the only instrument in the world that can bring harmony to the nations of the planet — multiculturalism. The Speech from the Throne asks Canadians to live that ideal, to promote it and to accept it.

Honourable senators, after I have left this place, I have no doubt that you will create a committee to study culture and heritage. If I die before you have established such a committee, I will haunt you until you are all gone forever, and then some.

• (1610)

The second thing I want to talk about, arising out of the Speech from the Throne, is the passages that deal with Aboriginal Canadians.

Aboriginal Canadians have not fully shared in our nation's good fortune. While some progress has been made, the conditions in far too many Aboriginal communities can only be described as shameful. This offends our values. It is in our collective interest to turn the corner. And we must start now.

The Speech from the Throne goes on to state:

Our goal is to see real economic opportunities for Aboriginal individuals and communities.

That includes Metis and the Inuit people. That is a noble task. It is an important task for our country. We have paid considerable lip service to it, yet we have not achieved what we meant, perhaps, in our hearts to do because we have been either diverted or too selfish in the pursuit of our own agendas.

It seems to me that by realizing section 35 of the Constitution Act, 1982, we shall be able to fulfil what the Speech from the Throne invites us to fulfil. Section 35 of the Constitution Act, 1982, relates to the rights of the Aboriginal peoples of Canada. It states:

(1) The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.

(2) In this Act, “aboriginal peoples of Canada” includes the Indian, Inuit and Métis peoples of Canada.

(3) For greater certainty, in subsection (1) “treaty rights” includes rights that now exist by way of land claims agreements or may be so acquired.

(4) Notwithstanding any other provision of this Act, the aboriginal and treaty rights referred to in subsection (1) are guaranteed equally to male and female persons.

All we have to do is fulfil this constitutional provision of our country, honourable senators. All we have to do is live by section 35 of the Constitution Act, 1982. In that way, we shall repair the ravages of history which have not been caused by the native people, which have not been caused by the trees, which have not been caused by the water, which have not been caused by the resources, but which have been caused by people like me and my ancestors and others who have occupied this land since 1608 and 1542 when Newfoundland and Labrador came into being and were recognized by the world.

It seems to me, therefore, that we must achieve this dream and do so as soon as possible. It is not because the native people depend upon us. They can very well find their way. They existed on this land for thousands and thousands of years. They had done pretty well in the process of that existence. It seems to me that what we did was impose our capacity upon their capacity, and now we have to reverse the history that we have lived and brought to it.

On the subject of multiculturalism and the Aboriginal people, I should like to tell honourable senators of a magnificent project which is being launched on Victoria Island. There will be created on Victoria Island an opportunity for Canadians to be able to share the vision of the native people. It is the creation by Douglas Cardinal of a Victoria Island Centre. William Commanda is one of the elders we consulted in 1990 for the development of the Victoria Island concept. It was his wish, and the wish of the elders present, that Victoria Island be a visible Aboriginal presence in Canada's capital. Since then, Commanda and other elders have continued on with the committee in establishing a circle of forgiveness and healing on this historic gathering place where they came together to chart their path throughout their long history. It is the site where Algonquin chiefs met with Queen Victoria's representatives, who presented each one of them with medals and remuneration for sharing the resources of the land. It was on that land that Queen Victoria promised that they would take only the pines from the Ottawa Valley for their tall ships and would leave everything else untouched for the Algonquin people. The great-grandfather of William Commanda, an Algonquin elder

and keeper of the Seven Fires Prophecy Wampum Belt, was one of the Algonquin chiefs at this ceremonial occasion. As inscribed in the sacred wampum shell in the 1400s, it is time to re-establish the meeting circle of the Algonquin people on this site of Victoria Island. It is essential to house the wealth of their knowledge that has been passed down from their ancestors.

The people believe the creator placed them in this area to protect, respect and live in harmony with all the creator's handiwork — the earth and the animals who give them life, the trees and the rivers for food, transportation and protection, and the plants that provided food and medicine to heal them. They knew they had to share this place with all living beings, the water, the rocks, the trees, the plants, the animals, as well as to live in harmony with all of humanity. They knew that, and this is what they want to do. Victoria Island will become the symbol of that dedication to the harmony among us.

Last, I would like to talk about something that arises out of the spirit of the Speech from the Throne, and that is same-sex marriage. Every Canadian is entitled to the benefit of the law. No Canadian can be denied the benefit of the law. The word “marriage” creates a benefit to those who are lucky enough to be the right people to have it, and those of us who are not lucky enough, because of our sexual orientation, cannot share in the benefit of the law. I am telling you that this is not right. I am telling you that this is not necessary. A majority cannot alter the rights of a single human person. It cannot, and never should be allowed to do so.

Consequently, at this time of our existence as a people, we have a group of our citizens who are being denied the benefit of the law. A civil union is not marriage. A civil union contains no benefits whatsoever except the practical benefits that are given, according to the law, to common law marriages and such matters. The word “marriage” brings about a statement of national human acceptance of certain values of belonging, of sharing, of loving and of being together. When you deny that interpretation and deny that reality to those of us who happen to be gay, the end result is that you are denying us a fundamental right which you yourself have, you who are straight, whatever that means. To deny that to us means that you enjoy a benefit which you deny me at the end of the day.

Therefore, before I retire from this Senate in eight months from now, I would like to have corrected this situation by making marriage the union of two persons to the exclusion of all others.

Hon. Ross Fitzpatrick: Honourable senators, it gives me great pleasure to rise today to respond to the Speech from the Throne because it is a speech that articulates a blueprint for the government's agenda. The speech highlights the government's goals of strengthening our social foundations, building a strong 21st century economy and ensuring that our place of pride and influence continues on the world stage. The direction it sets is clear.

• (1620)

First, I wish to say that I am pleased to observe that the government has signified its intention to maintain a course of action that ensures that all Canadians continue to benefit from the previous 10 years of hard work in achieving a balanced budget, a reinvigorated economy and a renewed sense of national unity. The current government's proposals also continue our tradition of balancing measures to encourage economic growth with actions to promote social justice.

Second, the emphasis on health care in the Speech from the Throne is particularly important. Health is an issue of growing concern to all Canadians, especially in the Okanagan region of British Columbia, which has roughly 3.5 per cent of the provincial population but more than 5 per cent of the provincial population of those over the age of 65. An aging population, changing demographics and expensive technology have combined to make health care truly a top-of-mind issue. Thus, it was gratifying to hear the Governor General state: "The Government is committed to this goal: universal, high-quality, publicly funded health care, consistent with the principles of medicare, as set out in the Canada Health Act," and that "every Canadian have timely access to quality care, regardless of income or geography — access when they need it."

The Prime Minister's recent confirmation of a \$2 billion health care transfer to the provinces and territories for this year, pledged by his predecessor the Right Honourable Jean Chrétien, is a crucial first step in meeting this vital long-term commitment, but it is just that — a first step. I am confident that other steps will be taken.

Given the limited time available to me today, honourable senators, I should now like to focus on the areas of the Throne Speech that are of particular interest to British Columbia and to the people of the Okanagan-Similkameen whom I represent.

I turn first to the issue of regional and rural development. I wish to emphasize the promise in the Throne Speech "to ensure that farmers are not left to bear alone the consequences of circumstances beyond their control." I am sure that I do not have to remind honourable senators of the devastation borne by residents of the British Columbia interior as a result of last summer's severe drought and unprecedented firestorms. There still exists a real and immediate need for substantial financial assistance so that farmers, ranchers, loggers and mill workers can recover from the overwhelming losses arising from these horrendous natural disasters.

I would encourage the government to provide financial disaster assistance recovery agreements with the Province of British Columbia, along the lines of those provided the Provinces of Ontario and Quebec following the January 1998 ice storm that caused so much damage to the economies of those two provinces.

There is much that Agriculture and Agri-food Canada, Industry Canada and Natural Resources Canada can do to assist the recovery efforts in British Columbia. Recovery and rebuilding are

essential preconditions that must be met before there can be any hope of improving and expanding the economy of the afflicted regions in accordance with the vision for economic progress articulated in the Throne Speech.

Honourable senators, in the Speech from the Throne the government also pledged to support economic development through its regional agencies where the focus must be on strengthening the sinews of an economy for the 21st century and building on indigenous strength.

In this regard, I commend the government for upgrading the status of Western Economic Diversification Canada to that of a full ministry. Western Economic Diversification is a highly visible example of the government working with and for Western Canada by delivering programs and policies that are responsive to the economic and social circumstances of western communities and that help the Western Canadian voice to be heard. The new status of Western Economic Diversification, however, must be accompanied by an increase in funding to ensure that it continues to be an effective and successful instrument of government policy in the West.

I shall now turn now to the Throne Speech pronouncements on sustainable development. The promise to safeguard our natural environment is as welcome as it is imperative. It is beyond question that the protection and preservation of our natural environment is vital, both for today and for tomorrow.

Honourable senators, we should all be happy to see the reiteration of the government's commitment to the Kyoto accord on climate change. Having said that, I would also remind the government of previous promises to ensure the inevitable burdens associated with implementing the accord be shared equally so that no one region or sector of the economy is disproportionately affected. I believe the government can and should honour our Kyoto commitments. I am encouraged by its determination to even go beyond Kyoto to strengthen our environmental stewardship.

The concept of green, sustainable economic progress has a special resonance with the Okanagan-Similkameen. My home district is blessed with a wonderful climate, beautiful geography and diverse but fragile ecosystems. With federal government help through Western Economic Diversification, the National Research Council and Industry Canada, we have created an Okanagan partnership of business, education, government and community leaders, supported by our regional and provincial governments, to pursue economic progress while being guided by a plan for green, sustainable economic development. We understand that only by achieving a balance of environmental, social and economic activities will we guarantee the sustainability of our natural resources, improve our quality of life and reach our full economic potential.

Honourable senators, I would encourage the government to strive for a paradigm shift in which economic decisions are informed by environmental considerations.

Turning now to the Throne Speech emphasis on science and technology, I applaud the government's plan to appoint a national science adviser. In the next generation economy, more than ever before, there will be an inextricable link between science, technology, innovation and economic progress.

As I have indicated, the Okanagan has been preparing for the next generation economy by actively promoting partnership amongst business, educational institutions and all levels of government. We believe in a collaborative, regional approach to economic development with a focus on innovation. We realize that the most dynamic economies consist of related industries growing and maturing in close geographic proximity. These clusters or high concentrations of similar businesses with related products or services, suppliers and supporting economic foundations provide a fertile environment for collaboration, constructive competition, and innovation. In turn, this stimulates the creation of new business. Help is required to transport ideas and innovation to the marketplace. The Throne Speech promise to enhance the venture-financing capabilities of the Business Development Bank is especially well suited to my region, as it promises to provide vital early-stage financing and the capacity to commercialize exciting new ideas.

I wish to comment now on the Throne Speech commitment to Aboriginal Canadians. In my home territory, the Okanagan Nation Alliance is comprised of seven bands spread over tens of thousands of acres. The Okanagan-Similkameen Indian bands are important stakeholders and an integral part of our economy.

Honourable senators, I have said elsewhere that people are this country's greatest asset, and that means all the people. The Speech from the Throne explicitly recognizes that Aboriginal Canadians have not been fully able to participate in our country's good fortune, and it proposes to redress this situation.

• (1630)

I commend the government for establishing the new Cabinet Committee on Aboriginal Affairs to be chaired by the Prime Minister personally, together with a Parliamentary Secretary on Aboriginal Affairs and a dedicated secretariat in the Privy Council Office. The government has also pledged to work with First Nations to improve governance in their communities by establishing an independent centre for First Nations government.

This should not, however, be a substitute for action. I urge the government to proceed with legislation to place governance back on the legislative agenda and to ensure that it is thoroughly and properly debated and enacted.

Last week, Bill C-11, to give effect to the West Bank First Nations Self-Government Agreement, was introduced in the other place, and I hope that it will reach this place with dispatch. It is an historic agreement that provides the West Bank First Nation with the tools it needs to make decisions over its own

affairs, and it demonstrates that the government's approach to negotiating self-government partnerships with First Nations produces real and sustainable results.

The additional promise to renew the Aboriginal Human Resources Development Strategy is essential because it is only by improving education and skills development that individuals can put themselves in a position to fully participate in all the opportunities that Canada has to offer. Aboriginal Canadians deserve equitable access to all the opportunities and the same chances as other citizens to enjoy a better quality of life. I also hope that the government will not lose sight of the very successful economic development program, as it played such an important part in providing opportunities to First Nations and contributing to our economy.

Finally, honourable senators, I would be remiss if I did not register my concern with the government not dealing with Senate reform in its proposal for democratic reform. I see no way that we can really deal with the issue of democratic deficiency in Western Canada if we do not take steps toward an equal and elected Senate. This goes to the heart of Western alienation and needs to be dealt with.

In closing, honourable senators, I would like to draw your attention to the recently announced decision to honour our former Prime Minister by naming the proposed legislation that will provide low-cost anti-HIV/AIDS drugs to African countries the Jean Chrétien Pledge to Africa Act. I think that is a very appropriate tribute.

Hon. Gerry St. Germain: Will Senator Fitzpatrick take a question?

Senator Fitzpatrick: Yes.

Senator St. Germain: The final part of Senator Fitzpatrick's statement with regard to Aboriginals was tremendous. Although I can support the initiative with regard to Africa, I am not sure about the naming of it.

I recently met with people from the Nicola Band near Merritt, B.C. Their economic situation is similar to that of numerous Aboriginal bands across this country. It is fortunate that in your area some of the native bands have very successful stories. Some, such as the West Bank band and others, have gone into the wine industry.

In my conversation with the people of the Nicola Band, I asked them why they have not become the economic generators and job creators that they should be. Their immediate response was that it is due to interference from the Department of Indian Affairs and Northern Development. From the very beginning, DIAND told these people what to do, destroyed their lifestyle and destroyed their ability to be self-reliant.

Senator Fitzpatrick will always have a lot of influence on that side. In addition to working toward Senate reform, which I applaud, would he be prepared to consider a true reassessment of DIAND in order to get rid of that empire that has undermined, through residential schools and a litany of other things, the lifestyle of our Aboriginal peoples and made them totally welfare dependent? This is what they told me. The systems introduced by DIAND have made them welfare dependent and destroyed their society.

Would Senator Fitzpatrick be prepared to work with us to rid ourselves of the empire that has virtually destroyed our Aboriginal peoples?

Senator Fitzpatrick: Honourable senators, I made reference to the establishment of the centre for Aboriginal governance. I went further and said that more than that needs to be done. We need to enact legislation that will allow some of the things that Senator St. Germain is speaking of to give Aboriginals the opportunity to manage their own affairs.

In the meantime, in my traditional territory — as I tell my Indian friends — we have had great success involving the seven Okanagan Nation Alliance bands in the Okanagan partnership and the overall activity of the Okanagan-Similkameen area. A cluster study is being done. Four outstanding Indian band members are acting as stewards and two Indian band members are acting as co-chairs of some of the clusters. Two of the chiefs of the Okanagan Indian bands are involved as well.

I see the advantage to Indian bands of being able to harness these opportunities to manage their own affairs. I hope that we will strive for the provision of self-governance for Aboriginals right across this country.

Hon. Charlie Watt: Honourable senators, two weeks ago the Speech from the Throne was given. Before I reply to it, I would like honourable senators to note that on February 10, 2004, this government announced a federal surplus of over \$5 billion.

I am particularly pleased that our Prime Minister, the Honourable Paul Martin, has stated that the Government of Canada would like to acknowledge the full participation of Aboriginal Canadians — Inuit and First Nations — in the national life of this country, not only on the basis of their historic rights, as mentioned in the Speech from the Throne, but as the first inhabitants of this land.

This government openly and willingly accepts the challenge to improve the life of Aboriginal people and their communities, be they northern towns and settlements or reserves, or Aboriginal peoples living in urban centres and rural regions.

One of the goals also mentioned in the speech is to seek real economic opportunities for Aboriginal communities. However, before this, I believe, as stated in the Throne Speech, that the

government should focus on education and skills development, and the Aboriginal Human Resources Development Strategy is a good beginning.

The acknowledgment of a practical solution for the Inuit, Indians and Metis responding to the unique challenges faced by Aboriginal people in the labour force is indeed welcome as we look for innovative ideas such as apprentice programs. If we were to look at the university education for Aboriginal people, we must also look at statistics that show that 15 per cent of Canadian adults have university educations but among Aboriginal people, the figure is 2 per cent. Getting young native people into university programs should also stand among Canada's highest priorities. A greater opportunity for our Aboriginal children to acquire an education and other workforce skills needed to succeed must be provided.

• (1640)

A further road to assist in the success of northern and Inuit-specific programs requires access to financing. I am pleased that this government has said that we want a Canada with strong social foundations whereby Canadians, families and communities have the tools to find local solutions to local problems.

In part, the goal is also to ensure that our social foundations are linked to improving the health of all Canadians. When we look to our northern natural environment, healthy bodies and healthy children become the responsibilities that we hold today and for the future of tomorrow.

The 10-year \$3.5 billion program to clean up the contaminated sites for which the government is responsible is long overdue, and I applaud the government for showing its initiative and its respect for the commitments to the Kyoto Protocol on climate change. It is refreshing to know the government is committed to ensuring that all Canadians will have clean water, clean air and the resources needed for safe drinking water in the northern Inuit communities as well as on First Nations reserves. Toxic chemicals and other pollutants carried by the wind have contaminated our northern waters and environment so severely that Health Canada had issued a warning to restrict the intake of our traditional Inuit diets. Studies show that our food sources such as caribou, seals and fish have dangerously high levels of contaminants from the southern factories. Climate change is no longer simply a discussion because it is a reality; the Inuit in the North experience this change first-hand. The Speech from the Throne outlined not only critical northern issues but also a commitment to ensure that opportunities will be available in the northern economic and resource development strategy.

Honourable senators, Aboriginal Canadians need to be a part of the economy of the 21st century, with well-paying and meaningful jobs. A partnership between those who were born and live in the North and the business interests of the south is very important when it comes to economic development in the areas of energy and mining. Northerners need to be part of what is taking place in the North.

We must have a voice in our destiny. Yes, we are the Inuit, but we are also a part of this great country. For my First Nations and Metis brethren, this is also true. We are all part of this land we call Canada. The Inuit, First Nations and the Metis — all Aboriginal Canadians — have not fully shared in our nation's good fortune. The conditions today still call for needed improvements.

In the Speech from the Throne, this government made a strong commitment to Aboriginal people by creating a more focused cabinet committee. The challenge for Aboriginal people is to take the government to task and to work together to achieve better opportunities that would strengthen Canadian values and the Canadian way of life and that would give all Canadians — Aboriginals and non-Aboriginals — a goal to achieve together.

Prime Minister Paul Martin has set an ambitious agenda to put our country on this path by saying that a nation's social and economic goals are inseparable. A brighter future for Aboriginal communities is not only necessary for Aboriginal Canadians but also a challenge for Canada to become a greater nation.

I am encouraged that this government says it will work with its partners, with Aboriginal people, on practical solutions to respond to unique hurdles that must be overcome. Greater economic self-reliance for a better quality of life must be an achievable goal. The shameful conditions of some Aboriginal communities do not live up to Canadian community standards. This, too, must be overcome.

The Magna Carta of Indian rights — the Royal Proclamation of 1763 — assured that Aboriginal people would always have a unique constitutional position in Confederation. In addition, section 35 of the Constitution Act, 1982, recognized and affirmed the existing Aboriginal and treaty rights of Canada's Aboriginal people, defined as Inuit, Indian and Metis.

Despite the difficulties encountered by Aboriginal people, many Inuit, Indians and Metis still want to participate in the building of Canada. We need the opportunity just as non-Aboriginal people need opportunity.

Much has been said about the democratic deficit in the House of Commons. There, too, Aboriginal democratic deficits exist. According to the Royal Commission on Electoral Reform and Party Financing, Aboriginal voting participation rates in northern Canada, where Aboriginal politicians are visible and heard, surpass 75 per cent. In Kahnawake, right next door to Montreal, the turnout of voters in the federal election is zero per cent. In New Zealand, despite such controversy and some apathy among Aboriginal voters, guaranteed representation for Maoris currently in place serves as a lever for joint policy-making for the government. These forward-looking precedents assist in the continuation of the livelihood and culture of the Maori.

When the Government of Canada says that it is committed to a more coherent approach to Aboriginal issues, I believe the statement offers a renewed hope in the spirit of coexistence and

acknowledgement of the different needs of the Inuit and First Nations people. Canadians need a government that helps to shape the course that leads the way and that engages us in the building of our future together.

The new deal is for communities that are facing unprecedented challenges, often without sufficient resources or tools. Northern municipalities have similar issues to their southern counterparts, but the costs of maintaining services are extraordinarily high. In many northern communities, our food costs are over 200 per cent higher than what many take for granted in the south of Canada. The role of hunting is a much-needed undertaking to feed Inuit and northern families. A northern strategy with Inuit-specific programs would go a long way in addressing basic family needs and concerns.

In conclusion, honourable senators, the Speech from the Throne is like our Northern Lights: It is a beacon to show us the way. However, words are not enough and action is needed. Nakurmik.

On motion of Senator Rompkey, debate adjourned.

• (1650)

CRIMINAL CODE

BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Joyal, P.C., seconded by the Honourable Senator Kinsella, for the second reading of Bill C-250, to amend the Criminal Code (hate propaganda).—(*Honourable Senator LaPierre*).

Hon. Laurier L. LaPierre: Honourable senators, having read the debates from the beginning of the presentation of this bill, I have come to the conclusion that I have nothing to add to it that will be of any value to anyone, except the usual things that I always say. Consequently I would like the burden to be lifted from my shoulders. If you would allow me, I will pass that burden on to Senator Joyal, who will deal with it.

The Hon. the Speaker: Are you rising to speak, Senator Cools?

Hon. Anne C. Cools: Honourable senators, I am not too sure what Senator LaPierre means when he says "pass it on to Senator Joyal." In this chamber, one must speak for one's self. If Senator Joyal speaks now, that will have the effect of closing the debate, but there are other senators who wish to speak to this bill. I would be willing to move the adjournment of the debate. Can Senator Joyal clarify?

Hon. Serge Joyal: Honourable senators, I am ready to speak now. As we know, the procedure in our house is such that once I have spoken, debate will be concluded.

Hon. Herbert O. Sparrow: Honourable senators, if Senator LaPierre has made his few remarks, I move the adjournment of the debate.

The Hon. the Speaker: It is moved by the Honourable Senator Sparrow, seconded by the Honourable Senator Adams, that further debate be adjourned to the next sitting of the Senate. Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: Agreed.

Some Hon. Senators: No.

The Hon. the Speaker: The matter is not debatable so we are ready for the question. I will put the question.

It is the motion of Senator Sparrow, seconded by Senator Adams, that further debate be adjourned to the next sitting of the Senate.

Those in favour of the motion will please say “yea.”

Some Hon. Senators: Yea.

The Hon. the Speaker: Those opposed to the motion will please say “nay.”

Some Hon. Senators: Nay.

The Hon. the Speaker: I believe the “yeas” have it. The motion is passed, on division.

On motion of Senator Sparrow, debate adjourned.

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, items numbered 2, 3 and 24, which appear consecutively on our Order Paper, are pending Speaker’s rulings. I intend to give rulings tomorrow on all three of those matters. There are, in effect, two rulings.

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

Hon. Marjory LeBreton, pursuant to notice of February 12, 2004, moved:

That the Standing Senate Committee on Social Affairs, Science and Technology have power to sit at 3:30 p.m. on Wednesday, February 18, 2004, even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

Some Hon. Senators: Explain.

Senator LeBreton: Honourable senators, this committee has been charged with the responsibility of dealing with the newly numbered bill, Bill C-6. It was previously Bill C-13. On

Wednesday, tomorrow, the first witness before our committee is the minister. It is very difficult to schedule the minister’s time, so I would therefore request that this motion be approved.

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, as is the practice of the house, when a committee has a minister available, we usually grant permission to that committee to sit even though the Senate is sitting. That is why I was happy to second the motion.

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

Motion agreed to.

COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

Hon. Marjory LeBreton, pursuant to notice of February 12, 2004, moved:

That the Standing Senate Committee on Social Affairs, Science and Technology have power to sit at 3:30 p.m. on Wednesday, February 25, 2004, even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, perhaps could I ask for an explanation of this motion as well.

Senator LeBreton: Honourable senators, I do not have another “minister rabbit” to pull out of the hat for the following Wednesday.

• (1700)

As all senators know, this is a very controversial piece of legislation. We have many witnesses who are anxious to appear. It is a heavy workload that the Senate committee is undertaking. We were simply putting this motion down in the hope that the past practice of the Senate would allow us to meet at 3:30 in order to properly schedule all the witnesses who want to be heard on this crucial piece of legislation.

Senator Rompkey: Honourable senators, there have been conversations on both sides and agreement on both sides on the process, and I would support the motion.

Hon. Eymard G. Corbin: I simply ask that all committees be given fair and equal treatment when they request earlier sittings than the adjournment of the Senate. I thought I heard comments to the effect that the regime applicable on Wednesdays would perhaps be changed one way or another. No committee is more important than another. One of the committees on which I sit — the Standing Senate Committee on Foreign Affairs — has often been denied permission to sit before the adjournment of the Senate. I am only asking for equity.

Senator Rompkey: There have been conversations on the Wednesday time of adjournment, honourable senators. I believe very soon we will be making a motion to establish a routine for Wednesdays.

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators will recall that we have tried to deal with Wednesday's adjournment in a variety of ways, having various degrees of success. One formula was that we would simply attempt to finish our work by 3:30, and Senator Robichaud was effective most of the time but it was not an exact science.

Senator Hays, when he was Deputy Leader, had a formula whereby on Wednesdays a motion was deemed to have been made that we adjourn at 3:30 but if there was a vote, we must come back for the vote at five o'clock or 5:30 p.m.

Senator Rompkey and I have been discussing this problem, and it is a problem. We know that it has to be solved because all committees, as Senator Corbin has just pointed out, have the same issue — all those committees, that is to say, that sit when the Senate rises on a Wednesday, but the Wednesday one is special. We should be sitting until six o'clock and coming back at eight o'clock and we sit at 1:30, and the attempt had been to make Wednesday a short day, and then the Thursday sitting at 1:30 has its own history.

The suggestion we have been exploring is whether or not the Hays formula might be tried again, but rather than having the adjournment at 3:30, we make it four o'clock. Therefore if the government brings in that kind of motion, I believe it would find favour on our side.

Hon. Michael Kirby: Honourable senators, I would just say on behalf of Senator LeBreton and myself that if that sort of agreement comes into effect, we would effectively deem this motion to say four o'clock even though it now says 3:30. That is to say, we would not start until four o'clock if that was the agreement between the two sides.

Senator Rompkey: Honourable senators, I want to address Senator Corbin's point because it is an important one. I want to assure him that it is our intention to treat all committees fairly and the discussions have been along those lines. Senator Kinsella has pointed out that four o'clock has been suggested. I think the issue needs a little more discussion before we put it in place but I would hope that we could move quickly on that, and it would have the effect of treating all committees in the same fashion.

The Hon. the Speaker: Are senators ready for the question?

Hon. Senators: Question!

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

Motion agreed to.

BANKING, TRADE AND COMMERCE

COMMITTEE AUTHORIZED TO PERMIT ELECTRONIC COVERAGE

Hon. Richard H. Kroft, pursuant to notice of February 12, 2004, moved:

That the Standing Senate Committee on Banking, Trade and Commerce be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

Motion agreed to.

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Richard H. Kroft, pursuant to notice of February 12, 2004, moved:

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

Motion agreed to.

The Senate adjourned until Wednesday, February 18, 2004, at 1:30 p.m.

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