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THE HONOURABLE DAN HAYS
SPEAKER

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THE SENATE

Wednesday, February 4, 2004

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

Prayers.

SENATORS' STATEMENTS

THE HONOURABLE EDWARD M. LAWSON

WELCOME TO LIBERAL CAUCUS

Hon. Jack Austin (Leader of the Government): Honourable senators, it gives me great pleasure to advise the Senate that British Columbia has a new Liberal senator as of today: Senator Ed Lawson, who was appointed to this chamber in 1970, and I am delighted to have him as a Liberal colleague, someone who can assist in helping to deliver the Prime Minister's promises with respect to Canada's fifth region, British Columbia.

I should like to relate a personal vignette of my experience with Senator Lawson because we do go a long way back. I ran for Parliament in the riding of Vancouver—Kingsway in 1965 and my opponent was Grace MacInnis, the daughter of J.S. Woodsworth, and of course she won. I came in second, however.

I went to Senator Lawson, who was the head of the teamsters in British Columbia, and said, "Is there any way you can help me?" He was kind enough to provide four, 300-pound gentlemen to knock on doors for me. I owe some of my improvement in the Liberal columns to Senator Lawson, though I will never know how much.

I wish to welcome Senator Lawson. I look forward to working with him and the Liberal caucus looks forward to having him with us.

Hon. Edward M. Lawson: Honourable senators, I recall that when Senator Austin asked for help, those involved were not quite 300-pound men, but they were very large teamsters who helped him knock on doors. However, I did tell the men, "When you are with Jack Austin running for election, you knock on the door; you do not knock down the door."

Joining the Liberal caucus is somewhat of a late change after 33 years as an independent. When I came to the Senate in 1970, the government leader was Paul Martin Sr. He took me under his wing. He was a wise counsel, a mentor and very helpful. Everyone knows the kind of parliamentarian he was in the House of Commons and the social legislation that he introduced.

They used to say about Paul Martin Sr. that he was so smooth he could follow a Conservative through a revolving door and always come out first. I think the son is everything the father was and more.

I was impressed with the way the Prime Minister handled himself when he was the Minister of Finance. He was always responsive when I called. For the first time, during the leadership campaign, he spoke about Western alienation being a real concern and said he was planning to do something about it. I went to him and told him that I appreciated his intentions, liked what he was saying and wanted to help. He said that the best way to help would be to join his team.

Senator Austin, Senator St. Germain and I have worked on a number of files about creating and saving jobs in British Columbia. I think that I can accomplish more as part of the Liberal team than I could as an independent, although I will miss sitting alongside my golfing partner, Senator St. Germain.

Hon. Gerry St. Germain: Honourable senators, what a day. Senator Lawson moves over to the Liberals and I move back in with the Conservatives. When we form the government after the next election, believe me, I will look after Senator Lawson as he looked after me.

Honourable senators, I have worked for the interests of British Columbia. I see Senator Austin and Senator Lawson forming a team to better promote the causes of British Columbians and to rid this country of Western alienation.

Liberals have a tendency to make promises, such as those in the Red Books. I want Senator Lawson to deliver on those promises. However, I do know that Senator Lawson has worked for the interests of British Columbia, but I do not know whether he has made the right move here.

I will say that when Senator Lawson was an independent and we played golf, I was always prepared to give him strokes. That has ended. I will give him no more strokes. He will have to play us even, and may the best team win.

Honourable senators, Senator Lawson is a teamster, but the best way to describe the man is as a truck driver with a tie. I wish my friend good luck and I look forward to playing golf with him.

ANNIVERSARY OF RESPONSIBLE GOVERNMENT

Hon. B. Alasdair Graham: Honourable senators, the opening of Parliament is always a day filled with ceremony and beautiful traditions, as we saw here on Monday. It is an important time to reflect on the privilege of serving in this chamber, of the high responsibility of public service and the challenges that lie ahead.

February 2 is also a very special day in our history. It marks the one hundred and fifty-sixth anniversary of the triumphant achievement of responsible government, a moment of great meaning in the evolution of the social and political fabric of our treasured Canadian democracy.

• (1340)

[English]

On February 2, 1848, the foundations of our rich civil society were formally enshrined in the legislature of the united Canada of the time. Those foundations had been conceived in the passion and commitment of two uniquely talented reformers from French and English Canada respectively, Louis-Hippolyte Lafontaine and Robert Baldwin, both statesmen who ensured the peaceful transfer of power from the colonial elites to the Canadian people.

In my part of the world, just a few weeks before the Baldwin-Lafontaine triumph in Ontario and Quebec, the brilliant Joseph Howe engineered the reform movement that won the first responsible government in Canada..

This year marks the two-hundredth anniversary of Howe's birth. Many honourable senators will know that the courageous struggle for a free and unfettered press that he led in the 1830s caused the colonial elites to attempt to ruin him through criminal libel charges. In a Halifax court, Howe defended himself in a remarkable six-and-one-half hour speech, which would be interesting reading for all honourable senators and for all students of Canadian history today.

At one point in that speech, Howe said:

My public life is before you. And as a journalist, the only questions I ask myself are, What is right? What is just? What is for the public good?

Honourable senators, as we meet in the dawn of a new session of Parliament, we reflect on the spirit of the great reformers of 1848. They helped formulate the first principles of our Canadian identity. Those first principles were all rooted in answers to questions that Joseph Howe had posed in his spirited defence a long time ago.

Honourable senators, as we begin this session, as we chart the difficult seas ahead, we would be wise to remember Joseph Howe's words. The engine of our dedication was and shall always be the public good. Our navigator was and always will be what is right. Our North Star now and forever must be justice. That is the way of our ancestors, that is the way of generations past, and that will and must always be the way of this and generations yet to come.

DONNA L. ROUTLIFFE

CONGRATULATIONS ON THIRTY YEARS OF SERVICE

Hon. Colin Kenny: Honourable senators, I rise not to celebrate a two-hundredth anniversary but a thirtieth anniversary of a person who is important in my life and in the operation of my office. I speak of Donna Routliffe, whom many of you may know. Donna first worked here for Louis Robichaud, for a decade, and has been a faithful servant of the Senate for 20 years with

me. She is remarkable in the way she organizes my office and keeps the show on the road. She makes a huge difference in terms of the work of my office — and, in fact, I think, of the offices of most people on that floor of the Victoria Building.

This is an opportunity for me to say thank you publicly to her for her help and loyalty and, above all, for putting up with me for the last 20 years — quite an achievement.

Hon. Senators: Hear, hear!

BLACK HISTORY MONTH

Hon. Donald H. Oliver: Honourable senators, I wish to take this opportunity to add to the comments I made yesterday. I am honoured to speak again this year about the importance of Black History Month in Canada. Black History Month is more than just a celebration and more than just learning about history. It is about claiming the rights of Black Canadians as equals in society.

In North America, we have recognized Black history annually since 1926, first as Negro History Week and later as Black History Month. The reason it is so important is that Black history had barely begun to be studied or even documented when the tradition was originated.

Blacks have been in Canada for hundreds and hundreds of years, but it was not until the 20th century that we began to gain a respectable presence in our history books. As honourable senators will know, we owe the celebration of Black History Month, and indeed the study of Black history, to Dr. Carter G. Woodson. He was born to parents who were former slaves and spent his childhood working in the Kentucky coalmines. He enrolled in high school at the age of 20; he later graduated from Harvard with a Ph.D. He was an outstanding and distinguished scholar and was disturbed to find that history books largely ignored the Black American population.

Dr. Woodson chose the second week of February for Negro History Week, as it then was, because it marks the birthdays of two men who greatly influenced the Black American population, namely, Frederick Douglass and Abraham Lincoln.

You may ask, in the year 2004, why it is necessary to devote an entire month to the promotion of one group — Black people in Canada. The answer is that we still have a long, long way to go. Even now in our cities, racial profiling is a flash point between law enforcement officers and Blacks. As you know from the remarks I made under Senators' Statements yesterday, in Halifax and in Toronto, Black men complain frequently of being stopped more than others by police, and it is often because of racism and discrimination.

Honourable senators, I raise the issue of the reasons for celebrating Black History Month in the Senate each year because it is my belief that you, too, can help obliterate racism. Our diversity is what makes Canada strong, and anything you can do to help promote equality for all will strengthen our great country.

TRIBUTE

THE HONOURABLE JACK WIEBE

Hon. Joyce Fairbairn: Honourable senators, first, I also wish to welcome an old friend, Senator Lawson, to this side of the house.

It is about time, Senator Lawson. I am very pleased to have you here.

Today, I should like to do what others did yesterday, that is, pay tribute to another colleague who, to me, was among the finest, the kindest and the most honourable ever to have served in this chamber during the almost 20 years that I have been a senator. I am speaking, of course, of Senator Wiebe, who has left this place having spent three outstanding years as a senator from Saskatchewan.

As we all know, Jack rose to extraordinary heights in the public life of his province — from being a member of the legislature in Saskatchewan to becoming the lieutenant-governor of that province. He served with all the major agricultural boards and committees, and was loyally involved with our Armed Forces, becoming an honorary member in recent years.

However, Jack Wiebe never moved an inch from his roots as a farmer. He was a grain farmer and then moved into the livestock business. As a member of the Standing Senate Committee on Agriculture and Forestry for many years, I can say that he has been one of the most outstanding representatives of our very important agriculture industry, which at this time is at such risk in Western Canada.

Jack is on top of the world in terms of titles. However, in looking through his history, I learned that he has also been honoured as a member of the Royal Regina Golf Club, as an honorary member of the Saskatchewan Curling Association, as an honorary member of the Saskatchewan Commissionaires, and with the Master Farm Family Award. Senator Wiebe never left his people or his roots. We will miss him more than one can imagine in our work on agriculture at this difficult time.

However, Jack's beloved wife, Ann, knowing that there is a big world out there, believes that she, Jack and the family had better take some time to investigate it. We all wish Jack and Ann and the family the greatest happiness in the future.

I know that my friend Senator Banks will miss Jack Wiebe a great deal. I will always remember the two of them telling me that they were leaving the building "for a breath of fresh air." I knew perfectly well that they were going out for a puff. I was never able to persuade Jack that smoking was his sole weakness and that he should get rid of it.

Honourable senators, we will have wonderful memories of a wonderful contribution by a wonderful man.

• (1350)

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I would like to draw your attention to the presence in our gallery of two special guests. They are Ms. Ed Lawson and Donna Routliffe, who have a special interest in today's proceedings.

Welcome.

[Translation]

ROUTINE PROCEEDINGS

HUMAN RIGHTS COMMISSION

REPORT ENTITLED "PROTECTING THEIR RIGHTS: A SYSTEMIC REVIEW OF HUMAN RIGHTS IN CORRECTIONAL SERVICES FOR FEDERALLY SENTENCED WOMEN" TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table the report of the Canadian Human Rights Commission entitled: "Protecting Their Rights: A Systemic Review of Human Rights in Correctional Services for Federally Sentenced Women," in accordance with the Canadian Human Rights Act.

[English]

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

REPORT PURSUANT TO RULE 104 TABLED

Hon. Lorna Milne: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Committee on Rules, Procedures and the Rights of Parliament. 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. 37.)

[Translation]

CRIMINAL CODE

BILL TO AMEND—FIRST READING

Hon. Jean Lapointe presented Bill S-6 to amend the Criminal Code (lottery schemes).

Bill read first time.

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

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

[English]

REPRESENTATION ORDER 2003 BILL

FIRST READING

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): presented Bill S-7, respecting the effective date of the representation order of 2003.

Bill read first time.

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

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

[Translation]

NEED FOR COMPREHENSIVE WHISTLE-BLOWING LEGISLATION

NOTICE OF INQUIRY

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, I give notice that on Tuesday next, February 10, 2004:

I shall call the attention of the Senate to the weakness contained in the report released by the Honourable Denis Coderre entitled: *Report of the Working Group on the Disclosure of Wrongdoing* and the need for comprehensive whistleblowing legislation.

OFFICIAL LANGUAGES

BILINGUAL STATUS OF CITY OF OTTAWA—PRESENTATION OF PETITION

Hon. Jean-Robert Gauthier: Honourable senators, I have the honour to present 1,000 petitions today. You are familiar with the subject. In my view, petitions are important because they are democratic tools to express the wishes of the public. The petitioners — there are some 1,000 — call upon Parliament to recognize Ottawa, Canada's capital, as a bilingual city.

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 of Canada;

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 English or French;

That Ottawa, 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, the 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.

Honourable senators, I could read all 1,000 petitions, but I would not want to try the patience of my honourable colleagues. I believe that everyone understands the importance of these petitions.

[English]

QUESTION PERIOD

JUSTICE

INVESTIGATION INTO MAHER ARAR CASE—SEIZURE OF JOURNALIST'S DOCUMENTS—COMMENTS BY PRIME MINISTER

Hon. A. Raynell Andreychuk: Honourable senators, I wish to return to the Maher Arar case, which I am sure will not surprise the Leader of the Government in the Senate.

It has been 24 hours since I asked my first question concerning this case. At that time, Senator Austin replied by stating that he believed the Prime Minister was giving Ms. O'Neill the benefit of the doubt, that a person is innocent until proven guilty and that the Prime Minister indicated she was not a criminal, meaning not a criminal at that point. I am sure that since I asked my question yesterday Senator Austin has had an opportunity to investigate this issue. Was that the interpretation the Prime Minister was inviting us to take from his statements, or was he saying that he believed a reporter in that situation is not a criminal?

Hon. Jack Austin (Leader of the Government): Honourable senators, I can add nothing to my answer of yesterday. I believe it was complete and accurate.

Senator Andreychuk: Honourable senators, I believe Senator Austin indicated that this was not a particular question he had taken up with the Prime Minister. Has the Leader of the Government had the opportunity to clarify so that we may have a definitive decision? Was the Prime Minister indicating that he believed reporters in such situations should not be subjected to that type of search, or was he simply commenting that she is not a criminal because due process has not taken place, which leads me to believe that she was properly under investigation and warrant?

Senator Austin: Honourable senators, I will endeavour to make the necessary inquiries. I was of the belief that Senator Andreychuk was comfortable with my answer of yesterday. I see she is not. As such, I will make further inquiries.

• (1400)

REVIEW OF SECURITY OF INFORMATION ACT

Hon. A. Raynell Andreychuk: I have a supplementary question. I certainly was comfortable with the honourable senator's answer; it is the Prime Minister's answer that I am having difficulty with.

It has come to my attention that someone in the government is looking at, or preparing an amendment to, the section of the Security of Information Act that I referred to yesterday. My question to the Leader of the Government in the Senate is this: Is there an ongoing review or a departmental policy at this time to amend that section in the Security of Information Act? If so, who is the lead minister?

Hon. Jack Austin (Leader of the Government): Honourable senators, I thank the honourable senator for her clear question. I shall endeavour to make the appropriate enquiries to provide as clear a response as possible.

REVIEW OF ANTI-TERRORISM ACT

Hon. Gérard-A. Beaudoin: Honourable senators, I have a supplementary question in respect of the Arar case. When a special committee of the Senate considered Bill C-36, which was enacted as the Anti-terrorism Act, many of us on the committee knew well at that time that it would be difficult to legislate and to draw a line between security of the people and respect of individual rights under the Canadian Charter of Rights and Freedoms. This is why, in our deliberations of Bill C-36, we discussed at length the issue of sunset clauses, oversight and review.

My question for the Leader of the Government in the Senate is this: Is it not mandatory to come back to the fundamental question of disclosure of information and be ready to legislate now? The Arar case is the perfect example of law in the making. I am not surprised at all. Independent of the inquiry now established, we should re-open the discussions that took place in the study of Bill C-36 in respect of the Anti-terrorism Act. Is the government ready to do that?

Hon. Jack Austin (Leader of the Government): Honourable senators, it is my information that the legislation to which the honourable senator refers has a sunset provision, which takes effect at the end of this year. I believe the government will undertake, if it has not yet undertaken, a study of that legislation and will have further proposals to make.

Senator Beaudoin: Honourable senators, it is true that the review clause applies to December of this year. However, I think discussions should take place during this third year, before December, because it is important. There may be an inquiry and it may be useful, but the Charter of Rights and Freedoms exists and we must comply with it. We may have to wait six or eight months for the inquiry to be completed, whereas the Charter is in place now. Either the Legal and Constitutional Affairs Committee or another committee should look at this legislation.

We have to do something, because section 8 of the Charter provides the right to be secure against unreasonable search and seizure. What happened to Mr. Arar, *prima facie* at least, was not

reasonable. We are in the third year, to which the review clause applies, so why must we wait until December? Why not review this fundamental question right away? At least we would be doing something about this issue. I do not think an inquiry will solve all the problems in this instance.

We cannot escape studying this issue in the Legal and Constitutional Affairs Committee or in the Senate in light of the review clause. We knew when we studied Bill C-36 that we would have to return to the issue, which is why we included a three-year review.

Senator Austin: Honourable senators, I think Senator Beaudoin's points have to be given the most serious consideration. I cannot imagine a situation whereby a process would not be put in place to examine the operation of the current legislation and to make recommendations to Parliament with respect to an ongoing regime. I shall make enquiries and advise the honourable senator as soon as I am in a position to do so.

Senator Beaudoin: Honourable senators, if I may, the third point is this: We have given more power to the police, and I understand that, and more power to the Attorney General. However, we escaped the question of a possible recourse in the courts. I have always said that this is difficult because the best way to respect the Charter of Rights is to give a right of appeal to the judicial branch of the state and to not leave that available only to the executive branch or to the legislative branch. I hope it will be considered as soon as possible.

PRIME MINISTER

REPORT ON FORMER PRIVATE BUSINESS DEALINGS WITH GOVERNMENT Tabled IN THE HOUSE OF COMMONS

Hon. Marjory LeBreton: Honourable senators, my question is for the Leader of the Government in the Senate. Yesterday, the Prime Minister responded to a question from the Leader of the Opposition in the House about government contracts in the amount of \$161 million received by Canada Steamship Lines, CSL. The Prime Minister said: "I have not been involved in the company for some 15 years."

Could the Leader of the Government in the Senate tell us why the Prime Minister met with the trustees of his blind management agreement for regular briefings on CSL if he was not involved in the company?

Hon. Jack Austin (Leader of the Government): Honourable senators, I am sure there will be a long list of questions in this respect.

Senator Lynch-Staunton: How about answers?

Senator Austin: Honourable senators, I would ask the front row of senators to allow me to respond to the senator sitting behind. Senator LeBreton deserves respect for her question, and I am hopeful that honourable senators will give her that respect.

Senator Nolin: I want to respect your answer.

Senator Austin: If the honourable senator would give me an opportunity, I will respond.

Honourable senators, the Prime Minister made it clear that the system under which his assets in CSL were placed in trust was under the administration of Mr. Howard Wilson, the Ethics Counsellor. The rules laid down with respect to cabinet ministers were the responsibility of former Prime Minister Chrétien. Cabinet ministers must always be the responsibility of the Prime Minister. Mr. Martin complied with the rules that applied to him.

MEETINGS WITH ETHICS COUNSELLOR ON BLIND TRUST

Hon. Marjory LeBreton: Honourable senators, I have a supplementary question. Last summer, I filed an access to information request with the Ethics Counsellor respecting the number of meetings held between the Ethics Counsellor and Mr. Martin about the holdings in his blind management agreement. The Ethics Counsellor provided documentation that showed a number of meetings between the then Minister of Finance and his trustees. The Ethics Counsellor also said that Mr. Martin was allowed to receive regular updates about major new CSL ventures.

Does the Leader of the Government in the Senate not agree that regular updates on and meetings about a person's holdings constitute an involvement in the company?

Hon. Jack Austin (Leader of the Government): Honourable senators, Mr. Martin, as Minister of Finance, complied with the code of conduct rules laid out by Mr. Chrétien — and that is not in doubt. Mr. Martin has also said that perhaps those rules need to be reviewed, in the light of experience. I suppose Senator LeBreton and I could agree that further attention to those rules would be desirable. The rules put in place by the Prime Minister in respect of this government have been tightened. I would be happy to provide the honourable senator with a copy of those rules, if she has not yet studied them.

• (1410)

Senator LeBreton: Honourable senators, the Leader of the Government in the Senate should perhaps speak with the Prime Minister about his choice of words when he makes the claim — erroneously, according to my contact with the Ethics Counsellor — that he has not been involved with the company for 15 years, when that is clearly not the case.

Hon. Gerry St. Germain: Honourable senators, I forewarned Senator Austin that I would ask a question, but I did not realize there would be a question on ethics. I truthfully did not know, but I do now.

Senator Austin, as Leader of the Government in the Senate, is telling honourable senators that when he was a cabinet minister — and when I was a cabinet minister — we had blind trusts. Have I heard him correctly? Has he now said that Howard Wilson, the Ethics Counsellor, set the rules in regard to blind management agreements and trustee meetings between cabinet ministers?

When I was in cabinet, there was no vision. It appears that the blind trusts set up under Prime Minister Chrétien and Mr. Wilson had 20/20 vision. What is wrong? In taking on the responsibilities of ministers of the Crown, most of us have lost a considerable amount of money as a result of blind trusts. The Leader of the Government is telling us that Mr. Wilson and Prime Minister Chrétien set the rules and adjusted them so that ministers could meet and discuss the goings on of their businesses. Is that what the honourable senator is telling this place and telling Canadians?

Senator Austin: Honourable senators, I, too, recall the costs of blind trusts for a member or senator in cabinet. I could not agree more completely with the honourable senator with respect to the cost to individuals in cabinet. It is often the case that those assets are not administered the way in which the individual might want them to be. It is one of the costs of public service.

When Mr. Martin was Minister of Finance, I can only advise honourable senators that he was permitted to receive certain information in the presence of the Ethics Counsellor so that anything that might have been conveyed about his assets in a blind trust was conveyed in a way consistent with the rules of that blind trust.

Senator Kinsella: What does that mean?

Senator St. Germain: Does it mean that, although his corporations are in a blind trust, in the presence of the Ethics Counsellor he can hear everything that is going on with his businesses and can carry on with his ministry and make decisions that may benefit his corporations as a result of being the Minister of Finance?

The Leader of the Government says that things have been tightened up under the new administration. If this is true, why not just close the door on this practice and establish something else so that we do not have a lapdog Ethics Counsellor? We would then have a situation where a minister could do his job and could not in any way, shape or form benefit his corporations by virtue of his position as a minister of the Crown. Why can the Leader of the Government in the Senate not stand up and say that we will shut the door and go back to the way it was when he and I were ministers, and not have this Jean Chrétien flim-flam or swinging door policy? Under the leadership of my honourable friend, we could do a lot better.

Senator Austin: Honourable senators, it is very clear that British Columbia senators like to present their points with vigour and the answers, I hope, with accuracy and clarity.

First, I want to take the question apart a bit. There is no accusation anywhere that Mr. Martin benefited in any improper way in his role as Minister of Finance. I know that the honourable senator did not mean it, but I want to be clear that we are talking about standards, not the behaviour of Mr. Martin or of the Ethics Counsellor.

Second, I want to ask the honourable senator as a businessman — because he was a very successful businessman and is regarded as such in British Columbia — whether he wants to bar from public office people who have been successful in business life? If he does not, there must be a careful analysis of what should be expected with respect to the management of assets in a blind trust. That issue is relevant and a review of those standards is appropriate.

Third, I am pleased to hear how concerned the honourable senator is about standards of ethics and codes of conduct, and I see him creeping very close to supporting Bill C-34. I hope to push him over the edge.

Senator St. Germain: Honourable senators, if my words came out in an enthusiastic way, I never meant to accuse Mr. Martin of having benefited. However, given that he may have benefited or could have benefited, I think Canadians deserve better. Canadians deserve a scrutiny of ethics that leaves no doubt. I am not standing here accusing anyone, but the fact that he may have or could have benefited sells Canadians short on what they deserve as far as ethics are concerned.

The honourable senator protects the Ethics Counsellor. I question anyone who would try to protect the Ethics Counsellor and the way he has conducted matters based on the historical past of the other place and this place as far as cabinet ministers are concerned.

With regard to barring businessmen from public office, I entered politics and it cost me a lot. However, I have no regrets. This is the price one pays to serve one's country. I know there will always be good business people. I do not think we should hide behind that.

I ask again: Is the government prepared to shut the door as opposed to tightening things up?

Senator Austin: Honourable senators, I want to be clear in my agreement with Senator St. Germain that the integrity of government and the integrity of members of Parliament is absolutely paramount to the way our system works. I concur with the honourable senator that standards must be reviewed and revisited in light of the experience that we have had here.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I would like to draw your attention to the presence in our gallery of guests. They are Chief Abraham Rupert of the Cree Nation of Chisasibi from the James Bay region of Quebec and his economic and housing officers.

• (1420)

PRIME MINISTER

MEETINGS WITH ETHICS COUNSELLOR ON BLIND TRUST

Hon. Pierre Claude Nolin: Honourable senators, we will get back to the real question. My question is directed to the new leader of the old government. I congratulate him on his appointment.

[Senator Austin]

The first question has not been answered. The leader alluded to all kinds of good things such as integrity and transparency. The real question is integrity not only of members of Parliament and members of this house, but also of Parliament itself. Did the Prime Minister mislead Parliament and the country yesterday when he said that for the last 15 years he has not been involved? Everyone knows that he received briefings on the evolution of his supposedly blind trust. That is the real question. Did he mislead Parliament and the country?

Hon. Jack Austin (Leader of the Government): Honourable senators, the answer is a categorical no; he has not misled Parliament or the country. The Prime Minister was not involved in the management of CSL, and he excused himself from any issues related to the management of CSL. That is clear and he has made it clear. I will not admit to the reality of any suggestion that the Prime Minister has in any way done anything incorrect.

Senator Nolin: What does the word “involvement” mean to the government leader and to his government? I would ask him to be honest with us and with Canadians. For ordinary Canadians, being involved means being in charge. Tell us what “involved” means.

Senator Austin: I would appeal to all honourable senators, but particularly to senators on the other side, either to maintain courtesy and comity toward individuals, as our rules require, or to make charges against someone for breaching the rules. If Senator Nolin wants to make a charge against the Prime Minister, I invite him to do so under the usual procedures.

[Translation]

Senator Nolin: I withdraw the offensive remarks.

[English]

I still want to know what it means to be involved.

Senator Austin: Honourable senators, it does not mean to have a role in any decision-making process with respect to one's personal assets.

Hon. David Tkachuk: Honourable senators, Senator LeBreton asked, “I wish to request all records relevant from 1993 to 2002 relating to all meetings held by the Honourable Paul Martin with respect to holdings held in a blind management agreement on file with the Office of the Ethics Counsellor.” They had 19 meetings, of which Mr. Martin participated in 16. If he was not involved, and he had nothing to do with the management, what on earth were they meeting about?

Senator Austin: Honourable senators, under the rules that were laid down by Prime Minister Chrétien, and administered by Mr. Wilson, it was possible for Mr. Martin to be given certain information with respect to his company in the presence of Mr. Wilson, the Ethics Counsellor. I was not a party to those

meetings. I do not know what information passed between them. If further information is sought and Senator LeBreton is not able to be satisfied, I will do whatever I can to assist in knowing what took place. However, I believe that the information with respect to those meetings is considered private and not available to Parliament under those rules.

Senator Tkachuk: Honourable senators, if Mr. Martin was being briefed — I am not sure if that is the right word — or given information as to what was transpiring in his company, surely the question of \$161 million in contracts versus \$137,000 in contracts would be relevant in the briefing. We are talking about the Minister of Finance here, not someone unacquainted with numbers. If he was being briefed on matters that had to do with potential conflicts of interest, he would have had a good idea of how much business his companies had received.

Senator Austin: Honourable senators, I cannot speculate as to what might have taken place in those meetings. All I can tell senators is that the Prime Minister has advised that he was not involved in any decisions with respect to the running of CSL while he was Minister of Finance.

Senator Tkachuk: He would have received CSL Group financial statements in April/May 1994. If he did, then he would have been receiving financial statements that were conveniently blocked in all the other meetings. However, I would guess that if he received financial statements one year, he would have received financial statements every year; therefore, when the government revealed the figure of \$137,000, he knew it was \$161 million, or he should have known.

Senator Austin: That is leaping far into unknown destinations. I absolutely refute the logic that Senator Tkachuk is trying to develop here. I can tell him that everyone who has a blind trust is advised periodically of the value of the assets within the blind trust.

Senator Kinsella: What is “periodic”?

HEALTH

AVIAN FLU—DEPLOYING OF SCIENTIFIC AID TO ASIA

Hon. Wilbert J. Keon: Honourable senators, I have a question for the Leader of the Government in the Senate. First, allow me also to congratulate him and his leadership colleagues on their appointments.

The World Health Organization has warned that an outbreak in Asia of avian flu, or bird flu, may pose more of a threat worldwide than did the SARS outbreak. Ten Asian countries have reported incidents of bird flu in poultry, and millions of chickens have been either killed by the disease or slaughtered. Fifteen people have died to date, mostly from direct contact with infected chickens, but cases of human-to-human transmission of the disease are being investigated.

Two Health Canada officials are currently in Thailand, but the WHO has asked Canada and other countries to send more help. Could the Leader of the Government in the Senate tell us if Canada will send more scientific expertise to Asia to help contain this disease?

Hon. Jack Austin (Leader of the Government): Honourable senators, Senator Keon asks a question on a very important matter of global health. As he well knows, there are real concerns about an avian flu pandemic. Much scientific information is not yet at hand but is being worked on very aggressively, and Canada is participating in that process. I cannot tell the senator who has been sent or who has been requested to be sent at this stage, but I will look into the matter quickly and try to provide further information on the degree of participation in the global efforts of the World Health Organization.

ORDERS OF THE DAY

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY— DEBATE SUSPENDED

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.—(*1st day of resuming debate*)

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, may I first say to His Honour how pleased I am to see him continue in the role that he carries out here, not only with competence but often with a patience that would try many others. As the fourth-ranking official in the Table of Precedence, he is called upon to represent the government at the highest levels, both in Canada and abroad. This can be most demanding, and he is to be commended for how well he carries out these responsibilities with, he will be the first to agree, no small assistance from his charming wife Kathy.

• (1430)

[Translation]

I would also like to congratulate Senator Pépin on her reappointment to the position of Speaker *pro tempore*, a role she performs with distinction.

[English]

I welcome colleagues who have been named to the government leadership and congratulate them warmly on their appointments. Perhaps I should not point this out, but this is the fifth government leadership team since 1993 faced by the opposition. I can assure its members we will react to them and to their initiatives with the same open-mindedness and objectivity as we have in the past.

Senator Carstairs: Nice try.

[Translation]

Senator Lynch-Staunton: The role of the opposition in the Senate is not to oppose for the pure pleasure of it. When the opposition opposes, it does so knowing that the elected representative is entitled to the last word. Meanwhile, the elected representative is too often constrained by certain pressures that do not always allow him to take a position other than the one imposed on him. The new Prime Minister has repeatedly promised to let members of the House of Commons think and decide for themselves, something which they have not been allowed to do for far too long. Time will tell. In the meantime, the Senate must continue giving everything a sober second look, scrutinize each bill submitted to it, and make any amendments it deems appropriate in order to improve legislation.

I would like to remind this house that, contrary to the 1980s, when the opposition systematically fought every controversial government bill simply to make things difficult — we will not soon forget the infamous so-called debate on the GST — the opposition that I lead has always been respectful of the decisions of the House of Commons, whether or not it agrees with them and even when it formed the majority.

Only two bills were targeted for unconditional defeat: the Pearson bill and the legislation to delay the electoral boundary redistribution process until after the 1997 election. Why? Because these two bills were clearly unconstitutional.

I can assure our colleagues opposite that the word “obstruction” is not part of our vocabulary. Any opposition to legislation will continue to be based on sound arguments, as will any amendments put forward. We expect this government not to be so blinded by its overwhelming majority that it thinks it can do as it pleases. No parliamentary system can function properly if the opposition is not recognized as playing a crucial role and efforts are made to thwart it, which has happened far too often recently.

[English]

The mover and the seconder of the Address in Reply to the Speech from the Throne are to be commended in their brave attempts to continue the charade that the text, embarrassingly imposed on the Governor General, continues in the tradition of throne speeches when in fact it is nothing more than a Liberal Party manifesto delivered and distributed at public expense. It is but another crass use of Parliament and the public service as allies, willing or not, in pre-election preparations that date back to one phone call to convince Elections Canada that the new electoral map, which, by law, comes into effect on August 25 of this year, can be ready for implementation any time after April 1.

In November, the Prime Minister prorogued Parliament with a great deal of important legislation yet to be voted on. What matter bills on subjects such as increasing penalties to better protect animals from cruelty, enhancing anti-terrorist measures,

adding penalties for those who set traps that might injure or kill policemen or firefighters or putting in place a registry of sex offenders — to name but a few bills that the government killed through prorogation?

What matter the important business of the nation as compared to the need to avoid having a former Prime Minister sit in the House only a few seats away from his successor who, for over 10 years, had relentlessly campaigned to replace him?

Of course, it was convenient to blame the Senate for holding up legislation and even, according to some, for killing bills. What an affront, people said, to the elected House. The reality is that the Senate did no such thing. The Senate was quite willing, and indeed had been scheduled, to return after the Remembrance Day break and continue its work. Certainly, those in opposition repeatedly urged this. Nevertheless, it was more important for the Liberal Party to avoid having Messrs. Martin and Chrétien in the same room following the artfully crafted Liberal leadership love-in, and Parliament was prorogued by PMO fiat.

I can recall no greater use of Parliament for partisan purposes than what has been going on in the last year, and to describe treating the democratic process so shabbily as an affront to the Canadian people is too kind, to say the least.

Now, after a three-month hiatus, we have before us a so-called Speech from the Throne, mere weeks from an election, providing the government succeeds in its announced intention to tamper yet again with the Electoral Boundaries Redistribution Act to meet its partisan political objectives.

Throne speeches are intended to outline the government's agenda and are looked to for fresh, innovative recommendations in the form of immediate legislation. What we can expect, instead, are a few bills from the last session to be pushed through by Easter or just before an election is widely expected to be called, while other bills will not even get close to Royal Assent and will conveniently fall off the Order Paper — preferably the Senate's, so that we can once again be blamed for “killing” legislation — when Liberal Party strategists order a dissolution of Parliament in early April.

For nearly a year, Mr. Martin has made it known that, as Prime Minister, he would not call an election unless a new electoral map were in place, a map that adds seven new seats to the House of Commons — three in Ontario, two in Alberta and two in British Columbia. Not long after these public musings, one of his political advisers telephoned the Chief Electoral Officer to enquire if the new boundaries could come into effect earlier than the current law provides — that is, on August 25, 2004. Lo and behold, the Chief Electoral Officer let it be known that everything could be in place for any election held after April 1 this year as far as Elections Canada was concerned.

Senator LeBreton: Got a job for his son.

Senator Lynch-Staunton: Preparations to meet this new deadline were begun immediately, not only without any public consultation to ascertain whether this would cause any problems with other political parties, independent candidates and others directly involved in the electoral process, but, even more startling, without any specific legislative authority, which the Chief Electoral Officer himself stated was required in a news release dated August 25, 2003, in which it is said:

The new boundaries will be in force upon the first dissolution of Parliament that occurs at least one year after the day on which the proclamation was issued. If Parliament is dissolved for a general election within that one-year period, the existing electoral boundaries will be used. This period of time can be altered only through a legislative amendment.

Yet, less than three months later, on November 12 to be exact, only four days after the Senate had adjourned with Bill C-49 still on its Order Paper, the Chief Electoral Officer in a press release stated:

Elections Canada is ready to conduct a general election under the 301-seat scenario and continues to prepare for a general election under the 308-seat scenario for April 1, 2004.

Should the government reintroduce Bill C-49, the minister responsible and Elections Canada hopefully will satisfy Parliament that preparing “for a general election under the 308-seat scenario for April 1, 2004” was not the result solely of a telephone call from a close supporter of the Prime Minister.

The Electoral Boundaries Readjustment Act has been in place since 1964. It was one of the many great initiatives of Prime Minister Pearson. He introduced it to put an end to gerrymandering by office-holders. The one-year delay from the time the redistribution is proclaimed to its coming into effect is meant to give to all involved in the federal election process adequate time to adjust to the revised electoral map.

If there is one law that must be immune from amendments for strictly partisan purposes, surely it must be this one. Yet, for the Liberal Party — which treats the House of Commons as a compliant, majority-owned subsidiary available to pass legislation favourable to its efforts to remain in office — no law is immune to any change of which the immediate purpose is political advantage.

In 1994 and 1995, the Liberal government tried twice to amend the Electoral Boundaries Readjustment Act to delay redistribution based on the 1990 census until after the 1997 election. A number of newly elected Liberal members in Ontario were surprised and annoyed when they discovered that they might be disadvantaged by the new electoral boundaries. As one Liberal MP put it:

I worked twenty years to get here. Within two months I lost my seat, which is not fair.

This shameless and shameful attempt at manipulating legislation for partisan purposes only failed because the Progressive Conservative opposition in the Senate stepped forward to protect the integrity of the electoral process and did not hesitate to use delaying tactics to effectively kill it. Should this Liberal Government persist in its efforts to bend electoral laws to its partisan advantage by reintroducing Bill C-49 in this session, a bill which brings the new electoral map into effect earlier than the law currently permits for the next election only, hopefully the Senate will be as adamant and principled in its stand as it was then.

• (1440)

Furthermore, if the Prime Minister is serious in addressing what he calls a democratic deficit, let him begin by recognizing that Parliament is based on the party system and that it cannot function properly unless there are at least two political parties recognized as worthy of consideration to form a national representative government. The Conservative opposition, fractured as it was, has only itself to blame for Canadians' refusal in 1997 and again in 2000 to accept either of its separate parts as deserving of enough support to win a majority. Now, since early December, all this has changed with the merger leading to the founding of the Conservative Party of Canada. Surely, even those who do not support the new entity will find it crass, to say the least, for the Prime Minister to call an early election to take advantage of the fact that the main opposition party is still in a formative stage. To do so would only worsen the democratic deficit, and any attempt to differentiate himself from his predecessor, for whom election victories were all that mattered, will be for naught.

Meanwhile, we continue to witness election preparations in the form of straight-faced ministerial announcements that are nothing other than poorly camouflaged Liberal Party strategy.

The Chrétien government sloughed off to its successor any decision on same-sex legislation by conveniently asking the Supreme Court for constitutional guidance. But, horror of horrors, the Supreme Court let it be known that its opinion might be ready by mid-April. The subject is controversial enough as it is, but to have the Supreme Court's opinion make it even more so during an election campaign is simply not acceptable to the Liberal Party. What better way to postpone the opinion than by throwing another question into the mix, as the Minister of Justice did last week — the same Minister of Justice who, as a backbencher, would have been appalled at making the Supreme Court an unwitting partner in pre-election preparations, not to say offended at the cowardice of the government in not taking the initiative itself.

For months, there has been a widespread call for a public inquiry into what is known as the Arar case. Both Mr. Chrétien and Mr. Martin repeatedly saw no need for one until the RCMP search of the office and home of a newspaper reporter. Mr. Martin, never one to miss an opportunity to ingratiate himself with the press, leapt to the reporter's defence, assured Canadians that she was not a criminal, and showed concern with

how the RCMP conducted itself, yet at the same time pleading complete ignorance of RCMP activities. Had he shown the same anxiety over a similar well-publicized search of the home of the former Premier of British Columbia, as well as another equally publicized search of the home of the former President of the Business Development Bank of Canada, Mr. Martin at least would have been consistent in his thinking. As it is, publicly undermining the RCMP to cozy up to the press is simply appalling and casts a long shadow over our national police force, which, whatever its faults, should not have to suffer the humiliation of being publicly reprimanded by a Prime Minister who vainly tried to remove himself from the debate by saying, "I just don't know enough about this case to comment further."

Seeing that the Arar situation was getting out of hand and to try to avoid allowing it to become a subject of questioning in Parliament — or, even worse, an election campaign issue — a public inquiry suddenly became very convenient. The Solicitor General dutifully announced one last week, but, unlike at the time of the announcement of other inquiries and commissions of the sort, she was unable to be anything but vague with regard to the inquiry's work, admitting that "the details of the terms of reference will be finalized in consultation with Mr. Justice O'Connor and made public upon completion." How convenient! By the time Mr. Justice O'Connor gets down to work, Liberal Party wizards are certain that the spring election they are counting on will be history; meanwhile, any question here or in the other place on the Arar matter will be considered unacceptable since it has been referred to a public inquiry under the Inquiries Act.

What a cowardly contrast with British Prime Minister Tony Blair, who, when confronted with serious accusations surrounding the Kelly affair, did not hesitate to appear himself before a parliamentary committee, as did the Minister of Defence and a number of senior government officials. With doubts still lurking, Prime Minister Blair then appointed a distinguished jurist to go into all aspects of the affair with a firm hand. The point is not that the Hutton report exonerated Mr. Blair; it is that Mr. Blair did not try to hide behind a public inquiry, as does Mr. Martin, but confronted the issue head on, which Mr. Martin is refusing to do. The Hutton report is controversial, more than one person calling it a "whitewash," but it is being debated in the British Parliament this week.

The main purpose of the speech is to continue the myth that a new Prime Minister means a new government. Certainly, today, nothing could be further from the truth. Mr. Martin was a senior minister in the Chrétien government for nine years and three elections, endorsing every piece of government legislation and tolerating every government scandal. To attempt to detach himself from that of which he was such an integral part for so long is the height of flim-flam. A co-author of the 1993 Liberal Red Book calling for the end of the GST, as Minister of Finance he relied on the GST as a key contributor toward balancing the books. When the RCMP apologized to Brian Mulroney for wrongly accusing him of engaging in criminal activities, as the Department of Justice did in a letter to Swiss authorities, there

was no corresponding apology from any member of the government, including the then Minister of Justice, who has since been rewarded by Mr. Martin as Ambassador to the United Nations.

Mr. Martin voted for the Pearson bill, which denied the rule of law. He was a party to the HRDC and gun registry debacles by allowing more funds to be misspent and wasted year after year. He allowed some \$7 billion to be shifted to unaccountable foundations and dismissed out-of-hand the Auditor General's devastating comments on the practice. He described the millions wasted in GST heat rebates as miniscule flaws — just another "administrative error," to use a current term. He acquiesced to the shutting down of the Commission of Inquiry on Somalia, just as it was to start the final phase of its investigation involving senior government and military officials. He has kept on Mr. Chrétien's ever loyal Ethics Counsellor. He keeps in place a disgraced Ambassador to Denmark. He kept silent when it was found that Mr. Chrétien had ordered two new and unnecessary Bombardier jets, without tender, to fly himself and his ministers around in even greater comfort. His budgets threw millions into new advertising contracts now subject to RCMP investigation. The list of government financial improprieties goes on and on.

Honourable senators, Mr. Martin's position as Minister of Finance, a senior member of cabinet, was nearly as good as that of the Prime Minister to put an end to these abuses, but instead he turned a blind eye. Why ruffle colleagues in the public interest when their support is essential for personal ambitions?

An early election, we are told, is only right and proper, as Canadians must be allowed as soon as possible to vote on the future of a new government. What new government, I ask? There is not a single new Liberal member in the House of Commons except for a former Bloc member who crossed over, no doubt without being asked if he had signed a loyalty pledge of the sort imposed on Liberal candidates. Except for unimpressive changes on the front bench, the Martin government does not in any way represent a break from a Chrétien government. It is nothing more or less than a continuation of it.

Mr. Martin was number two to Mr. Chrétien's number one. For nine years, they worked together in cabinet. Their voting records in the House of Commons are virtually identical. Any personal animosity that may have developed between them cannot hide the fact that their ambitions, priorities, achievements and failures in government are identical. Any attempt by Mr. Martin and his overly ambitious advisers to now attempt to remove Mr. Martin from the Chrétien record is to engage in a disgraceful rewriting of history that will fool no one.

If the Prime Minister is serious about reducing the democratic deficit, he will keep Parliament in session until at least June, introduce and bring to a vote new legislation, not just that initiated under his predecessor, and give Canadians an opportunity to witness how committed he is to allowing MPs greater freedom in the exercise of their parliamentary duties.

Mr. Martin could start by at least condemning the scandalous use of confidence votes that has marked the government led by his predecessor. Mr. Chrétien, when he felt his leadership challenged, cowered his supporters by threatening an election if a particular vote did not go his way. Who can forget his summoning Liberal members from across the country to vote against an opposition motion urging, as opposed to instructing, the government to compensate all hepatitis C victims of tainted blood and not just those in a given period of time. This had nothing to do with confidence in the government, but everything to do with the Prime Minister's over-inflated ego.

• (1450)

I, for one, do not see the need for or, frankly, the usefulness of so-called confidence votes in the modern era. So what if a budget is defeated? Why should this precipitate an election rather than have the government amend its original proposal and submit a revised budget?

I have never hidden my admiration for the American system of government, where both the executive and legislative branches of government must work together before any legislation can be approved. The President's budget, as it was on Monday, is submitted to Congress, which can take weeks, if not months, to debate it and bring amendments that may or may not have the approval of the President. A compromise between the two is eventually reached. It can be messy and unnecessarily costly. The point, however, is that all elected representatives actually have a say in the process.

Here, the Minister of Finance tables a budget. More often than not, many of its provisions take effect immediately. Debate ensues, yet Parliament has no input in the budget itself, even when an implementation bill, which may come only months later, is before the other place. In other words, the budget is a done deal once it is delivered and parliamentarians are but silent spectators in its makeup and coming into force.

There is the real democratic deficit, the loss of what the House of Commons should protect at one time at all costs — that is, power over the purse. If Mr. Martin wants elected members to be more involved, what better way than to allow them to study and make recommendations after a budget is tabled? Yes, the government engages in pre-budget consultations, which is commendable, but not enough by itself. Consultations should be allowed after the budget is tabled. Traditionalists will throw up their hands at this, but the fact is that to keep the present system in place is to isolate elected members from their main responsibility.

What better time to introduce a new approach than when Mr. Goodale's budget is tabled sometime in the next few weeks? I urge the government to use the budget as a proposal, rather than a fait accompli, and to give the other place in particular reasonable time to examine it and to make whatever recommendations it deems fit.

If, on the other hand, the budget will simply take on the flavour of the Speech from the Throne and be another abuse of Parliament as part of Liberal Party pre-election strategy, then the democratic deficit widens even more and Mr. Martin's concern with it becomes just another leadership campaign commitment easily discarded.

Too many Canadians are alienated from their governments.

That is why the Government is determined to put relations with provinces and territories on a more constructive footing.

Canadians expect government to respect their tax dollars.

Canadians want the Government of Canada to do better in meeting ethical standards.

...the conditions in far too many Aboriginal communities can only be described as shameful.

We must ensure that they —

“They” refers to the military.

— have the equipment and training to do the job.

To this end, the Government will make immediate investments in key capital equipment, such as new armoured vehicles and replacements for the Sea King helicopters.

The Government is therefore committed to a new, more sophisticated approach to this unique relationship.

The relationship being referred to here is with the United States.

Believe it or not, honourable senators, these are not my words. They are from the Speech from the Throne itself.

The Prime Minister, in his pathetic attempts to disassociate himself and his many cabinet colleagues who, with him, served under Mr. Chrétien, has used the Governor General to condemn much of the Chrétien years. If Mr. Chrétien were a bitter man, as fellow Liberals who owed their successes solely because of him and plotted to remove him from the leadership of their party, how must he feel now when so many former colleagues, led by his Minister of Finance, are so openly critical and demeaning of his record, with which nonetheless they will continue to be closely identified?

Winning an election, however, is what this is all about. If the strategy must include condemning the man who kept them in power for 10 years, so be it. Sadly, appearance and perception too often replace reality, when in fact plus ça change, plus c'est la même chose.

Some Hon. Senators: Hear, hear!

Hon. Thelma J. Chalifoux: Honourable senators, first, I should like to thank our previous leadership for all the dynamic and dedicated work they did here in our Senate. As well, I wish to congratulate our new leadership for doing this very important work that we are charged with in this chamber. I should also like to recognize the majority of my colleagues across the way in following the trail of Senator St. Germain and the new party.

Today marks the beginning of a new era for all Canadians in the way we govern. The Speech from the Throne is a map that is meant to guide us to make Canada the best place in the world to live.

Building a stronger relationship with the provinces and the regions is a start, but we must also build a stronger and more open relationship with the First Nations, the Metis and the Inuit. Our Aboriginal nations must be recognized as partners in this federation. To deny this partnership will be detrimental to the lives and the future of all Aboriginal people in Canada.

The Aboriginal nations are the fastest-growing nations in Canada. Within five years, over 51 per cent will be between the ages of 15 and 25, a fact that must definitely be taken into consideration.

The government's commitment to a partnership for a healthy Canada is a fundamental one, but how can Canadians stand by while our northern communities and our reserves live with either no health units or health units that are absolutely deplorable in their condition? We have Third World conditions in this country. Some community health units meet all the standards and are very well equipped, but there are many that need either to be torn down or to be renovated.

Caring for our children is a goal that we all must try to achieve. The Throne Speech speaks of that — which is very ambitious. However, it is spoken of in the urban centres. In the isolated communities of the northern parts of our provinces, the reserves have wonderful preschool programs, but many of our smaller communities do not have any. Those must be taken into consideration.

In my many years of experience as a social activist and an advocate, caring for our children cannot be accomplished unless we heal the whole family. It cannot be just the children; it must be the total family unit. In a holistic way, we must heal our families. How can we stand by and watch our children slowly die as they leave the schools and go home to face the dysfunctional social ills of a family with no social-support services?

Over 51 per cent of Aboriginal families are headed by a single parent, with an average of four children per family. Honourable senators, that is but one statistic — I have seven children.

We must look at our single-parent families and the social-support services that are needed. When I was a single

parent, there were no social-support services. There was nothing. I was not on welfare; I worked all my life. My children have suffered emotionally and socially, even though they are educated. I am proud of each and every one of them. However, there are still many other issues that must be faced by a family headed by a single parent who is a woman.

• (1500)

Because of the changes in social-housing programs, the federal government has given jurisdiction to the provinces. The Aboriginal housing programs are nothing now. That must change. However, because of the changes in social-housing programs, these families that live in the inner cities can only live in inner cities because they do not have the money to pay rent to live in decent housing. In the inner cities, they have to endure the gangs, the prostitution and all the social ills of an inner city. They come from isolated communities, from northern settlements and from reserves, and they have no social support services for them.

When new immigrants come to Canada, they are given support services that can easily be accessed. However, when our people come from isolated settlements to the urban centres, there are no support services for them. That must be changed. We must begin to look at our conditions in this country because we are really talking about the migration of people within our own country. There cannot be a discrepancy, and there is at this time.

Where is the help for the gang issues? I did a report on gangs. Gangs give our children an identity. Our children have lost their identity because they have lost their culture and they have lost any hope. They live with no hope. Our suicide rates are five to eight times greater than any other segment of our society. Why? It is because there is no hope, and that must be addressed and taken into consideration. Our elders live in abject poverty because they have only their old age pension. It is a deplorable situation for our elders. The social ills of the family, the poverty, the alcoholism and the abuse of our elders must be addressed.

Our Aboriginal policing commissions must be reinstated. On our reserves and in our Metis settlements, large segments of the population are in gangs that are on the wrong side of the tracks, involved in smuggling and the drug trade. Yet, when our people want to address those issues and regain authority over the jurisdiction and ruling of their reserves and communities, they get no support. Therefore, our Aboriginal policing commissions must be reinstated.

That was not mentioned in the Speech from the Throne, as such, but it did say that communities would be helped. Those are communities. If we are to look at developing and improving the conditions of our Aboriginal people, we must consider the issue in a holistic way. We must give back the control for Aboriginal housing to the Aboriginal housing associations. A good example is the Aboriginal housing corporation in British Columbia. It is a marvellous corporation and yet they are struggling to retain their authority so that they can work with our Aboriginal people. We need support services and tenant organizations.

We have to really look at how we heal our people as a family unit. Our Aboriginal disabled are victims of jurisdictional wrangling between the provinces and the Department of Indian Affairs and Northern Development. Indian Affairs takes no responsibility for the upkeep of our disabled children after they leave the reserve. There has not been one study on Aboriginal disabled between the ages of 15 and 21 — ever. Why? We must look at the situation of our disabled people and our children, especially.

When our children reach the age of 18, they have nothing. The provinces will give them aid but they have no support services. They cannot receive funding for home care unless a stranger is brought in. Our people need our own families to take care of them but they cannot take care of them without some funding. That situation has to be reviewed.

The Metis have no services relevant to their situations. I have an autistic grandson who has turned 21. He wanted to live independently but my daughter could not afford it. I sold my little house and bought one in Edmonton for her and my disabled son to live in because there are no support services for them — none whatsoever. That truly must be reviewed and considered.

Once again, this is a jurisdictional issue that must be addressed. The Speech from the Throne talked about coming together with the provinces. We have to look at the jurisdictional issues and how the federal government has given over programs to the provinces, which are not picking up the torch. That has to be addressed.

Let me talk about arts and culture. The Metis are the true Canadians. We are part of the First Nations and we are part of the French and the English. We have come together and have been recognized as a nation. We truly are the true Canadians because we are a combination of cultures. Our art shows that, our dance shows that and everything about us shows that. However, that fact is not recognized. If we are looking for a true Canadian identity, let us look at the art, culture and dances of the Metis because that is where you will find it. This has never happened and we are not recognized. The First Nations are recognized; the French are recognized; the Irish are recognized. We combine all of them to be truly Metis and truly Canadian.

The Speech from the Throne talked about arts and culture, but let us talk about the Metis — the Canadian — arts and culture and do something about it. As a result of the *Powley* case, it is imperative that the Metis nation begin serious dialogue on how to become part of the federation of this country. We must be given the opportunity to look at the governing of the Metis nation. The Metis nation has identified, which I have always said, as a western Canadian nation. I think that must happen, and I hope that it does. That was mentioned in the Throne Speech, but to act on it is a different kettle of fish. We must press that issue for the Metis as well.

This is my last speech in this chamber because I will be leaving, as all honourable senators know. I have been emotional in my delivery because my issues are so emotional.

Hon. J. Michael Forrestall: Honourable senators, may I say to the honourable senator how privileged I was to have spent a number of hours with her and the members of the committee that she chaired. I thank her for bringing to my attention the fine spirit of the land, of the wind, of the sun and of the people who founded our nation. I bid Senator Chalifoux well in what you do ahead. I do not expect for one moment that you are about to retire.

Honourable senators, a year, a government and a Prime Minister have changed. However, I see no change in how this Liberal government treats the Canadian Armed Forces, from what I heard in the Speech from the Throne. I draw upon the way in which this government views the Canadian Armed Forces for my evidence in that respect.

I could sit here and commend the government on finally naming the Deputy Prime Minister to the position of Minister of Public Safety and Emergency Preparedness; I could applaud the fact that we have a committee of cabinet dedicated to security, public health and emergencies; I could applaud the government for appointing a national security adviser to the Prime Minister; and I could trumpet the fact that, after September 11, the government has finally seen fit to develop a national security strategy; but I will not.

• (1510)

One of the reasons, of course, is that the past two Deputy Prime Ministers — the Honourable Herb Gray and the Honourable John Manley — largely had this role, and now it appears to be mostly an administrative one. The Ad Hoc Cabinet Committee on Security that came about post-September 11 has been made a formal committee of cabinet. I draw all honourable senators' attention to the work of your Standing Senate Committee on National Security and Defence, chaired by Senator Kenny, and the recommendations that we have made in this regard and the actions the government has taken. Sometimes a little recognition of the work done by the committees of this chamber would be appreciated.

Honourable senators, the previous Chrétien government had informally appointed a national security adviser to the Prime Minister. After being dragged kicking and screaming to the table, the government has finally decided that Canada needs a national security strategy. I will be, and I am sure most of us will, quite happy if we ever see one, especially before the next election.

There is, in fact, nothing new here. The government said that there would be immediate funding to replace the Sea King. God knows my question to the Leader of the Government in the Senate, whom I questioned yesterday, would be: If you do not have an answer to my question, just say so and tell me to sit down and start asking questions for which an answer can be given. I might give that some consideration. However, do not talk to me about "immediate," "soon," "highest priority" and "going to happen." Do you know when the first money was appropriated? It was in 1978. Who was the Prime Minister? Pierre Elliott Trudeau.

Enough said about that. The government said there would be immediate funding to replace the Sea King and purchase armoured vehicles. How long is "immediate?" In 1994, we were told "before the end of the decade." We know the Liberal definition of "immediate" from the 1994 white paper, when it said, as I just suggested, that the government replace the Sea King before the end of the decade. The white paper did not say it would be sometime around 2010 or 2020, but we will come back to that caper later on.

Unfortunately, what has not changed is this government's loose commitment to having a combat-ready military. Last year, against military advice, the previous Prime Minister decided, for whatever reason, to send Canadian troops to Afghanistan in two huge contingents. Major-General Cameron Ross, a respected soldier, resigned and retired early. I commend to all honourable senators the article by General Lewis MacKenzie, published earlier this week, entitled "Why Cpl. Murphy Died in Afghanistan." Sadly, a young Atlantic Canadian from Newfoundland, Corporal Jamie Brendan Murphy, was killed while patrolling in a piece of junk. I once described it as somewhat akin to an old half-ton farm truck with a shotgun on the back of it. They were patrolling. The vehicle is a suicidal piece of equipment for any rational person to be using in a war zone. I say to the family once again that they have my heartfelt sympathies.

Honourable senators, in August, two Canadian soldiers, Sergeant Robert Alan Short of Fredericton and Corporal Robby Christopher Beerenfenger, were killed when their Iltis vehicle hit what I believe to be a purposely planted anti-tank mine. We have heard the argument that you cannot stop a suicide bomber. I have heard the arguments about anti-tank mines. I have a deep respect for the opinion of our Chief of Defence Staff, General Henault.

The fact of the matter is that you have far less of a chance surviving a determined suicide bomber or an anti-tank mine if you are in an Iltis jeep than you would if you were in an armoured vehicle.

I recall for honourable senators the words of Corporal Jeremy MacDonald, who was in the Iltis with Corporal Murphy when he was tragically killed. MacDonald said, when interviewed by CBC's *Canada Now* on January 29 of this year, that you would think the Canadian government would send our troops out on patrol in "better vehicles than them. I think we should be using armoured vehicles."

As a point of fact, 20-plus per cent of Canadian military personnel are from Atlantic Canada. Twenty-plus per cent of our brave troops in Afghanistan are from Atlantic Canada. Sadly, four of the seven Canadian soldiers killed in that country have been from Atlantic Canada. I make no comment on the abilities of the current Minister of National Defence, but it seems to me passing strange that with many Atlantic Canadians serving our country, constituting the major single group of our young men and women, we do not have either a woman or someone from Atlantic Canada as Minister of National Defence. Perhaps they would have had armoured vehicles.

Let us go back to the issue of the armoured vehicle purchase. Since the government did not name in the Speech from the Throne the armoured vehicle to be purchased, we can only assume it was a quick afterthought for inclusion related to the government's decision to deploy the Iltis to Afghanistan. Our best guess is that it is the long-awaited replacement for the long-in-the-tooth, under-armed and under-armoured Leopard main battle tank, the Stryker vehicle. The government intends to purchase 60 of these vehicles, enough for one of our three regular force armoured regiments. I wonder which ones will not get the Stryker and which will be amalgamated, disbanded or placed on the supplementary order of battle. True to Liberal form, the heavens know that someone will have to pay for this deployment and the Prime Minister might just as well, as his predecessors have in the past, find the money in the military budget. So, many thanks for nothing.

It will take more than a visit to the National Defence Headquarters to convince me that the Prime Minister cares for our military capacity. Where was he at Christmas? Why, like other leaders with troops deployed around the world, did he not go to Bosnia or Kabul? Why was it the Governor General? Is that her primary job, or was it the primary job of the elected leader of our country?

When will the Prime Minister drive down the streets of Kabul in one of those jeeps? When will he have the top down so he can, as has been suggested here, make contact with the people? The current Prime Minister carved \$20 billion cumulatively out of the defence budget when he was Minister of Finance, and now he has much to answer for.

As for the government's commitment to replace the Sea King immediately, we shall have to wait and see how long "immediate" is and whether it comes before an election. As a point of fact, young Canadians predominantly from Atlantic Canada fly in ancient Sea Kings. Will we get an EH-101 or will we get a Sikorsky H-92?

Promises by this government do not erase the facts of very recent history. There is no greater scandal in the history of Canadian defence procurement than the Maritime Helicopter Project and the Sea King replacement.

The Maritime Helicopter Project makes all past wrongs pale in comparison. General Sam Hughes looks somewhat sane when compared to the activities of some of the recent Ministers of National Defence.

• (1520)

Never mind the fact that money was directed to the Sea King replacement, as I have suggested to the Leader of the Government in the Senate, in 1978 under Trudeau.

Let's start in 1994, with the Chrétien Liberals' election victory, and their cancellation out of nothing more than crass electioneering of the 43-helicopter, \$4.3-billion-to-\$4.4-billion EH-101 program of the Mulroney/Campbell administration. The Chrétien Liberals branded the aircraft a Cold War relic and placed the EH-101 program costs at \$5.8 billion over a 25-year period, including inflation. The source of that, incidentally, is

Liberal Party press releases and their own analysis. With the stroke of his pen, Jean Chrétien fulfilled his election promise and wrote "0 helicopters" and incurred, by the Liberals' own admittance, some \$500 million in cancellation costs. The source is generally the most prominently and commonly used figure by the Canadian Press in recent years.

However, honourable senators, the \$500 million is only the direct cost of cancelling the contracts for the airframe and mission systems. It does not include the first-and second-tier costs and losses in revenue and to the tax base. Estimates place these costs of cancellation at over \$1 billion. The *Toronto Star* split the difference at one point and used \$769 million. I was never able to come up with that figure myself; however, it is there.

Additionally, part of our contract deal with EH Industries at that time was a 10 per cent Canadian content in each and every subsequently sold EH-101. All of that money, and the jobs with the project, disappeared. With it, we would have had them flying now, and they would have been earning money on their sale abroad.

When the EH-101 came to an end, the government then had to put good money in for bad in terms of the return on the maintenance costs of the aging and highly unreliable Sea King. Sea King maintenance and upgrade costs are based upon the fact that the date for phasing in the new Maritime helicopter fleet was 2005 — and I am sure you will recall the kerfuffle about that. Of course, 2005 is no longer possible. This means that the government is now accountable for Sea King maintenance costs from 1994 to 2010, at the most conservative period. The annual costs of that, we know from government figures, is \$40 million, operations and maintenance for 16 years, plus upgrades to the tune of \$100 million, for a grand total of \$740 million. This is minimal.

The Hon. the Speaker *pro tempore*: Honourable Senator Forrestall, I regret to advise that your time has expired. Are you asking for leave to continue?

Senator Forrestall: I have three pages left to read.

Senator Austin: We want to hear it.

Senator Forrestall: Honourable senators, this grand total is minimal, because the fleet at 2010 comes out, in reality, around \$800 million, rising to \$1.2 billion. I fudged that a little bit because none of these figures and costs include one cent for natural inflation.

Cancellation of the joint maritime search and rescue EH-101 also forced the Canadian government to purchase a new helicopter for search and rescue. After much dilly-dallying, the government purchased the EH-101 Cormorant, as we all know. The cost of that was \$790 million, for 15 basic helicopters. The \$790 million is only a small portion of the costs associated with the Canadian search and rescue helicopter. Long-term service

support costs were split from the contract, and honourable senators will recall that they were awarded to IMP of Halifax in renewable increments for a period of up to 25 years. It is estimated that these costs, very conservatively, will top \$1.7 billion.

Finally, in August of 2000, the government announced its intention to purchase 28 maritime helicopters at a cost of \$2.9 billion to replace the aging Sea King. Again, there are hidden costs in terms of long-term service support that will certainly top the \$1.7 billion estimated for the 15 Cormorants and fairly simplistic mission systems as compared to mission suite that would be found on the 28 maritime helicopters.

Lastly, there is the ridiculously wasted \$400 million in risk costs and split procurement costs that were incurred when the government purposely split the program to disadvantage EH-101 and then reversed in December to allow NH-90 to compete in the program. As part of this process, a Department of National Defence document on risk analysis identified an extra \$220 million in contingency costs and an extra \$100 million in loss of economies of scale, another \$20 million in training, an additional \$40 million in support, and, lastly, an extra \$20 million on the project management office itself. These are government figures. If you know where to dig around, you can find them. They are artfully buried — very skilfully buried.

The Liberals cancelled the EH-101 because they called it an expensive Cold War relic at \$5.8 billion in total costs to the Canadian taxpayer. In point of fact, using available documents and conservative estimates, the total cost of the Liberal search and rescue helicopter and maritime helicopter project is in the neighbourhood of \$8.73 billion, without inflation.

The Liberal replacement of the Labrador and the Sea King fleets will be at least \$2.9 billion, again without any inflation, more expensive in taxpayers' dollars than the Mulroney/Campbell EH-101 program at its Chrétien liberal proclaimed costs of \$5.8 billion. How is that for waste and mismanagement, crass electioneering notwithstanding? Imagine what the cash-strapped Canadian military could have purchased with \$2.9 billion. Just imagine its impact on health care. Imagine its impact on the native people of Canada for housing and health and other opportunities. At the end of the day, honourable senators, in 1998, the Liberals bought the so-called Cold War relic for search and rescue because there was no choice in 1998, and there was no other candidate that measured up to the Canadian specs in 1994. Nevertheless, this question remains: What will we get for our dollar in 2004 and 2005, if and when this government moves, forward in the most scandalous process in Canadian defence procurement history?

I urge the government to move with this, because when all is said and done it is our sons and our daughters that we are talking about. They are husbands and fathers. They are the people we turn to. It was sad and embarrassing to stand all alone the other day and watch a magnificent piece of equipment, esteemed in that part of the world, without a helicopter on board perhaps as much as 30 per cent of its time. Thank you for your patience.

Debate suspended.

[Translation]

PAGES EXCHANGE PROGRAM WITH HOUSE OF COMMONS

The Hon. the Speaker *pro tempore*: Honourable senators, I would like to welcome a page who comes to us from the House of Commons and will be with us for a time. I would like to introduce to you Ms. Vanessa Corcoran, from Orleans, Ontario.

[English]

Vanessa Corcoran of Orleans, Ontario, is enrolled in the Faculty of Social Sciences at the University of Ottawa. Vanessa is specializing in international development and globalization. Welcome to the Senate.

• (1530)

[Translation]

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.—(*1st day of resuming debate*)

Hon. Maria Chaput: Honourable senators, the first Speech from the Throne of our new government is one more step in the right direction. It gives me great pleasure today to share some comments with you on this speech opening the third session of the Thirty-seventh Parliament of Canada.

As a Canadian, I am pleased that we have in this speech a government reflecting Canadian values and the desire to create a world where fairness, justice and decency reign.

[English]

Critics will no doubt say that these are merely words. I would say, rather, that they express a vision well rooted in the fundamental values our government has adopted, vision that will serve as a road map for the next decade. It is indeed an ambitious program our government is proposing, but it is a well-balanced program, one that will help maintain our quality of life in a healthy environment.

Canada is taking its place in international affairs. It is a country in good health, protecting our children under all circumstances with renewed vigour drawn from partnership and commitment.

[Translation]

The future of our children is the future of Canada. The formative early years are what shape us as individuals. Our government acknowledges its role in overall early childhood development. I am pleased to see that the Throne Speech makes mention of help to families, the need to provide tools to support

these families, and the necessity of protecting our children from all forms of abuse.

If there is one thing I want to do for my grandchildren, it is to ensure that they get off to the best possible start in life. I want my country to make it possible for all of Canada's children to be able to live in a healthy environment, in total freedom, to reach their full potential, and to become participating members of society. Our government has made that commitment.

The Speech from the Throne says that the Government of Canada is committed to ensuring more successful integration of new immigrants into the economy and into communities. One of the strategies adopted to that end is to provide potential immigrants with information that will avoid later disappointments.

According to immigration specialists, from 2031 onward any increase in the population of Canada will be the result of immigration.

Therefore, because the Government of Canada is serious in its commitment to linguistic duality, it must do its part to make new immigrants aware of the unique linguistic identity of our country, and provide them with the tools they need to learn both of Canada's official languages — if they so wish, of course.

As a French Canadian, I take pride in the Throne Speech's mention of the government's commitment to official languages. It said: "Linguistic duality is at the heart of our identity. It is our image in the world. It opens doors for us." The francophone community in Canada is justifiably recognized for its contribution to world Francophonie. Our government recognizes this added value for our country. It is up to us to give our support to promoting it.

As a Western Canadian, I am very much aware of what is happening in Canada's West and of the key issues that have been raised about this part of the country, some of them based on myth and some of them based on hard facts.

Having lived in the Canadian West for over 60 years, I must admit that our region is still very heterogeneous, and its various parts differ greatly. On the other hand, these varied elements also share many points in common and make the west unique in comparison to the rest of the country. People in the West do not all think the same way, but they agree on one thing: the economic and cultural potential of Canada's West.

I was relieved to see that in the Throne Speech the government promised to put relations with provinces and territories on a more constructive footing. A government that listens to what the provinces and territories are saying is, in my humble opinion, the key to reducing western alienation, which is still strongly felt in the region.

Most Western Canadians are optimistic about the future of their provinces, but they want to be appreciated by the rest of Canada, at their true value. They want economic support at the regional level; they appreciate the support of the Department of Western Economic Diversification; and they consider themselves partners in their own economic development.

A poll entitled *Looking West 2003* conducted by the Canada West Foundation found that Western Canadians were concerned about health care, retaining young people and the environment. Nearly two thirds of respondents gave a high priority to protecting the environment. I am proud to say that our government has responded to many of these concerns through its commitments in the Throne Speech.

The creation of the Committee of Cabinet and the Aboriginal Affairs Secretariat is a popular initiative that deserves special attention. Thanks to a new approach proposed by the First Nations, the government will also recognize the contribution of Métis in Western Canada.

I cannot continue without first paying tribute to a remarkable woman who has earned my wholehearted respect, admiration and friendship. Senator Chalifoux, you have been an inspiration to me; may God bless you.

The response of many Manitobans has been positive. I want to quote a few.

What is new in the Throne Speech is the desire to work in collaboration with the other levels of government. The big winners are the municipalities, and this reflects the real world, and real and tangible needs.

[English]

A number of Manitobans thought it interesting that the Speech from the Throne talked of culture and the vitality of culture, a renewal of policies on the arts and culture, and the revitalization of artistic and cultural institutions reporting to the Government of Canada.

[Translation]

However, there is still a concern as to whether there will be repercussions and a direct impact on support for the development of our artists and cultural industries in minority communities. Will they have access to the same development and promotional tools that other businesses do? Will the government show the same support for cultural businesses as it does for small businesses? Will the government suit action to word when it comes to the cultural development so important to a minority community and to Western Canada? Rest assured, Manitobans will be following all this with great interest.

As you know, I traditionally represent franco-Manitobans in the Senate.

On behalf of all franco-Manitobans, I would like to thank the Government of Canada and express our appreciation for the official recognition in the Speech from the Throne of the fundamental nature of Canada's linguistic duality and the importance of enhancing this fundamental characteristic.

Many were relieved to see a link with the federal government's official language action plan for continuing to develop official language communities throughout the country, as well as confirmation of the funding promised for implementation of that plan. The new emphasis on partnership with the provinces in health, education, culture and other areas, must not, however, neglect federal responsibilities toward francophones. The government must keep in mind on the national level the international role of francophones. This is important for this community, which wants to contribute fully to the development of Canadian society.

I personally appreciated the presence in the Throne Speech of references to democratic renewal and the measures that will be taken to restore trust and accountability with respect to the Government of Canada.

I share Canadians' desire to see government focus more on respecting the rules of ethics.

Canadians are entitled to expect their government to make proper use of public funds; in the Throne Speech, the government gives them hope that public funds will be used wisely.

I consider it a privilege to be part of this important change. I believe Canada stands to come out a winner as a result.

On motion of Senator LeBreton, debate adjourned.

• (1540)

ETHICS, RESPONSIBILITY, ACCOUNTABILITY: AN ACTION PLAN FOR DEMOCRATIC REFORM

DOCUMENT TABLED

Leave having been given to revert to Tabling of Documents:

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, I have the honour to table in the Senate, in both official languages, a document entitled: *Ethics, Responsibility, Accountability*.

Some Hon. Senators: Hear, hear!

[English]

HUMAN RIGHTS

2002 BERLIN RESOLUTION OF ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE PARLIAMENTARY ASSEMBLY—MOTION TO REFER TO COMMITTEE—DEBATE ADJOURNED

Hon. Jeremiah S. Grafstein, pursuant to notice of February 3, 2004, moved:

That the following resolution, encapsulating the 2002 Berlin OSCE (PA) Resolution, be referred to the Standing Senate Committee on Human Rights for consideration and report before June 30, 2004:

WHEREAS Canada is a founding member State of the Organization for Security and Economic Co-operation in Europe (OSCE) and the 1975 Helsinki Accords;

WHEREAS all the participating member States to the Helsinki Accords affirmed respect for the right of persons belonging to national minorities to equality before the law and the full opportunity for the enjoyment of human rights and fundamental freedoms and further that the participating member States recognized that such respect was an essential factor for the peace, justice and well-being necessary to ensure the development of friendly relations and co-operation between themselves and among all member States;

WHEREAS the OSCE condemned anti-Semitism in the 1990 Copenhagen Concluding Document and undertook to take effective measures to protect individuals from anti-Semitic violence;

WHEREAS the 1996 Lisbon Concluding Document of the OSCE called for improved implementation of all commitments in the human dimension, in particular with respect to human rights and fundamental freedoms and urged participating member States to address the acute problem of anti-Semitism;

WHEREAS the 1999 Charter for European Security committed Canada and other participating members States to counter violations of human rights and fundamental freedoms, including freedom of thought, conscience, religion or belief and manifestations of intolerance, aggressive nationalism, racism, chauvinism, xenophobia and anti-Semitism;

WHEREAS on July 8, 2002, at its Parliamentary Assembly held at the Reichstag in Berlin, Germany, the OSCE passed a unanimous resolution, as appended, condemning the current anti-Semitic violence throughout the OSCE space;

WHEREAS the 2002 Berlin Resolution urged all member States to make public statements recognizing violence against Jews and Jewish cultural properties as anti-Semitic and to issue strong, public declarations condemning the depredations;

WHEREAS the 2002 Berlin Resolution called on all participating member States to combat anti-Semitism by ensuring aggressive law enforcement by local and national authorities;

WHEREAS the 2002 Berlin Resolution urged participating members States to bolster the importance of combating anti-Semitism by exploring effective measures to prevent anti-Semitism and by ensuring that laws, regulations, practices and policies conform with relevant OSCE commitments on anti-Semitism;

WHEREAS the 2002 Berlin Resolution also encouraged all delegates to the Parliamentary Assembly to vocally and unconditionally condemn manifestations of anti-Semitic violence in their respective countries;

WHEREAS the alarming rise in anti-Semitic incidents and violence has been documented in Canada, as well as Europe and worldwide.

Appendix

RESOLUTION ON ANTI-SEMITIC VIOLENCE IN THE OSCE REGION Berlin, 6-10 July 2002

1. Recalling that the OSCE was among those organizations which publicly achieved international condemnation of anti-Semitism through the crafting of the 1990 Copenhagen Concluding Document;
2. Noting that all participating States, as stated in the Copenhagen Concluding Document, commit to “unequivocally condemn” anti-Semitism and take effective measures to protect individuals from anti-Semitic violence;
3. Remembering the 1996 Lisbon Concluding Document, which highlights the OSCE’s “comprehensive approach” to security, calls for “improvement in the implementation of all commitments in the human dimension, in particular with respect to human rights and fundamental freedoms”, and urges participating States to address “acute problems”, such as anti-Semitism;
4. Reaffirming the 1999 Charter for European Security, committing participating States to “counter such threats to security as violations of human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief and manifestations of intolerance, aggressive nationalism, racism, chauvinism, xenophobia and anti-Semitism”;
5. Recognizing that the scourge of anti-Semitism is not unique to any one country, and calls for steadfast perseverance by all participating States;

The OSCE Parliamentary Assembly:

6. Unequivocally condemns the alarming escalation of anti-Semitic violence throughout the OSCE region;
7. Voices deep concern over the recent escalation in anti-Semitic violence, as individuals of the Judaic faith and Jewish cultural properties have suffered attacks in many OSCE participating States;
8. Urges those States which undertake to return confiscated properties to rightful owners, or to provide alternative compensation to such owners, to ensure that their property restitution and compensation programmes are implemented in a non-discriminatory manner and according to the rule of law;
9. Recognizes the commendable efforts of many post-communist States to redress injustices inflicted by previous regimes based on religious heritage, considering that the interests of justice dictate that more work remains to be done in this regard, particularly with regard to individual and community property restitution compensation;
10. Recognizes the danger of anti-Semitic violence to European security, especially in light of the trend of increasing violence and attacks regions wide;
11. Declares that violence against Jews and other manifestations of intolerance will never be justified by international developments or political issues, and that it obstructs democracy, pluralism, and peace;
12. Urges all States to make public statements recognizing violence against Jews and Jewish cultural properties as anti-Semitic, as well as to issue strong, public declarations condemning the depredations;
13. Calls upon participating States to ensure aggressive law enforcement by local and national authorities, including thorough investigation of anti-Semitic criminal acts, apprehension of perpetrators, initiation of appropriate criminal prosecutions and judicial proceedings;
14. Urges participating States to bolster the importance of combating anti-Semitism by holding a follow-up seminar or human dimension meeting that explores effective measures to prevent anti-Semitism, and to ensure that their laws, regulations, practices and policies conform with relevant OSCE commitments on anti-Semitism; and
15. Encourages all delegates to the Parliamentary Assembly to vocally and unconditionally condemn manifestations of anti-Semitic violence in their respective countries and at all regional and international forums.

He said: Honourable senators, I rise to move this resolution on the Order Paper, a resolution on the rise of anti-Semitism across the OSCE region that was passed unanimously in Berlin at the OSCE annual Parliamentary Assembly in July 2002, almost two years ago.

Perhaps I might spend a few moments before talking about the subject matter of the resolution to remind honourable senators about the origins and the role of the OSCE, the Organization for Security and Co-operation in Europe

Honourable senators will recall that the Helsinki process was formally called the Conference on Security and Co-operation in Europe. It traces its birth back to the signing of the Helsinki Final Act in Finland on August 1, 1975. At that time, leaders of 33 European countries, including the United States of America and Canada, and member states of the Soviet Union and its satellites, signed this agreement. Canada was a voting member then and a founding signator.

The Helsinki Final Act was a remarkable bargain. It was a grand bargain that led to the demise of the Soviet Union and communist tyranny. The bargain was simple. Honourable senators will recall that, in return for the West respecting the Soviet states' boundaries, the Soviet Union states and satellites agreed to allow the reach of human rights treaties into their jurisdictions, enabling the West to intervene in the East. We were able to breach the wall of sovereignty in exchange for giving the Soviets guarantees that their borders would be secure and respected. This intrusion of human rights into the Soviet space led, ultimately, through human rights activism and the rise of dissidents, to the collapse of the Soviet empire. The idea of democracy was planted. As senators will recall, this surge of human rights activism finally led to the fall of the Berlin wall in 1989. In January 1995, the Helsinki process was renamed the Organization for Security and Co-operation in Europe, or the OSCE. Member states then were expanded from 33 to 55, reflecting the breakup of the Soviet Union, Yugoslavia and Czechoslovakia.

The OSCE is divided into two parts. There is the ministerial side and the parliamentary side. The ministerial side is located in Vienna. Weekly meetings are held by permanent representatives, including an ambassador from Canada, dealing with the whole range of treaty matters and declarations. As well, officials, ministers and heads of state meet regularly. The chairmanship of the Ministerial Council is rotated annually. I believe the current chairmanship is Bulgaria. As a matter of fact, the former chairmanship was Holland, and the Dutch did a remarkable job of leadership on many fronts.

The parliamentary side of the ministerial equation is located in Copenhagen. The Parliamentary Assembly secretariat is located there, and they do work not dissimilar to the work of Parliament. The executive side is in Vienna and the parliamentary side is located in Copenhagen. I have the privilege of serving as the second elected officer of the Parliamentary Assembly. I serve as Treasurer of the OSCE (PA). I am also the head of the Liberal

Democratic Reform Political Group, one of three political groupings at the OSCE. The three groups are the Conservatives, the Socialists and the Liberal Democratic Reform Group. Canada is well represented on the OSCE (PA) executive and the expanded bureau. We have three elected parliamentarians on the bureau. Our colleague Clifford Lincoln, from the other place and Svend Robinson and I represent Canada. All of us have committed time and energy to ensure that Canada has a strong voice when it comes to human rights, economic matters and a whole range of issues of timely concern.

What does the parliamentary assembly and the ministerial council do? Together, they establish standards for military security, human rights, democratic development and democracy building, including election monitoring. Recently, I returned from Georgia as deputy head of the delegation to monitor the presidential election. I hope to return in March to assist in monitoring their parliamentary elections. Georgia is moving toward democracy, and one reason for that progress has been the hard work of the OSCE. I went to Georgia in 1996 to speak to their parliamentarians for the first time on minority rights. The OSCE has been actively engaged in encouraging parliamentarians there to become more democratic in their practices. They want our help. However, I hope to tell honourable senators more about what Canada can do, cost effectively, to help Georgia at a future time.

What else do we do? In addition to that, we work on conflict resolution. There are frozen and hot conflicts across that entire eastern region. We monitor those conflicts and are deeply involved.

I also serve on the parliamentary OSCE group to resolve the frozen conflict between Moldova and Transnistria. These are big problems that are difficult to deal with, based on ancient rivalries and complex political and economic divisions. These are hard problems to resolve, but we are making steady progress an inch at a time.

Let me turn now to the resolution at hand. I did not initiate this resolution. How did it come about? As treasurer and head of the Liberal group at the OSCE, I was approached in May of 2002 to support a resolution to the Berlin Parliamentary Assembly by the German and American parliamentarians who decided that they would attack the problem of anti-Semitism head-on that was spiralling across the entire OSCE region. They were concerned about what was happening in their Parliaments and in their sovereign states. Parliamentarians took it upon themselves to put together the resolution that is encapsulated in this resolution. Their thrust was that this resolution should be debated in Parliaments across the 55 states and, in addition, that there should be a consideration of the reports to determine how, if there are laws that can be changed, or what steps can be taken to address the root causes of anti-Semitism. In 2002, each delegate in Berlin resolved to encourage debate in their Parliaments and to bring this measure forward to hopefully remove or shrink the roots of this ancient and intractable problem. There is no new or old anti-Semitism; there is just anti-Semitism.

The resolution itself calls for consideration of effective measures to prevent anti-Semitism while examining the laws, regulations and policies in the member states in order for them to conform with the OSCE regulations. That is what this resolution does. It repeats and encapsulates the resolution unanimously passed by all parliamentarians at the OSCE.

• (1550)

Honourable senators, since May 2002, many other parliaments have dealt with this matter. There is to be a final follow-up conference in April of this year in Berlin.

I have in my hand a partial list of conferences and seminars that have been held since 2002 to the present. In May 2002, I attended one held by the Americans in Washington. There was then one in Berlin, which I mentioned, in July 2002. In December 2002, there was one held in Porto, Portugal, which I attended. On December 10, there was another conference in Washington where a unanimous resolution was passed by the U.S. Senate. A forum was held in Vienna at an OSCE meeting that I attended. There was then another resolution passed unanimously by the U.S. House of Representatives in July 2003 which encapsulated the OSCE resolution and went further. We went to Rotterdam last summer where at the OSCE parliamentary assembly, there was another forum about it. This resolution was then reinforced in Rotterdam in the final resolution of the parliamentary assembly. There was then a meeting in Warsaw where this matter was taken up. On December 1, there was a ministerial meeting in Maastricht, which I attended and where this issue was discussed again and re-energized.

Across the world and across the OSCE, this issue has been discussed and debated vigorously by parliamentarians. I must commend my colleague Michel Voisin from France, who took it upon himself in France to bring forward enhanced anti-hate legislation to curb some of these egregious problems. That was but one example of what occurred as a result of these particular efforts.

I also want to commend my colleague from Germany, Gert Weisskirchen, who is well known to many of us who have spent time in Europe. He is an outstanding spokesman for human rights. He, together with the Americans, were the ones who pieced the original OSCE resolution together. Congressmen Smith, Cardin, Hastings, Hoyer and others took a leadership role in this effort.

While I am on my feet, I want to commend the American Congress because they took a different approach to the OSCE. In 1975, they established a commission of senators and congressmen who meet regularly to monitor what the OSCE does. In addition to attending the parliamentary assemblies and executive and ministerial meetings, they monitor and have regular hearings about all aspects of OSCE activity. This is a wonderful example of parliamentary oversight.

I hope in the future that we will adopt this approach because it is an effective means of ensuring that there is parliamentary surveillance of these important measures.

Honourable senators, I tabled this resolution a year and a half ago. It has been on the Order Paper for that length of time. All I ask the Senate to do is to approve the resolution — not even the principle of the resolution — so that it can go forward to a standing committee for consideration. Frankly, I do not care if the hearings are one hour, 15 hours or 50 hours. That is up to the committee chairman and the Senate.

The Chairman of the Standing Senate Committee on Human Rights, Senator Maheu, has agreed to take this referral.

This issue has been on the Order Paper for a year and a half. I hope it can be referred to a committee for consideration. Their recommendations would then go forward to Berlin on April 28. In that way, Canada can have a voice at those important deliberations.

This initiative did not come from governments. This initiative did not come from the public. This initiative did not come from private groups. This initiative came from parliamentarians across the OSCE region. Parliamentarians across the OSCE region led the way. I believe the Senate can lead the way for the Canadian Parliament to consider this measure so that, when all the countries of the 33 founding states and the 17 new states consider this matter in Berlin, Canada will have a substantive, clear and coherent position. I hope it will be a strong position. However, that is up to the committee. It will then be up to this Senate chamber to approve such a report.

I urge honourable senators now, after all this unseemly delay, to give this resolution the consideration it deserves and allow it to be dealt with by a standing committee of this chamber as soon as possible.

I thank honourable senators for their indulgence and patience yet again.

Hon. Joan Fraser: Honourable senators, I should like to speak briefly in support of Senator Grafstein's motion. I begin by

commending him for his extraordinary tenacity and patience on this matter, not only in this chamber but also, as he has described, around much of the Western world.

I support his motion for two reasons. First, it is important for us to follow up upon the work that we all do and are proud to do in interparliamentary associations of one kind or another. Canada serves well and is highly respected in these groups. It has a voice of considerable influence and is proud to use it. Too often, when we come home, nothing happens. Our colleagues are barely made aware of what we have done and of what our colleagues from other countries have done.

Senator Grafstein has brought to our attention one such issue, which is of great importance. We should follow up on it. I do not think it is unreasonable to suggest that the Human Rights Committee, which exists for precisely this kind of purpose, should examine this motion.

That leads me to the second reason for my support of this motion. We cannot follow up on every topic addressed by every parliamentary group. There are tens of thousands of such topics. We have to pick the ones we consider important. This one is important. Anti-Semitism has been a scourge of Western civilization for 2000 years. In recent years, it has been reasserting some of its uglier forms particularly, but not only in Europe.

As a country that believes in human rights and as a chamber that prides itself on its defence of human and minority rights everywhere and at all times, it is our duty to examine such topics when they are brought to us. Senator Grafstein has done us a service in bringing this once again to our attention. We should move forward with it.

On motion of Senator Kinsella, debate adjourned.

The Senate adjourned until Thursday, February 5, 2004, at 1:30 p.m.

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