



CANADA

# Debates of the Senate

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3rd SESSION

•

37th PARLIAMENT

•

VOLUME 141

•

NUMBER 4

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OFFICIAL REPORT  
(HANSARD)

**Thursday, February 5, 2004**



THE HONOURABLE DAN HAYS  
SPEAKER

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

Published by the Senate  
Available from Communication Canada – Canadian Government Publishing, Ottawa, Ontario K1A 0S9.  
**Also available on the Internet: <http://www.parl.gc.ca>**



## THE SENATE

Thursday, February 5, 2004

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

[English]

Prayers.

### SENATORS' STATEMENTS

#### TRIBUTES

THE HONOURABLE THELMA J. CHALIFOUX

**The Hon. the Speaker:** Honourable senators, I have received a letter from the Leader of the Government in the Senate pursuant to rule 22(10) requesting that time provided for the consideration of Senators' Statements be extended today for the purpose of paying tribute to the Honourable Senator Chalifoux.

[Translation]

Tributes to the Honourable Senator Chalifoux, who will retire on February 8, 2004.

[English]

**Hon. Jack Austin (Leader of the Government):** Honourable senators, it is with mixed and, I might even say, substantial emotion that I rise to bid farewell to our valued colleague, Senator Thelma Chalifoux. Although I am happy to note that she will have more time to spend with her family in Alberta, we will nonetheless be losing a unique presence here in our chamber, one that will be difficult to replace.

Senator Chalifoux is the first Metis and first Aboriginal woman appointed to the Senate and has made very significant contributions on these issues at the federal level. During her time as Chair of the Standing Senate Committee on Aboriginal Peoples, the committee produced a seminal report on urban Aboriginal youth, a report that broke new ground in addressing issues associated with an increasingly younger off-reserve Aboriginal population.

Senator Chalifoux has been exemplary in her defence of the Senate as a place wherein regional voices can be heard on matters of public policy, calling the Senate "the best-kept secret in the country."

In fact, Senator Chalifoux stands as a valuable argument for this chamber. She demonstrates that someone who would, in real terms, have very little opportunity to be elected in her home province nonetheless can come to this chamber, by appointment, and represent a very substantial component in Canadian society.

[Translation]

Shortly after her appointment to the Senate, she instituted the Annual Senators' Ball to showcase the work done by her fellow senators.

She herself is one of the best examples of the importance of the Senate in defending the interests of Canadians who have historically been under-represented in our federal government.

Senator Chalifoux is a role model to more than 50 children from three generations in her family, in addition to serving as a role model to countless Metis and Aboriginal women. Her family life is a clear demonstration of the importance of community in guiding her work.

Senator Chalifoux is well known across Alberta, but particularly in Morinville, where she has always taken a personal interest in members of her community. Long before she came here, she promoted their successes and has continued to work hard on their behalf to rectify injustices.

Senator Chalifoux has been an active member of the Metis Nation of Alberta for over four decades and has continued to work diligently here in Ottawa to better the lives of Metis, young Aboriginals and single mothers. She combines common sense with sensitivity, and the respect she has for her fellow citizens is plainly evident in her actions and words.

Senator Chalifoux is known by her colleagues for her sincerity and friendliness, qualities which make her very approachable, not only to the people that she represents but to anyone who has the pleasure of knowing her.

One of Senator Chalifoux's first speeches was on amending the Canadian Human Rights Act in order to add social condition as a prohibited ground of discrimination. Her words resonated in this chamber because she spoke from the heart from her own personal experiences with discrimination. She concluded by saying, "Poverty will surely be around for a long time, but we can do our best to ensure that the poor people of our country are protected." This is the mandate she set out for herself on being appointed to the chamber, and she has certainly furthered this laudable objective during her time here.

Honourable senators, Senator Chalifoux is one of the most dedicated colleagues I have had the pleasure to work with. I have no doubt that we and the Canadian public will be hearing from her long after she leaves this place. Keep up the good work.

**Hon. Terry Stratton:** Honourable senators, it gives me great pleasure to rise today to celebrate with all of you the time that Thelma Chalifoux has spent in this chamber. If I may be permitted a somewhat partisan comment: When you make as many appointments to this place as former Prime Minister Chrétien did, you are bound to get one of them right.

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

**Senator Kinsella:** That is the only one that was right!

**Senator Lynch-Staunton:** There is only Senator Grafstein left.

**Senator Stratton:** This is a remarkable lady who has shared her time with us over the past six years. Not surprisingly, her major contribution during these years has been lifting up the cause of the Aboriginal peoples of Canada and, specifically, addressing the issue of the Metis people of Canada.

She has chaired our Aboriginal Peoples Committee since May 2000, dealing even-handedly with sometimes very controversial legislation. She has also initiated, along with Senator Johnson, a study on the issues faced by Aboriginal youth in Canada, especially those confronting young urban Aboriginals.

This study has brought the committee into Aboriginal communities to meet face-to-face with young people, to hear them, to assure them that if they felt no one was listening, at least a committee of concerned senators chaired by someone with 26 great-grandchildren was listening.

However, Thelma Chalifoux is much more than just a senator. She has much more than her work here. That work outside this place and before her appointment to the Senate should also be the subject of our celebration today. She has served as a land claims negotiator, was founder of the Slave Lake Native Friendship Centre and was instrumental in developing the Metis Association of Alberta Land and Welfare Departments. Her commitment to social activism goes back to the days of the Company of Young Canadians, of which she was a member. Her devotion to the cause of Aboriginal people in Canada has been recognized, as she was the first Metis female to receive the National Aboriginal Achievement Award. She is also a member of the University of Alberta Senate. This lady of many talents also operates a successful consulting business based in St. Albert, Alberta.

• (1340)

As we all know, the current Prime Minister has, through the Speech from the Throne, placed Aboriginal — and specifically Metis — issues high on his government's agenda. I am sure that this is due to the influence that Senator Chalifoux has exercised over the years.

On a personal note, although I have Orange roots and Senator Chalifoux has Catholic roots, we have become friends over time. We also have a distinct agreement with regard to a certain Father of Confederation who originated from Manitoba, Louis Riel.

**Senator Chalifoux:** Our hero.

**Senator Stratton:** He is a hero to Manitoba and to me.

We will always have that bond, Thelma. I wish you well in the future.

**Hon. B. Alasdair Graham:** Honourable senators, early this week, a feature article in the *Edmonton Journal* caught my attention. "A rare, unconquerable spirit" was the headline. "Canada's first female Metis senator raised seven children by herself." Chris Purdy's masterful take on Thelma Chalifoux's career is a portrait in courage, and his subject matter, "warmly described as a tough old broad with a quick tongue and a down to earth heart...and a head full of ethics," has run rings around all of us in that department.

Honourable senators, Thelma has taught a lot of us about living. In fact, every time I see her arrayed in one of her colourful hats, one of which adorns her desk today, with an always sensational walking cane, I think to myself, as have others in this chamber, "What will Thelma rope us into today?"

This rare, unconquerable spirit, an Albertan, has spent her life adding new chapters to the story of her own people — those brave adventurers in our history who carved out the early beginnings of a young nation from the wide horizons of virgin prairie. This western woman is a latter day pioneer in the dream of absolute equality for men and women in this country.

Louis Riel once reflected on the rights of the small. "The great or small," he said, "these rights must be the same for everyone." Thelma has made that belief her own. If there is a common denominator to her wonderful life, it is her passion for equity and a level playing field for all of our people; her dream to have communities and societies where people have the right to hope; the daily struggle to liberate people from hatred and intolerance, wherever and whenever she has found it; and building a special place where all of our children have the right to grow up as equals.

Thelma, it seems only yesterday that, as the then Leader of the Government in the Senate, I welcomed you to this chamber. What a privilege it was then. My God, it has done this chamber good; it has done all of us good just to know you, Thelma. Thank you.

**Hon. Gerry St. Germain:** Honourable senators, it is a great privilege, as a Metis of this country, to salute a Metis on the other side.

Thelma, you will be missed here. Time is our greatest enemy in this place because we never have enough time to do the things we set out to do or would like to do to deal with the challenges that face our people.

Thelma, during your presence in this place and in Ottawa, the nation's capital, you elevated the debate on the cause of our people to a level that was never before seen.

As Senator Austin and others have said, the Metis were mentioned in the Speech from the Throne. I believe that your work and your attitude, Thelma, made that happen. I would like to congratulate you for that because your work has been significant and should be recognized.

I have worked with you over the years in committee. I have taken my leave because Senator Rompkey and I decided that we would argue for a while. Other than that, the work we did together has stood our people and all Aboriginal peoples well. The effects of your leadership on the Aboriginal Peoples Committee will serve the Aboriginal, Inuit and Metis peoples well.

We travelled together on some of the trips that the committee took when studying urban Aboriginals and Aboriginal youth. I saw the respect that you command from our people and from the Aboriginal peoples.

My biggest concern, Senator Chalifoux, is your replacement.

Will Senator Austin ensure that Senator Chalifoux is replaced by someone of equivalent calibre so that we can carry forward the very strong initiative that she has brought to this place? Without an equivalent replacement, the causes of Louis Riel, our leader, and the plight of all our Aboriginal peoples in this country will not be fully served.

[Translation]

I would like to ask you not to forget your friends here in Ottawa. Come back often, dear Thelma, and thank you once again for your humility. Thank you for having been such a good friend.

[English]

**Hon. Serge Joyal:** Honourable senators, it is with great pride that I add my voice to those of my colleagues to mark the contribution of Senator Thelma Chalifoux to the advancement and the recognition of the Metis people as an Aboriginal nation with full constitutional rights and status and the proclamation of Louis Riel as a Metis and Canadian hero.

The history of the contribution of the Metis people to Canadian nationhood is yet to be fully researched and understood. The Metis were created, first, from the union of Indian women with explorers, hunters and fur traders of French origin for more than 100 years, and then with those of British and Scottish origin after the country's change of allegiance. This situation was unique: A new Aboriginal nation was thus created. Unfortunately, the Metis were deprived of any real status and, in reality, banned from the boundaries of any recognized territory. They were not full-blood Indians living on ancestral land nor, of course, of exclusive European descendants. For years, they lived as nomads, wandering with their children and few belongings.

[Translation]

Without any land, the Metis could not put down roots, create a stable community, develop independent institutions, and thus take advantage of their rights to this country's resources. Their leader Louis Riel, a Metis, understood this and he made demands

to the government on their behalf. The government ignored their settlement rights and tried to dispossess them. This conflict profoundly divided the new country, for the first time setting the francophones of Quebec against the anglophone majority in Ontario.

• (1350)

[English]

Riel understood that the Metis faced a unique challenge to integrate both French and English languages and influences while maintaining their traditional ways of living and culture. They were also facing the hardship of wandering, almost as exiles, in their own country. They had to claim the bare minimum of rights to live in peace. Through his leadership, Riel restored their dignity, their pride in their origin and unique identity, but it was not without battles and death. It is thus appropriate that Senator Chalifoux tried, in two different bills, to recognize Riel's place in Canadian history.

After 112 years, the Metis, a voiceless people, were finally heard. The Constitution Act, 1982, through an amendment to the original draft, added the Metis as a recognized Aboriginal people, and 21 years later, in the *Powley* case, the Supreme Court confirmed their entitlement as a full Aboriginal nation.

Senator Chalifoux brought to our chamber the plight of her people: homelessness in urban areas, poor health, child poverty and youth suicide. Her departure from our chamber today raises the question of how we will maintain the high visibility of those concerns in our legislative work and Senate studies. She made us commonly responsible for the essential improvement that the Metis are entitled to as much in land as in governance. I should like to assure her that, with her efforts to raise our conscience, we will be guided by her dedication to restore the rights of the Metis.

Thank you, Senator Chalifoux, with all our consideration, for the dignity and the deep sense of honour that you brought to your commitment.

**The Hon. the Speaker:** Honourable senators, unfortunately, the 15 minutes for tributes have passed. However, I will see some senators under Senator's Statements, as long as there is time.

It is now my great pleasure to call on Senator Chalifoux.

**Hon. Thelma J. Chalifoux:** Honourable senators, I am absolutely overwhelmed at the reception and the tributes given to me, as a servant of the people. I was raised to serve our Elders and our communities, all my life, so it is a legacy that I inherited from my father, my mother and my community.

I was raised in the Salvation Army. In the Salvation Army, we are taught to serve, so that is what I have been doing all my life. It is just part of me. When I see someone suffering, how can I turn my back? When someone asks for help, how can I say no? I cannot. I was raised with strong work ethics, and I have tried to carry that forward throughout my whole life.

[ Senator St. Germain ]

Since my appointment to this wonderful place, I have never walked into this chamber without a sense of awe. I have asked myself many times: What is a little old Metis lady from Northern Alberta doing in this wonderful place? I have always believed the Creator put me here for a very significant reason — that is, to bring forward the plight of all the Aboriginal people in this country so that no more do we have to talk about Third World conditions and no more do we have to talk about the lack of identity and the loss of culture. If I have touched one person, I have done my job.

I want to thank our team, right from the bull gang through to Security and Debates, everyone who works here, because we are a team. Without all those people working for us, we would never survive. They are my friends; they are also my colleagues.

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

**Senator Chalifoux:** I have a very special “thank you” for the team in my office. My assistant, Karen, is bossy and is a control freak, but I could not have done without her. I have got things that no other senator ever dreamed about. Her loyalty and her dedication, not only to my office but also to the Senate, have been absolutely impeccable. I do not know what I will do without her. We argue, but we are the best of friends — which is what this place is all about. It is not just about being here. It is about how we treat each other. I gave the people who clean our offices a copy of the publication “The Senate Today,” to make sure they understand the Senate. I want them to be proud of working in our wonderful chamber.

I will not retire. There are other mountains for me to climb. When you retire, you die. I have talked to the good Lord, and I will not go until I am about 95, so I have a lot of work to do.

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

**Senator Chalifoux:** We have had a lot of fun here. We have had a lot of debate. I thank Senator John Lynch-Staunton, because when I first came into this place, he was speaking. What a parliamentarian! What a debater! Senator Grafstein just amazes me. I love debates, and those gentlemen just amaze me. I was so thrilled to be here to listen to the vibrant, wild debates. They never lost sight of the issue. It was not about personalities; it was about good, straight issues, which I thoroughly enjoyed.

When I go back home, I talk about the Senate and its importance and about how we are needed, especially out West where we do not have too many representatives on the House side. The Senate is so vitally important. We must go and talk to the people about the work that we do here in the Senate. We are the best-kept secret in the country — but the secret is out. It is up to us to make sure that all Canadians know what a wonderful government we have and what a wonderful parliamentary system we have.

I thank each and every one of you, from the people who clean our offices right through to the Speaker of the Senate. Thank you

so much for the wonderful opportunities that I have been given. I also thank the good Lord for giving me the opportunity to represent my people and to bring our issues forward. Once again, thank you from the bottom of my heart. I will be back!

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

**Hon. Joyce Fairbairn:** Honourable senators, to keep this mood flowing, I want to say a few words about Thelma.

It gives me both pride and sadness to say farewell to one of the most outstanding friends I have met in this place in 20 years, my Alberta sister, Thelma Chalifoux.

Having survived a life of incredible hardship, remarkable service, challenges that others would shrink from, Thelma has not only been a great senator, but also a tough and loving model for seven children, 30 grandchildren and 26 great grandchildren. She has worked her way through abusive marriages and life-threatening health problems, and will continue to fight on for her causes wherever needed when she retires from this house.

What Thelma has achieved in this chamber on behalf of all Aboriginal people will become part of their history and of ours. As the first Aboriginal woman and first Metis woman to become a senator, she has set a course that this house is bound to follow in years ahead. So much has been done that it is hard to believe that it has only been slightly over six years.

• (1400)

On her own initiative, Thelma has tackled the very definition of the Metis, a long-standing and tragic puzzle to governments and non-Aboriginal people, which has placed Metis communities across this country at a historic disadvantage in terms of rights and responsibilities for their families and the lands on which they live.

She has had great influence through the work of the Aboriginal Peoples Committee, and through that committee work she leaves Parliament and governments with an important tool for future action on the strategy for urban Aboriginal peoples, with special emphasis on youth and all their problems. For her endless effort throughout her life, Thelma has received almost every award there is, including the prestigious National Aboriginal Achievement Award.

Honourable senators, all of us have been honoured by Thelma's appointment to this place. From my own perspective, as an Albertan, as a Kainai Chief and as a woman, her friendship is the gift of a lifetime and her departure from the Senate is a great loss. However, one is comforted by the statement and the reality that Thelma will never stop pursuing her causes and the dreams of her people. She is already working on projects for the future.

You are much loved, Thelma, and I hope you will take good care of yourself and save some time to fully enjoy that large and remarkable extended family for whom you are such a source of affection. May you fly always on the wings of an eagle.

**Hon. Lorna Milne:** Honourable senators, Thelma Chalifoux had only been in the Senate for three days when she rose to her feet in indignation in response to some ill-considered remark by an unsuspecting senator. She proceeded to introduce us all to the concept of the Mid-Canada corridor, that vast stretch of our Boreal forest that goes from coast-to-coast, which encompasses most of Canada's natural resources and is the ancestral homeland of Thelma Chalifoux's people, the Metis of Rupert's Land. As she pointed out here yesterday, they are the true Canadians.

During the entire length of her term in the Senate, Thelma has continued to educate us, to challenge us, and to fight for the rights and the betterment of her people. Others have listed Thelma's accomplishments in this place, so I will not repeat them, but one of her most outstanding accomplishments has been the huge number of enduring friendships that she has built here.

Honourable senators, this extraordinary woman from Morinville, Alberta, has made an enduring and historic mark on this place and on the laws that will govern all Aboriginal peoples in Canada for years to come.

Senator Chalifoux, as you said yesterday, you have worked all your life and you are not about to stop now. I predict that Parliament Hill has not seen or heard the last of you.

**Senator Chalifoux:** You are right!

**Senator Milne:** The Honourable Thelma Chalifoux: senator, matriarch, warrior, wise woman, true and loyal friend, sister and seatmate. Thelma, my dear, you have no idea how much I will miss you and the laughter and the tears that we have shared in this place for six years.

**Hon. Ione Christensen:** Honourable senators, I wish to add my good wishes to Senator Chalifoux. She was a senator in the Metis Nation before she came to this place and so brought a special perspective in developing the role that she would play in the short six years that she has been here.

What a role you have played, Thelma. Your name is known from sea to sea to sea. You have touched so many lives in so many positive ways and, true to our calling as senators, you have fought hard for minorities. No senator, no MP, no minister and, yes, no Prime Minister, was safe when you were working on a file for fairness or justice, and you had success. You would cut to the chase, use good old common sense, throw out the red tape and solve the problem. "Do not tell me what I cannot do, just tell me how I can do what I want to do" is your philosophy. How refreshing and effective, even though bureaucrats would blanch at the prospect of such fast-tracking methods.

As northern bush girls, you and I found a common affinity on my first day, and our friendship has grown over the last four years. I will miss you. Be happy on your plantation. I know retirement is the farthest thing from your mind, but take care of yourself and enjoy those 26 grandchildren. Happy trails.

**Hon. Douglas Roche:** Honourable senators, to learn the story of the life of Thelma Chalifoux is to absorb lessons in courage, overcoming adversity and personal strength. She fought for the good of her family and demonstrated deep commitment to the Metis people to help them overcome historic discrimination. To sit in the Senate chamber with Thelma Chalifoux is to be inspired at her determination to help all Aboriginal people claim their rightful place in our society.

To have heard Senator Thelma Chalifoux's speech yesterday — no, not a speech, rather an eloquent yearning for social justice for her people — is to be humbled and energized to join her in her call to the government to live up to its responsibilities.

To have the friendship of Thelma Chalifoux — this congenial woman who wears those wonderful hats — is to be truly blessed, and I will never forget her.

**Hon. Nick G. Sibbeston:** Honourable senators, in the few years that Thelma Chalifoux served as senator for Alberta, she exuded a huge Metis presence, representing Metis, First Nations and indeed all Albertans in a very dignified and respectful manner. She was passionate about improving the lot of Aboriginal people, particularly those who fell through the cracks or were marginalized. This often included Metis people. She challenged the government in committee, in caucus and in this place.

Indeed, she has been a tiger, particularly chairing the Aboriginal Peoples Committee and doing a study on Aboriginal youth in urban centres. Their report, which has 16 recommendations, will be part of her legacy. The challenge to those of us left behind will be to ensure that the new government takes notice. It is there in plain English and French in terms of what the government ought to do to alleviate the problems among the native people of our country.

Thelma has spent her life helping people and has been a good bridge between non-native and Aboriginal people. She has been involved all her life in Alberta, helping to establish Aboriginal organizations and to make them effective. She has dealt with land claims and helped set up the first friendship centre in Slave Lake. She has had a busy life. Knowing her, she will be busy right to her last breath.

Thelma has received awards from the National Aboriginal Achievement Foundation and recognition for who she is. Just last year she was given a Circle of Honour Award from an institute in Alberta promoting the advancement of women. I am pleased to announce to all of my colleagues here that she has been offered an Honorary Doctor of Law Degree from the University of Toronto, and she intends to accept — so senator no more; we will have to address her as Her Eminence, Dr. Chalifoux.

Thelma leaves to go back to her cabin in Morinville and her seven children, 30 grandchildren and 26 great grandchildren. Bon voyage, notre ami.



• (1410)

**Hon. Mira Spivak:** Honourable senators, Senator Thelma Chalifoux is the most spiritual and practical woman I have ever met. She has tried to instill some of that spirituality in me; however, Thelma, I am afraid it will take a lot more time to do so. Her spirituality is of a healing fashion. I have experienced some of it, and I thank Senator Chalifoux for it.

I have a vivid memory of Thelma plowing through the woods of Finland, at minus 20, on two canes and with some Finnish soldiers. We must have walked a couple of miles and Thelma would not give up. She would not be taken on a stretcher — she wanted no assistance.

Thelma, I wish you only the very best in the future. You told me that diamonds might be discovered in your area. As you know, diamonds are a girl's best friend. I hope they discover all kinds of them. I know you will not wear them. I know you will pawn them and use the money for one of your wonderful causes. However, you should wear at least one!

Good luck.

**Hon. Vivienne Poy:** Honourable senators, I rise today to pay tribute to the Honourable Senator Thelma Chalifoux.

Since I came to this chamber in 1998, she has been an inspiration and a good friend to me. I am always watching to see what Thelma is up to, as many of us do.

I believe we share many of the same beliefs and that we both value human rights and justice. We share a passion for honouring the diversity of this country and for championing women's rights.

On behalf of the most needy, I salute her for all her work, both in this chamber and in the work she has done with individuals in her community.

Throughout her time in the Senate, in particular as Chair of the Standing Senate Committee on Aboriginal Peoples, and in her recent work on Aboriginal women's matrimonial property rights in the Standing Senate Committee on Human Rights, she has spoken for those who might otherwise not be heard in our political system. She has become a role model for Aboriginal people throughout Canada. Her strong presence in Canada has helped put Metis on the national agenda as well as raise awareness of Metis issues among the general population.

Since 1997, when Thelma was appointed to the Senate, she has focused on improving the lives of the people of this country. She has done much to raise awareness about poverty and the inequities that continue to exist in Canada.

She has also tried to exonerate the Metis hero Louis Riel through a bill that died on the Order Paper on two occasions. By raising this issue, Thelma has done much to spur on public debate about the role of Louis Riel in the history of Canada. As we all know, that debate will continue.

Last year, I had the great opportunity to attend the Esquao Awards Gala in Edmonton, along with a number of other senators, at which Senator Chalifoux received from the Institute for the Advancement of Aboriginal Women the Circle of Honour Award, the highest award given by the institute. I know Senator Sibbeston mentioned this award, but I want to mention it again because it is very important. It was clear that she had earned the respect and affection of her community, both for her accomplishments and for the fact that she has never forgotten from where she comes.

Thelma is officially retiring from the Senate, but her impact will continue in this country. As she has just confirmed to us, she spoke to the Great Lord and she will be around for another 20 years. Therefore, we will continue to hear from Thelma, who will continue to improve issues that affect Canada.

Today, I am losing a valued colleague, but I will continue to have a good friend. Thelma, I am going to miss you, but our paths will cross again very soon.

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## ROUTINE PROCEEDINGS

### FOREIGN AFFAIRS

#### REPORT PURSUANT TO RULE 104 TABLED

**Hon. Peter A. Stollery:** Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on Foreign Affairs. 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. 47.)*

### PERSONAL WATERCRAFT BILL

#### FIRST READING

**Hon. Mira Spivak** presented Bill S-8, concerning personal watercraft in navigable waters.

Bill read first time.

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

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

## LOUIS RIEL BILL

### FIRST READING

**Hon. Thelma J. Chalifoux** presented Bill S-9, to honour Louis Riel and the Metis People.

Bill read first time.

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

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

## CANADA-EUROPE PARLIAMENTARY ASSOCIATION

### MEETING OF ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE— OCTOBER 9-11, 2003—REPORT TABLED

**Hon. Jeremiah S. Grafstein:** Honourable senators, I have the honour to table, in both official languages, the report of the Canadian delegation of the Canada-Europe Parliamentary Association, OSCE, to the Organization for Security and Co-operation in Europe Parliamentary Assembly, fall meetings in Rome, Italy, October 9 to 11, 2003, when we had the honour of having an audience with His Holiness, the Pope.

• (1420)

## NATIONAL SECURITY AND DEFENCE

### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO CONTINUE STUDY ON NEED FOR NATIONAL SECURITY POLICY

**Hon. J. Michael Forrestall:** Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(i), I move that the following motion be placed on the Orders of the Day for consideration later this day:

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

- (a) the capability of the Department of National Defence to defend and protect the interests, people and territory of Canada and its ability to respond to or prevent a national emergency or attack and the capability of the Department of Public Safety and Emergency Preparedness to carry out its mandate;
- (b) the working relationships between the various agencies involved in intelligence gathering, and how they collect, coordinate, analyze and disseminate information and how these functions might be enhanced;

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

(d) the security of our borders.

That the papers and evidence received and taken during the First and Second Sessions of the Thirty-seventh Parliament be referred to the Committee;

That the Committee report to the Senate no later than June 30, 2004 and that the Committee retain all powers necessary to publicize the findings of the Committee until July 30, 2004.

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

**Some Hon. Senators:** No.

**The Hon. the Speaker:** Leave is not granted. It will be taken as notice.

On motion of Senator Forrestall, motion placed on the Orders of the Day for consideration two days hence.

## TRANSPORT AND COMMUNICATIONS

### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO CONTINUE STUDY ON MEDIA INDUSTRIES

**Hon. Joan Fraser:** Honourable senators, I give notice that, at the next sitting of the Senate, I shall move:

That the Standing Senate Committee on Transport and Communications be authorized to examine and report on the current state of Canadian media industries; emerging trends and developments in these industries; the media's role, rights, and responsibilities in Canadian society; and current and appropriate future policies relating thereto;

That the Committee submit its final report to the Senate no later than Thursday, March 31, 2005; and

That the papers and evidence received and taken on the subject and the work accomplished during the Second Session of the Thirty-seventh Parliament be referred to the Committee.

[Translation]

### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO PERMIT ELECTRONIC COVERAGE

**Hon. Joan Fraser:** Honourable senators, I give notice that at the next sitting of the Senate I shall move:

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

NOTICE OF MOTION TO AUTHORIZE  
COMMITTEE TO ENGAGE SERVICES

**Hon. Joan Fraser:** Honourable senators, I give notice that at the next sitting of the Senate I shall move:

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

[English]

**FOREIGN AFFAIRS**

NOTICE OF MOTION TO AUTHORIZE COMMITTEE  
TO CONTINUE STUDY ON TRADE RELATIONSHIPS  
WITH UNITED STATES AND MEXICO

**Hon. Peter A. Stollery:** Honourable senators, I give notice that at the next sitting of the Senate I shall move:

That the Standing Senate Committee on Foreign Affairs be authorized to examine and report on the Canada-United States of America trade relationship and on the Canada-Mexico trade relationship, with special attention to (a) the Free Trade Agreement of 1988; (b) the North America Free Trade Agreement of 1992; (c) secure access for Canadian goods and services to the United States and to Mexico; and (d) the development of effective dispute settlement mechanisms, all in the context of Canada's economic links with the countries of the Americas and the Doha Round of World Trade Organization trade negotiations;

That the papers and evidence received and taken during the second session of the Thirty seventh Parliament be referred to the committee,

That the Committee shall present its final report no later than June 30, 2004, and that the Committee shall retain all powers necessary to publicize the findings of the Committee as set forth in the final report until July 31, 2004.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE  
TO CONTINUE STUDY ON ISSUES RELATED  
TO FOREIGN RELATIONS

**Hon. Peter A. Stollery:** Honourable Senators, I give notice that at the next sitting of the Senate I will move:

That the Standing Senate Committee on Foreign Affairs, in accordance with rule 86(1)(h), be authorized to examine such issues as may arise from time to time relating to foreign relations generally; and

That the committee report to the Senate no later than June 30, 2004.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE  
TO PERMIT ELECTRONIC COVERAGE

**Hon. Peter A. Stollery:** Honourable senators, I give notice that at the next sitting of the Senate, I shall move:

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

NOTICE OF MOTION TO AUTHORIZE  
COMMITTEE TO ENGAGE SERVICES

**Hon. Peter A. Stollery:** Honourable senators, I give notice that at the next sitting of the Senate, I shall move:

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

**RULES, PROCEDURES AND  
THE RIGHTS OF PARLIAMENT**

NOTICE OF MOTION TO AUTHORIZE COMMITTEE  
TO PERMIT ELECTRONIC COVERAGE

**Hon. Lorna Milne:** Honourable senators, I give notice that, at the next sitting of the Senate, I shall move:

That the Standing Committee on Rules, Procedures and the Rights of Parliament be empowered to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

**BANKING, TRADE AND COMMERCE**

NOTICE OF MOTION TO AUTHORIZE COMMITTEE  
TO CONTINUE STUDY ON STATE OF DOMESTIC  
AND INTERNATIONAL FINANCIAL SYSTEM

**Hon. Richard H. Kroft:** Honourable senators, I give notice that at the next sitting of the Senate I will move:

That the Standing Senate Committee on Banking, Trade and Commerce be authorized to examine and report upon the present state of the domestic and international financial system;

That the papers and evidence received and taken on the subject during the First and Second Sessions of the Thirty-seventh Parliament and any other relevant Parliamentary papers and evidence on the said subject be referred to the committee; and

That the committee submit its final report no later than December 31, 2004.

## ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO CONTINUE STUDY ON ISSUES RELATED TO MANDATE

**Hon. Tommy Banks:** Honourable senators, I give notice that at the next sitting of the Senate I will move:

That the Standing Committee on Energy, the Environment and Natural Resources be authorized to examine and report on emerging issues related to its mandate:

- (a) The current state and future direction of production, distribution, consumption, trade, security and sustainability of Canada's energy resources;
- (b) Environmental challenges facing Canada including responses to global climate change, air pollution, biodiversity and ecological integrity;
- (c) Sustainable development and management of renewable and non-renewable natural resources including water, minerals, soils, flora and fauna;
- (d) Canada's international treaty obligations affecting energy, the environment and natural resources and their influence on Canada's economic and social development; and,

That the papers and evidence received and taken by the Committee during the Second Session of the Thirty-seventh Parliament be referred to the Committee;

That the Committee report to the Senate from time to time, no later than February 28, 2005, and that the Committee retain until March 31, 2005 all powers necessary to publicize its findings.

[Translation]

## BANKING, TRADE AND COMMERCE

### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY CREDIT RATES

**Hon. Madeleine Plamondon:** Honourable senators, I give notice that at the next sitting of the Senate I shall move:

That the Standing Senate Committee on Banking, Trade and Commerce place a study of credit rates on its agenda for the current session.

## OFFICIAL LANGUAGES

### BILINGUAL STATUS OF CITY OF OTTAWA— PRESENTATION OF PETITION

**Hon. Jean-Robert Gauthier:** Honourable senators, I have some 1,000 petitions to table, making a total of 21,834 petitions asking that Ottawa, the capital of Canada, be declared a bilingual city reflecting the linguistic duality of the country.

The petitioners pray and request that the Parliament consider the following points:

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 government of Canada; and

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

• (1430)

[English]

## QUESTION PERIOD

### PRIME MINISTER

#### MEETINGS WITH ETHICS COUNSELLOR ON BLIND TRUST

**Hon. Marjory LeBreton:** Honourable senators, I have a question for the Leader of the Government in the Senate. I would like the leader to clarify one of his answers of yesterday. In response to Senator Nolin's question about the Prime Minister's briefing on his holdings, the Leader of the Government said:

The Prime Minister was not involved in the management of CSL, and he excused himself from any issues related to the management of CSL.

If the Prime Minister excused himself from any issues related to the management of CSL, why did he attend a 1996 meeting with CSL President Sam Hayes about a company contract with Jawa Power?

**Hon. Jack Austin (Leader of the Government):** Honourable senators, I do not have any information on which that question is based. I will have to seek such information and reply at a later time.

**Senator Lynch-Staunton:** How convenient.

**Senator LeBreton:** I will help then. In an article in the *Ottawa Citizen* of February 17, 2003, Ethics Counsellor Wilson states clearly that Mr. Martin was “well aware” of the Jawa Power contract with CSL. Former Prime Minister Chrétien also stated there were meetings with the managers of Mr. Martin’s trust “who wanted to inform him of this so-called important decision to be made.” This was recorded in Hansard on February 18, 2003.

In light of these statements, how can the Leader of the Government say that Mr. Martin was not involved in CSL decisions?

**Senator Austin:** I guess, honourable senators, the question is whether “involved” means to participate in making decisions. I would compare that with being informed where he does not participate in making decisions. As I said yesterday, under the current rules, members of cabinet who are subject to the code of conduct are allowed to know what the value of their assets may be.

As for further questions, if there are any of substance, I will be pleased to pursue the information.

**Senator Lynch-Staunton:** Not the embarrassing ones.

**Senator LeBreton:** I would rather think that direct quotes from Howard Wilson are of substance, although I guess one could argue that.

I have another brief question. Was Mr. Martin at any time briefed about contracts that CSL received from the government?

**Senator Lynch-Staunton:** Yes or no.

**Senator Austin:** Honourable senators, the situation is that Mr. Martin complied with all the rules that applied to cabinet ministers when he was Minister of Finance. Any meetings conducted were held with the attendance of the Ethics Counsellor to ensure that those rules were applied. Therefore, I think the question is fully answered.

## JUSTICE

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

**Hon. Jack Austin (Leader of the Government):** Honourable senators, while I am on my feet, I would like to answer a question that Senator Andreychuk asked yesterday relating to Ms. O’Neill of the *Ottawa Citizen*. Senator Andreychuk asked me to make further inquiries to determine the meaning of the Prime Minister’s statement.

I am advised that the Prime Minister was simply indicating that in the absence of charges or conviction there was no basis to suggest that Ms. O’Neill is a criminal. There is a presumption of innocence. The Prime Minister gave no indication that journalists as a class of people should be above legal inquiry.

**Senator Lynch-Staunton:** He never said that; that is after the fact. Spin away; spin away.

## CITIZENSHIP AND IMMIGRATION

### DEPORTATION OF INDIVIDUAL TO NORTH KOREA

**Hon. Consiglio Di Nino:** Honourable senators, we are witnessing the development of the heart-wrenching plight of Mr. Song Dae Ri and his six-year-old son, refugees from North Korea.

Mr. Ri has been refused refugee status, even though the IRB member who ruled on the issue admits Mr. Ri would likely be executed if he returns to North Korea. The Immigration and Refugee Board’s reason for refusal is apparently related to his job in the North Korean government; that is guilt by association. Canada’s war crimes unit gave written assurance to the IRB that Mr. Ri was “not a person of interest” to them.

Can the Leader of the Government in the Senate shed some light on this matter for us? Has Canada changed its position about deporting people to countries where the possibility of either capital punishment or execution exists?

**Hon. Jack Austin (Leader of the Government):** Honourable senators, the question raises a matter that I also consider to be one of serious concern. The official of the Immigration and Refugee Board has made a determination based on the rules that apply. He has applied a rule based on a finding that Mr. Ri had been a senior official of the North Korean government and that government had acted contrary to humanitarian rules and values. However, an additional process remains available to Mr. Ri. I am assured that he still has the opportunity for a pre-removal risk assessment. During that process, I am advised that he would only be ordered removed if the finding is that the danger posed by Mr. Ri to Canadian society outweighs the risks in his deportation.

**Senator Di Nino:** Honourable senators, this comment is totally non-partisan because it goes back over years. Past governments have admitted to this country some of the worst criminals in the world through special intervention by the minister. Just for your information, Ms. Ri was in Canada with her husband. Apparently she was lured back to North Korea under false pretences, where she was executed. Mr. Ri’s father was also executed, apparently because of his son’s actions, as a lesson.

Honourable senators, this is the time for a ministerial permit, obviously after an appropriate review. Regardless of the validity of the unproven accusations against Mr. Ri, surely now is the time for the Government of Canada to take action.

I ask this question of the minister. Will we not become accessories or accomplices to a likely execution? Will we not be accessories to the orphaning of a six-year-old boy? Could the minister answer that, please?

**Senator Austin:** Honourable senators, I will be very happy to add my own representations to those that Senator Di Nino has just made when I raise the matter with my cabinet colleagues.

**Hon. Pierre Claude Nolin:** I have a question for the Leader of the Government in the Senate. I think we all agree that there must be a solution to this situation. It is a big problem. I believe that the minister's colleagues will take the proper decision.

• (1440)

However, that raises a broader question: What was going on at the IRB for such a decision to have been taken? There is a problem with the board, and the proper authority must solve it. I do not know how, but I hope the minister can convey to his colleagues that there is a problem and that the board should be reorganized.

I fully understand that the IRB is a quasi-judicial body; nevertheless, if we need to fix the law that gives the board the authority to make such decisions, we will fix it.

Honourable senators, there is a problem here because such a story cannot be Canadian. We hear such stories from other countries, but not from Canada. I hope the minister agrees with me.

**Senator Austin:** Honourable senators, I will certainly take into account what the Honourable Senator Nolin has said. At the same time, and in no way reducing my commitment to make these representations, I wish simply to indicate that this case has been applied to existing rules. It may well be that those rules would apply to another individual found to be a member of a government or administration or junta that had committed war crimes or inhumane acts. In terms of legal process, there is always a question that there be a general rule; but, under the existing system, if the general rule is being applied inappropriately, I would certainly be concerned to know that. If it is being applied appropriately, other stages of the process will take the humanitarian factors into consideration.

**Hon. A. Raynell Andreychuk:** Honourable senators, I trust that the due process as envisioned for this case was followed. If not, of course, the honourable leader has undertaken to look into the matter.

It seems to me that there is a parallel here. The law works, but sometimes there are these aberrations. That is why there is a minister's permit, an escape valve. The *Burns and Rafay* case concerning criminal extradition indicated ministerial discretion, and the minister refused to say how the minister would use that discretion. The court clearly said that under no circumstances can the minister exercise the discretion if it would lead to death because we have abolished the death penalty in Canada.

The same reasoning surely applies in this case. The minister should exercise that discretion immediately to ensure that we do not find ourselves in the same position as we did regarding criminal extradition.

I do not see why the minister has delayed in taking action. I think the process has been followed and has come to a conclusion,

but there is a safety valve to ensure that the death penalty does not result from our actions. All that is left is simply for the government to act.

**Senator Austin:** Honourable senators, I appreciate Senator Andreychuk's addition to this series of questions. I will also examine the *Burns and Rafay* case to see precisely what it says. If, in my view, it adds to the argument that I would like to make, I can assure honourable senators that I will make that argument.

**Senator Andreychuk:** My point is that perhaps the minister had greater discretion because of our national interest and our safety and security. In the *Burns and Rafay* case, that was put aside, and the ruling was that the minister must exercise in favour of not having someone returned to a country where they could face execution. In this case, there is no question of our national safety and security. No one has raised that point.

**Senator Austin:** Honourable senators, in fact, the point has been raised. That is a question, again, to be examined, but the honourable senator's point is absolutely apposite to the issue.

## CANADIAN BROADCASTING CORPORATION

### DISPARAGING COMMENTS BY SPORTS COMMENTATOR DON CHERRY

**Hon. Jean-Robert Gauthier:** Honourable senators, I have a question for the Leader of the Government in the Senate.

I tabled a complaint with the Official Languages Commissioner today concerning a certain comment made recently by CBC sports commentator Mr. Don Cherry. It is not the first time that Mr. Cherry has made disparaging remarks about French-speaking people.

In his commentary, Mr. Cherry suggested during Coach's Corner on CBC's *Hockey Night in Canada* that drug use in junior hockey was limited to the Quebec Major Junior Hockey League. Those comments are untrue because drugs in sports are becoming a global issue. Just look at the Olympics, for example. Many medal winners have lost medals because of positive drug tests.

Also during the January 24 broadcast, Mr. Cherry berated those who are calling for the mandatory use of protective visors by NHL players in the wake of several injuries caused by high-sticking. Mr. Cherry added that the only players who wear visors are European and French. Once again, Don Cherry is not factual. Nearly 40 per cent of NHL players wear the protective visor, and so they should.

Maybe Don Cherry should pay more attention to what is happening on the ice instead of making offensive comments about players because they have a French name or because they come from Quebec. The CBC should sanction Mr. Cherry for his comments. Comments like those do not reflect Canadian values, as it is the CBC's mandate to do.

I would like the Leader of the Government in the Senate to please raise this matter with the President of the CBC, Mr. Robert Rabinovitch. Could the minister tell him that some of us in the Senate do not agree with Mr. Cherry's comments, disagree totally with his methods and would ask him to shut up?

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

**Senator Gauthier:** Could the minister please add that those comments by Mr. Cherry are not considered to be conducive to unity in Canada? He is being divisive.

**Hon. Jack Austin (Leader of the Government):** Honourable senators, as we all know, the CBC is an independent Crown corporation and has responsibility for its programming and operations. I believe that the CBC has already issued a formal expression of disagreement with the remarks made by Mr. Cherry. I suggest to the honourable senator that he direct his comments to the CBC and its ombudsman for their consideration. They have undertaken to look at the issue forthwith.

Specifically, I would be very happy to call the President of the CBC and advise him of the honourable senator's representations and my agreement with them.

## AGRICULTURE AND AGRI-FOOD

### BOVINE SPONGIFORM ENCEPHALOPATHY— EFFECT ON CATTLE TRADE

**Hon. Leonard J. Gustafson:** Honourable senators, I want to ask a question about the very serious problem of mad cow disease. I mentioned to the house leader that I would ask this question. It is one that I am sure concerns all senators in this place. The seriousness of the situation is growing every day.

A new crop of calves is being born at this time. Within a month and a half, there will be about 50 per cent more cattle in the country than there are now. That will raise the problem of how farmers will feed these cattle, what they will do for grass and so on. The situation is very serious, as I am sure all honourable senators are aware.

My question is very simple: Could the minister give us an update on how the government views this situation? Farmers have already lost about \$3 billion. We must look at every possible way to solve this problem.

**Hon. Jack Austin (Leader of the Government):** Honourable senators, I could not agree more with the honourable senator's last sentence. Every possible way must be sought to deal with this particular issue.

• (1450)

I have been advised that Canadian beef consumption has risen appreciably. I think we both agree that Canadian consumers are doing all they can to support the beef industry. I might add that I have recently been to Hy's Steak House many more times than in years past.

BSE is being addressed at meetings with provincial officials because, as Senator Gustafson knows, it is a federal-provincial program. While \$700 million has been provided by governments, the industry does not know how to calculate its available market and may be overproducing, with consequent losses. Yet, if the producer does not have the opportunity to bring new product to market in a timely way and the Americans do open their border to live cattle — which, as Senator Gustafson knows, is the goal of the federal government and the provinces affected — there may be an open market but no Canadian product to supply it for another cycle.

I am very appreciative of the problem and will seek to inform Senator Gustafson as soon as possible.

**Senator Gustafson:** I thank Senator Austin for that answer.

Honourable senators, I have been speaking by telephone with farmers in the last day or two. One of the most serious problems they are facing is that, having been encouraged to expand their herds, many of them borrowed money to do so. The price of the cattle they bought is considerably less today. The numbers I hear range from \$1.20 a pound down to 60 cents a pound.

The situation continues to worsen. One farmer told me that they are actually doing away with cattle, which is very serious. No one is to blame for it. I believe that the Canadian government has done an excellent job and the health department has done a very good job of assuring people that beef is as safe as it can possibly be, and I believe that the whole situation is over exaggerated.

There have been several high-level meetings between government officials, including the Minister of Agriculture. The Prime Minister has met with the President of the United States. Following those meetings, the Canadian Ambassador to the U.S., Michael Kergan, held a briefing in Washington where he presented the view that, despite opposition by some U.S. beef producers to resuming live cattle trade, Canada is not fighting a real uphill battle in Washington to get the current ban dropped.

That sounds very encouraging. Was the ambassador referring to something that we do not know about?

**Senator Austin:** Honourable senators, I share Senator Gustafson's lack of awareness of the circumstances to which Ambassador Kergan may be pointing. I will make inquiries immediately.

**Senator Gustafson:** There are some possible solutions to the problem, and they have probably been investigated. The most important solution is to get the borders open, as we know. If the borders do not open, cattle trade may change forever. Another solution may be processing beef in Canada and seeking new markets in the international marketplace.

Could the minister find out if some of these avenues are being investigated?

**Senator Austin:** Honourable senators, I will personally speak to the Minister of Agriculture about these issues as soon as the opportunity arises.

## FOREIGN AFFAIRS

### CANADA-UNITED STATES RELATIONS— COMMENTS IN MEDIA

**Hon. Gerry St. Germain:** Honourable senators, my question is directed to the Leader of the Government in the Senate as well.

Senator Gauthier spoke about damage caused by derogatory statements. Our national magazine, *Maclean's*, carried the following on its cover: "Canadians to Bush: Hope you lose, eh," and a damaging article with regard to our relationship with the Americans.

I was going to make a statement on that subject today, but Senators' Statements were dedicated to Senator Chalifoux. I believe that the media must be more responsible. This is damaging. We must deal with the Americans on softwood lumber, BSE and various other issues, yet our great *Maclean's* magazine is saying, "Hope you lose, eh." I am not sure that we want to interfere with the freedom of the press, but if Canadians do not become more responsible, relations between us and the Americans will continue to deteriorate.

Can the Leader of the Government in the Senate suggest any way of influencing the people who have a responsibility for the well-being of this country to ensure that we do not have situations like this?

This is such a strange event that I do not know whether there is an answer to it.

**Hon. Jack Austin (Leader of the Government):** Honourable senators, I am impressed that Senator St. Germain has been able to read this week's issue of *Maclean's* as early as this. I usually reserve it for the flight back to Vancouver, which I hope will be either tonight or tomorrow.

Obviously, the media is free to express their opinions, even if they are not in agreement with government, opposition or Canada's self-interest. We here and the Canadian public are free to disagree and to express that disagreement publicly.

Senator St. Germain has begun to make his concerns known. If others have the same concerns, they should become part of the process.

## NATIONAL DEFENCE

### AFGHANISTAN—USE OF ILTIS JEEP

**Hon. J. Michael Forrestall:** Honourable senators, I have a question for the Leader of the Government in the Senate. We are now rotating new troops into Afghanistan, and the Prime Minister said that we will leave 500 Canadian Forces there. Are they to be there like the troops we left in Hong Kong and on the shores of Europe at Dieppe? Hopefully the government will not leave these troops there.

Can the Leader of the Government tell us the current status of Canadian troops in Afghanistan? Are they using the Iltis Jeep outside of the confines of their encampment in Kabul? When will the lightly armoured Wolf vehicle arrive there? Due to the importance of the latter part of this question, I would appreciate, in addition to the minister's verbal response, a tabled written reply.

**Hon. Jack Austin (Leader of the Government):** Honourable senators, I have no information at this time in reply to the honourable senator's question. I will be pleased to seek the information he has requested and give him a written reply.

• (1500)

However, I am told that the LUVW project is accelerating the delivery of the first 100 standard military-pattern vehicles with armoured protection systems in order to replace some of the Iltis vehicles presently deployed in Afghanistan, and it is expected that 60 G-Wagens will be in Afghanistan by early March.

**Senator Forrestall:** I appreciate that very much, but not nearly as much as the troops serving in Afghanistan will appreciate it. Early March is still a month to a month-and-a-half away. I appreciate the minister's undertaking to table a written response to that matter.

### AFGHANISTAN—INVESTIGATION INTO DEATH OF CORPORAL JAMIE MURPHY

**Hon. J. Michael Forrestall:** Honourable senators, can the Leader of the Government in the Senate tell us anything about the status of the investigation into the death of Corporal Jamie Murphy? More specifically, DNA samples or other forensic evidence taken from the suicide bomber? Has the bomber been identified? Was it Abdullah Khadr? Will the investigation's findings be made public? If so, does the leader have any idea when that will be?

**Hon. Jack Austin (Leader of the Government):** Honourable senators, the best way for me to respond to those issues is to provide written answers when the information is available.

[Translation]

### PAGES EXCHANGE PROGRAM WITH HOUSE OF COMMONS

**The Hon. the Speaker:** Honourable senators, I would like to present Marie Chantal Thériault, a page visiting us from the House of Commons. She is from Fredericton, New Brunswick, and is enrolled in the Faculty of Public Affairs and Policy Management at Carleton University, with a major in international development. On behalf of all honourable senators, I wish to welcome her to the Senate of Canada.



[English]

## ORDERS OF THE DAY

### 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.—(2nd day of resuming debate)

**Hon. Gerry St. Germain:** Honourable senators, the Speech from the Throne made many promises of programs and initiatives to benefit Canada's Aboriginal peoples. Much has been made of the new government's interest in Aboriginal issues and its commitment to improve their circumstances. However, honourable senators, we have heard it all in previous throne speeches.

First Nations have all too often experienced confrontation instead of conciliation. Concern and cooperation with First Nations became buzzwords that got lost in the winds of rhetoric.

The 2001 Throne Speech contained promises to help Aboriginal people living in urban centres, to improve native housing and education and to increase support for Aboriginal business development. The recent Speech from the Throne has promised much of the same, but will the government's vague assurances mean significant change for Aboriginals? Unfortunately not, if Monday's speech is any guide.

The need for improved governance in Aboriginal communities was a big part of the Aboriginal section of the Throne Speech, most notably with the announcement of the creation of an independent centre for First Nations government.

We know that the federal government intends to bring forward bills implementing two self-government agreements that have already been agreed upon. The bill dealing with the Westbank First Nations self-government agreement will have to be reintroduced, while a bill dealing with governance and land claims for the Dogrib First Nation in the Northwest Territories must be brought forward for the first time.

The government had previously made known that a controversial and much-hated bill dealing with native governance will not be coming back to Parliament this session. The Prime Minister's decision not to reintroduce Bill C-7, the proposed First Nations Governance Act, has been presented as evidence of the federal government's new willingness to consult with Aboriginal groups on legislation that affects them. Although it was not adopted, the animosity and mistrust caused by the

promotion of that particular bill was extremely destructive to the relationship between the federal government and our First Nations, and I believe was problematic for the former chief of the AFN, Chief Matthew Coon Come.

The new government is eager to show its divergence from the Chrétien government by touting a cooperative approach when dealing with Aboriginal legislation. This approach has so far been inconsistent.

The Speech from the Throne did not mention that Mr. Martin's government will reintroduce Bill C-19, the proposed First Nations Fiscal and Statistical Management Act. Bill C-19 died on the Order Paper last fall, having reached committee stage in the other place. The majority of First Nations have clearly objected to that bill, which claimed to fix fiscal accountability and management problems within the bands. First Nations have stated that the new system found in the bill is being imposed on bands and that it infringes upon their rights while relaxing the obligations of the federal government. The new Minister of Indian Affairs and Northern Development included that bill when he laid out his legislative agenda last month for the new session of Parliament.

Given the Prime Minister's concern for Canada's Aboriginal people and the pronouncement of cooperation and consultation, where, then, is the pursuit of meaningful consultation with Aboriginal peoples on this particular matter? In this case, as with many others, it would appear that this Liberal government continues to do business the same old way.

Honourable senators, the Throne Speech described the conditions in which many Aboriginal people live as "shameful." Sadly, there are not many who would disagree with that opinion. The issue of native housing is certainly one that needs to be addressed seriously, not superficially. There is a huge difference, however, between recognizing a problem and stating what is needed to fix it. Unfortunately, this problem — one of the biggest facing Aboriginals — was not addressed at all in the Throne Speech.

Last year, the Auditor General took the federal government to task for a critical shortage of 8,500 homes on reserves, despite the fact that the government has spent \$3.8 billion over the last decade in this area. The Auditor General also reported that 44 per cent of the 89,000 homes on Canada's reserves are in need of repair.

The Assembly of First Nations has called on the federal government to change fundamentally how native housing is handled. Phil Fontaine, the head of the AFN, has said that there should be "a national housing authority responsible for setting standards and establishing codes and regional components." The Assembly of First Nations has also said that reserve residents should be able to own their own homes. They want not only a transfer of funds, but also their own native-run housing authority. It is also clear that the federal government has poorly managed native housing and that this program is in desperate need of reform. The many Aboriginal families who live every day in those shameful conditions must have been sorely disappointed that the Throne Speech did not address how their surroundings, their standard of living, should be improved.

The government has promised to expand the Urban Aboriginal Strategy with willing provinces and municipalities. About half of Canada's Aboriginals live in the urban centres today, and time and time again, they are forgotten. The last budget promised \$17 million over two years for pilot projects, to address the poverty of Aboriginals living in urban centres. That amount was clearly insufficient and reflected the government's outdated view of how and where Aboriginal people live in this country. The level of financial support for this initiative from this government remains to be seen.

The government has also promised to put an end to the jurisdictional wrangling that leaves urban Aboriginals without access to services but did not give any indication how this would occur.

Honourable senators, Canada's big cities are now home to as many Aboriginal people as those who live on all the reserves across the country. A large proportion of these people have never lived on reserve. Short-term funding will not answer the needs of urban Aboriginals. The new Urban Aboriginal Strategy needs to be combined with stable, long-term financial support in order to truly change the status quo in this instance.

• (1510)

Another often-overlooked group receiving mention in the Throne Speech was the Metis, my people. The *Powley* decision of last year has finally made it impossible for the government to ignore Metis rights. However, the pledge that the government will work with other levels of government and the Metis leadership to include the Metis in its policies was also very vague.

The Minister of Finance has responsibility for the Metis people, and he has said that this one-line mention in the Throne Speech may signal upcoming financial support from the federal government. We will have to wait for the budget to see if that is really the case.

The Throne Speech promised to commit resources to ensure safe drinking water in First Nation communities. Most of the 1,300 water- and sewage-treatment plants on native reserves in Canada are defective. While some defects are minor, others pose serious health risks. Former Indian Affairs and Northern Development Minister Robert Nault had acknowledged that the federal government faced "serious liabilities" and that the department has never effectively funded training for water-plant operators on reserves. The possible consequences of inaction in this matter are well known to all Canadians, especially after the tragedy at Walkerton, Ontario. It has been estimated that a substantial funding commitment of about \$800 million will have to be made in order to fulfil this promise. Again, we will have to wait for the budget to see the level of commitment on behalf of the government to truly fix this problem.

Honourable senators, I seriously doubt there is another group of people in this country who have been more maligned and who have been the recipient of more broken promises than our First Nations people. This government sounds very much like the old

one, but it has made its own set of promises to our Aboriginal peoples. It is my hope that this new government intends to follow through in good faith on its promises and not let the First Nations down again.

Honourable senators, my work on the Aboriginal Peoples Committee and my travels across this country, including the major cities in Western Canada — I was born in Manitoba but now live in British Columbia — inform me that the plight of our First Nations is one that we cannot ignore. We stand up and help Third World countries but our own people are living in Third World standards. Why? Why are promises made but not followed through? This is not partisan. This has been going on for the last hundred years.

[Translation]

**Hon. Marie-P. Poulin:** Honourable senators, the Throne Speech contained an inspiring message for all Canadians. It established "an ambitious agenda for an ambitious country".

This message was similar to the celebrated remark by Wilfrid Laurier to the effect that the 20th century belonged to Canada. In her speech, Her Excellency the Governor General spoke of the government's determination to build an even stronger Canada, both domestically and internationally.

The Throne Speech identified the social, economic, educational, entrepreneurial and political goals that must be achieved for our country to fulfill its destiny. As Her Excellency stated, "Achievements of worth and permanence take time".

Honourable senators, goals have been set to advance our country, be it to improve our health care system, care for our children; help the handicapped overcome the obstacles they face, or adopt a new approach to support our Aboriginal peoples.

As far as progress is concerned, this speech presented a new deal for the municipalities to help them solve their specific problems, while establishing more solid working relations with the provinces and territories. It promised prudent administration of public funds, transparency and accountability.

The speech promised enhanced support for our military personnel, for research and development, for lifelong learning, the environment, sustainable development, and national security. It provides us with a plan for a distinctive role on the international scene.

Honourable senators, regardless of how we define ourselves, regardless of our aspirations and accomplishments, what we are is still, to a large extent, what others think of us. Yes, very often perceptions define reality. The power of modern instant communications demands that we exercise a greater influence on the international scene, if we are to achieve the objectives identified in the Speech from the Throne.

In order to exercise that influence on the world stage, we need to respond to the challenges and opportunities open to us in other countries, and to get more Canadians involved in meeting those challenges. It is my belief, in fact, that we need to share our values. Often the best ways to make them known, to gain them respect and to strengthen them, is to expend a concerted effort and expand that effort in order to show others who we are through our accomplishments, our successes and our desire to live in a world at peace.

The internationalisation of our relationships takes a variety of forms: our peacekeeping efforts internationally, our diplomacy, student exchanges, business travel, parliamentary affiliations, exports, foreign investment, tourism, I could go on and on. We must not miss any opportunity to promote our country's interests.

Last Monday, I was interested to see that the Speech from the Throne recognized the vitality and quality of our cultural life and the key role it will play in our international relations, helping establish our reputation abroad, reflecting who we are and what our values are.

I would like to take a moment to repeat what Her Excellency had to say about this:

Canada's artists and cultural enterprises are among our best ambassadors, as well as being an increasingly dynamic element of the knowledge economy. Their work holds a mirror on our society and builds a legacy for future generations.

For the experts on culture and communications in this house — I see a few of them here today — for the champions of Canadian content, it is comforting to see that the government is planning to modernize policies in this area and strengthen our federal cultural institutions. One of the ways this will be achieved is through the new technologies of the digital age, technologies that should allow us to showcase our regional diversity and cultural mosaic more often.

Honourable senators, I had the honour of chairing a committee that conducted two studies — one in 1997 and the other in 1999 — and the reports tabled made note of the inevitable relationship between communications technologies and arts and culture.

The reports clearly showed the impact technology is having on culture, not only on the design and production of a product, but also on its dissemination. Technology knows no bounds and Canada is one of the most technologically advanced countries in the world. We should take advantage of this situation to increase the production of our Canadian products and their promotion in other countries.

[English]

Honourable senators, when we talk about arts and culture today, the definition is not limited to what we see in a gallery or a museum or even a play by Shakespeare or Molière. In fact, Statistics Canada identifies 43 distinct professions under the

term "culture workers." Broadly defined, Canadian culture is wide-ranging and it includes music, dance, painting, writing, sports, architecture, movies, radio and television broadcasting, our landscape, even our cold and long winters. These are the things that define who we are and what we stand for.

• (1520)

Our government is laying out a multi-pronged approach to enhance the presence of Canadians on the world stage, thereby increasing Canada's visibility and, therefore, its influence.

Technology and telecommunications have opened a new vista for the production, promotion and dissemination of arts, culture and entertainment. Our writers, musicians, actors, cinematographers and producers rank very high in their own fields everywhere, but without high-speed distribution, we would lag behind, unknown to the world.

In literature, we are no slouches. In the pantheon of authors, the likes of Margaret Atwood, Carol Shields, Marie Laberge and Marie-Claire Blais shine brightly. In the music world, Shania Twain and Céline Dion have soared to the pinnacle of international stardom.

The list of Canadian professional talent is prodigious. The budding talent in our youth from coast to coast merits our investment for development.

It is the intertwined links of the Internet with other media that will make Canadian names recognizable everywhere and will ensure the necessary development of the next generation of Canadian stars.

Culture is woven into our social fabric, as our social fabric is often an integral part of the cultural product. Honourable senators, let me give you one example. The Inukshuk, a tool for directions in the North, has become a piece of art, a sculpture. This social fabric is multi-layered with many dimensions, from its native peoples to the immigrants from France, England and other European countries whose courage, hard work and sacrifices opened up our land. Increasingly, Canada is home to newcomers from different parts of the globe, such as China, India, the Middle East and Africa. In their own way, each contributes to the evolving story of Canada — and it is an ever-evolving story that needs telling and retelling, telling to each other and telling to the world again and again.

Culture is an economic engine as well as a pillar of international relations. By revealing ourselves and our values to the world through our artists, our art, our literature and our movies, we are opening doors for our entrepreneurs, our business people and our exports.

The United States is by far our most important trading partner. We know how well our artists are doing there. Have you seen the attendance numbers for Cirque du Soleil in Las Vegas? Opportunities exist everywhere. I believe our cultural ambassadors can play a major role in multiplying those opportunities and those markets.

The Speech from the Throne emphasized the role of exporting and investing, of building closer economic ties with other parts of the world. Significantly, more attention will be focused on newly emerging economic powerhouses, such as China, India and Brazil.

In a speech almost a year ago, Canada's ambassador to China, Joseph Caron, put into perspective the growing importance of culture as an exportable commodity. He said:

Canadian artists and performers are increasingly present in China, in response to changes in China's cultural policies and its market. Those willing to pursue engagement with the Chinese cultural scene will not only benefit from new encounters with Chinese arts and audiences, they will also find themselves recognized in an environment that is taking on major importance in Asia and globally.

Our talent is legendary. They allow other sectors to piggyback onto the inroads they make internationally. In point of fact, Canada is more dependent on international markets than any other developed country.

Honourable senators, we create top quality Canadian content, but not enough of it. We possess the wherewithal to promote it, but we do not invest as much as we should in its international marketing. What we have heard in the Speech from the Throne is a commitment to Canadian productions and to the cultural export industry. We all know that culture requires no less assistance from federal departments and agencies in accessing foreign markets than do other aspects of the economy. We have a competitive edge, but we must not let it lag.

Honourable senators, in closing, I should like to note that in his response to the Throne Speech, the Prime Minister referred to a Canada overflowing with artistic creativity. His words were not idle rhetoric. They were a statement of fact that speaks to the abundance of talent that exists in our art and literature, in our movies, in our music, in our theatres and in our television. Our cultural products, be they from sports to entertainment, to architecture and landscape, are often the first impressions that others see of us. They are the gateway to our international presence, particularly in emerging countries.

The creators of cultural content are, indeed, our ambassadors. It is they who can pave the path to peace and freedom, human rights and the rule of law, diversity, respect and democracy, values, as the Prime Minister said, that form the foundation of Canada's experience and our success. They are, in truth, potentially, our most valuable export.

Honourable senators, thank you for your attention and for your support of our artists and cultural providers.

[Translation]

**Hon. Pierre Claude Nolin:** Honourable senators, in a few months our country as we know it today will celebrate 137 years of existence. I was listening to Senator Poulin's list and in many ways it makes us proud of our accomplishments.

[ Senator Poulin ]

The Speech from the Throne on Monday left me with this question: are we heading for a new era of real cooperation between the federal government and our provincial and territorial partners?

Let us not lose sight of the fact that 137 years ago a group of British colonials decided to work together toward their shared dream. It worked. Why? Many people said to those who wanted the new state — the new country — to be a unitary state, that this was not the right road to take and that taking into consideration the rights — of Quebecers in particular — that the British Crown granted after the Conquest, a unitary government would be unacceptable for us; we were prepared to join a federation and these were our conditions.

The people of Quebec were not the only ones; representatives of the Atlantic provinces, realizing that the demographic weight of Ontario would overwhelm all others in a unitary government, also supported Quebec.

• (1530)

Today, nearly 137 years later, are we entering a new era of cooperation between the federal and provincial governments?

In the Throne Speech that began the fourth government of the Chrétien era — we may as well call it what it is — the Governor General of Canada told us of the new Prime Minister's intention to improve relations with the provinces.

In this document, which was clearly written with an election in mind, we are astonished to read, and I quote:

Democratic renewal means opening the doors in Ottawa to the voices of our provinces and territories — all our regions — and adopting new ways of working together on behalf of Canadians.

It goes on to say:

Jurisdiction must be respected. But Canadians do not go about their daily lives worried about which jurisdiction does this or that. They expect, rightly, that their governments will cooperate in common purpose for the common good — each working from its strength.

Some believe that this is a new era of cooperation between the federal government and the provinces. I will admit that I do not agree. I would describe these eloquent words as so much wishful thinking.

The Conservative Party of Canada long ago adopted the principle proposed by the Governor General. In 1867, the Conservative Party of Canada fostered an idea and set aside its partisan qualms in order to join a coalition that led to the creation of our nation.

From 1984 to 1993, Prime Minister Mulroney set aside many aspirations typical of a Prime Minister leading a strong central government in order to improve relations between the federal government and its provincial partners. And he paid the price. In 1997, The Progressive Conservative Party of Canada had, in its platform, the Council of the Federation, which all the provinces in Canada joined a few months ago.

My party has demonstrated — and history supports this — that we have, throughout our history, attempted to protect the spirit of the agreement concluded by the Fathers of Confederation.

The current Prime Minister of Canada, when he was Minister of Finance, did not respect the fundamental principles underpinning the Canadian Pact, including cooperation among the partners, respect for the partners, the equality of the partners and respect for regional diversity, particularly Quebec's.

Honourable senators, we must not forget the unilateral cuts to the provincial transfer payments in critical sectors such as health and postsecondary education, in order to reduce the federal deficit.

We must not forget the noticeable encroachment on areas of provincial jurisdiction such as health, social policy — particularly with regard to parental leave — and postsecondary education — for example, the millennium scholarships.

We must not forget the refusal to acknowledge the fiscal imbalance with the provinces or the significant delays in negotiations to modernize the equalization funding formula.

Finally, we must not forget the strong possibility that the Attorney General of Canada will appeal the recent decision by the Court of Appeal of Quebec regarding parental leave.

Thanks to Jean Chrétien and Paul Martin, federal-provincial relations are currently in a sorry state. Does our country deserve to enter into a new era of cooperation? The answer is definitely yes. Are we in fact entering into such an era? I have my doubts.

Friction with the provinces — not just Quebec, but all the provinces — dominated relations between the federal and provincial governments in the 1990s, if we consider the cavalier way the Liberal government approached relations with its provincial partners. Did it treat them like partners? No.

This government's arrogance, as it pits the provinces against one another in its quest for power, is disturbing.

After 10 years of the Liberal regime, can we honestly blame the provincial premiers for always being suspicious of Ottawa, which relies heavily on its spending power to impose its views?

It is as though the survival of the Canadian federal system is dependent on a public relations campaign to make the federal government increasingly visible, especially in Quebec.

Honourable senators, I refuse to be a part of this approach, which goes against the principles on which the Canadian pact was — and continues to be — based.

Canadians deserve a federal government that will fulfil and, above all, respect the needs of the various regions of the country, while strengthening national unity.

Yet, a careful reading of the Speech from the Throne confirms the old Quebec saying — and we heard this from Senator Lynch-Staunton yesterday — that the more things change, the more they stay the same.

Indeed, the speech talks about plans to invest in new grant programs for university students, funding for municipalities, new childcare spaces.

Honourable senators, the objectives are commendable. No one is against offering more assistance to university students, increasing funding for municipalities, or providing more childcare spaces.

Honourable senators, as you know, these responsibilities come under provincial jurisdiction. With respect to the municipalities, the Speech from the Throne says, and I quote:

...the Government of Canada is committed to a new deal for Canada's municipalities.

That is what the text says: "committed to a new deal for Canada's municipalities." This is the most specific part of the speech, and unfortunately a good illustration of misuse of the power of the purse.

In the text, there are 12 references to the provinces — I could not resist doing the math, please excuse me — while there are 20 mentions of municipalities, communities or cities, which all refer to the same reality!

• (1540)

On two occasions, the speech refers to the need for reliable, predictable and long-term funding for municipalities. The figure advanced is \$7 billion over 10 years. Yet where health is concerned, the intent of the government has always been to refuse to implement such principles.

Finally the Speech makes a statement that is both nebulous and ominous for the provinces. It says:

The new deal means that city hall has a real seat at the table of national change.

Yes, the municipalities are facing major challenges (infrastructure, crime, public health, drugs — I have some knowledge of this — social housing and so on) in ensuring our well-being and that of our children.

Are the provinces the only ones to blame for the state some of their budgets are in at the present time? The reduction in transfer payments to the provinces orchestrated by the new Prime Minister of Canada back when he was finance minister has resulted in the provinces, themselves struggling with deficits, transferring a series of new responsibilities to the municipalities, without any additional allocation of funds or any degree of political independence. In that context, these decisions had disastrous effects on a number of major Canadian cities.

The question is, does this lend legitimacy to the right of the federal government to make use of its spending power to assist the municipalities directly?

I would remind you of the philosophy I described a few minutes ago. Is the survival of the central federal power ensured by a visibility program? I do not agree with this. That said, we now know, thanks to the Throne Speech, that Ottawa does have money to spend in areas of provincial jurisdiction. In Quebec in particular. Is this the best way of respecting Quebecers' distinct character? That is my question for you.

A famous Canadian citizen wrote:

If a government has such a superabundance of revenue that it undertakes to provide part of the common wealth which does not fall under its jurisdiction — that government is conspicuously guilty of going against the principle of proportional taxation.

Who is this illustrious Canadian? When did he write that? That sentence was written in 1957 by Pierre Elliott Trudeau.

Having said that, we still do not know how Mr. Martin's government will improve its relations with the provinces, particularly as regards funding in the health sector. Where are the decisions that affect the lives of Canadians made? Where is that table to which the Prime Minister is inviting municipalities? The Speech from the Throne makes no mention of the Council of the Federation, to which all the provincial premiers have invited their federal counterpart.

**The Hon. the Speaker:** Honourable Senator Nolin, your time is up.

**Senator Nolin:** I am asking you to bear with me while I finish my speech.

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

**Hon. Senators:** Agreed.

**Senator Nolin:** Thank you, honourable senators. There is no mention of this new council. This is a pragmatic and realistic solution to strengthen Canada's economic and social union. It is an ideal forum to solve issues in the areas of health, post-secondary education, fiscal imbalance, funding for municipalities and interprovincial trade.

[ Senator Nolin ]

Assuming that all partners are acting in good faith, this council can — I hope — ensure the respect of our regional diversity, of Quebec's distinctiveness, while strengthening national unity and cooperation. This council is a wonderful tool that allows us to go back to the principles that our founding fathers had in mind 137 years ago, and to uphold these principles.

Honourable senators, this side of the chamber and, I am sure, both sides in fact want to respect that spirit. We must not only believe in federalism, we must also — and I know you will agree with me — put it into practice.

We must all reject a centralist, domineering federalism. We must reject this federalism that, unfortunately, has not been conducive to partnership or respectful of provincial partners for the past 10 years.

I will conclude by reading a passage from a speech delivered in 1864 by Georges-Etienne Cartier a few months before the Quebec Conference during which the Fathers of Confederation agreed on the existence of our chamber and on the sharing of responsibilities. This is what he said:

There is no alternative to a federal system. Some have claimed it would be impossible to make Confederation work because of the differences in race and religion. Those who share this opinion are wrong. The opposite is true. It is precisely because of these differences in race and local interests that the federal system must be established and that it will work well.

[English]

**Hon. Percy Downe:** Honourable senators, I am pleased today to respond to the Speech from the Throne. I find it particularly gratifying that the Throne Speech had the freedom to focus so clearly on Canada's social needs and aspirations. I credit that freedom to the difficult work that was done to eliminate the federal government's dependence on deficit financing. Clearly, we have come a long way in a short time.

Less than 10 years ago, our economy was in decline, our deficit and debt were rising, national unity was being threatened and our confidence was wavering. Today, because of our collective efforts, Canadians look with pride on our country's success. Deficits have been replaced with social and economic investments, tax cuts and debt repayment.

In freeing ourselves from the constraints of the bottom line, even as our national economy prospered and thrived, and in freeing ourselves from the constant pressure of overspending, I believe that Canada has entered a new phase.

Over the past number of years, a remarkable social transformation has begun to take place in Canada. The freedom to embark on this social evolution is due in large part to the fiscal discipline upon which we have come to depend. That is why I agree with the statement in the Speech from the Throne that reads as follows:

Canadians have already taken up that challenge. They have embraced change with a new confidence. Canadians know who they are and what they want. They want a government that helps shape that course, that leads the way — and that also engages them in building the future.

We want governments to reflect our values in the actions they take. This includes living within our means; investing as we can afford; and looking to the future.

Canadians want their government to do more than just settle for the status quo. They want a government that can lead change, develop a national consensus on common goals and have the wisdom to help all of us achieve them.

• (1550)

Major commitments have been made to the health care system, and it now appears that billions more will be invested shortly. Programs like the National Child Benefit have assisted thousands of Canadian families and children by helping to provide them with access to services and, in many cases, additional dollars to avoid the worst pitfalls of poverty.

With all that being said, honourable senators, we must guarantee that the benefits of this new prosperity touch every region, every province, community and citizen. This is why I agree with the following statement in the Speech from the Throne:

We want a Canada with strong social foundations, where people are treated with dignity, where they are given a hand when needed, where no one is left behind. Where Canadians — families and communities — have the tools to find local solutions for local problems.

I believe we must pursue our social and economic success together, as it is an essential part of the fabric of Canadian society. While there is much to applaud in the speech, I have some concerns as well, particularly, as they evolve around the large municipalities and the regions. There is no doubt that Canada is urbanizing at a rapid rate. This trend has been obvious for many years, and there are strong arguments for the federal government to invest in municipalities.

However, honourable senators, I would like to raise a cautionary flag. I am concerned that the municipal agenda may be too closely focused on the half dozen or so major centres. It is important to recognize the trend towards urbanization, but if tremendous resources are invested at the expense of our smaller communities, then we may dim the aspirations of smaller cities and reduce the attraction of the less prosperous provinces. Therefore, a municipal agenda must be inclusive; it must help our urban areas — large and small.

Clearly, honourable senators, part of our obligation is to protect the needs of minority interests. In this particular case, I believe we need to be vigilant that the large does not overwhelm

the small and that the small continues to enjoy the protection of the great. Therefore, I applaud the government's commitment to working with Canada's municipalities, but as someone from a small but thriving urban community, Charlottetown, I trust this commitment will be inclusive of the many diverse urban interests in our country.

Additionally, as a senator from the Maritimes, I would also caution that an agenda that seeks to focus on the needs of the regions and the legitimate concerns of the West does not drown out the equally legitimate concerns in the East.

Honourable senators, I also wish to speak in support of the reintroduction of Bill C-34, to amend the Parliament of Canada Act. I believe the package that was introduced, debated and passed in the House of Commons was an excellent and overdue step towards improved institutional accountability and transparency to Canadians.

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

**Senator Downe:** In many ways, honourable senators, the onus on us is much greater because, of course, we are appointed and we hold no particular obligation to specific constituencies. In my opinion, that freedom promotes the role of the Senate by allowing its members greater latitude in the study of public policy and debate over that policy. However, as all senators know, there are sharp edges to that freedom.

First, the Canadian public is often unaware of the work we do in the Senate, and, as a result, the public often does not understand our role. The valuable work of the Senate is lost amid public misunderstanding and media criticism. These are realities, and, unfortunately, these specific realities in turn can damage the public's perspective on the full scope of the work of the Senate. In my experience, all parliamentarians, whether they work within the federal or provincial systems, must be extremely cautious when they are engaged in debate over internal affairs. The ethics package is designed to enhance public confidence in our parliamentary affairs, but the nature of our system demands that we take the first step, and, at that point, the public may view our debate as one of self-interest. This is difficult territory, and, in the context of public misunderstanding over the Senate's role, the potential to encourage the old criticism and misunderstandings is once again provoked.

Last fall, I heard a number of honourable senators speak against some of the elements included in the package. There were concerns raised about independence, about the fundamental nature of the Senate's relationship to the other place, about the important and significant role of the Senate in relation to the formation of public policy. However, I do think that our responsibility to this institution demands that we do everything reasonable to enhance public confidence in our work.

Honourable senators, I believe that, when it returns to us, we must pass the ethics package that was agreed to in the House of Commons and help to ensure that Canadians have full confidence in our ability to regulate our affairs in a way that is fully open, accountable and transparent.

In conclusion, honourable senators, I want to briefly recognize the important contribution made by Veterans Affairs Canada. In my home province of Prince Edward Island, the role of Veterans Affairs socially and economically has proved to be of fundamental and lasting importance. The presence of the national headquarters in Charlottetown is now often taken for granted. However, I believe the decision to relocate Veterans Affairs to Prince Edward Island back in the 1970s clearly demonstrated the far-reaching and positive impacts the federal government can have on all the regions of our country. That decision led to a great many positive developments in Prince Edward Island in virtually every sector of our society.

Socially, the presence of Veterans Affairs has broadened Prince Edward Island society to include a vast array of highly trained professional public servants who contribute their every working day to public affairs and every single day to Prince Edward Island society. Perhaps the clearest indication of that contribution has been the remarkable growth in the use of the French language. Prince Edward Island has always had a thriving Acadian community, but the addition of Veterans Affairs deepened the role of the French language within our island community to the point now that Prince Edward Island is third, according to Statistics Canada, after Quebec and New Brunswick, among the provinces in terms of knowledge of both languages. There is no doubt that the strength of the Acadian community assisted in that regard. There is no question that the Island tradition of looking outward to its neighbours in Quebec and New Brunswick also contributed to this evolution, but, to my mind, the greatest single contribution to the growing ability of Islanders in both languages is due to the presence of Veterans Affairs and the wisdom of federal policies that encourage Canadians to become fluent in both languages.

Similarly, Veterans Affairs has grown remarkably in terms of its economic clout in Prince Edward Island.

Honourable senators, there are currently upwards of 1200 full-time public servants who work at the department's national headquarters in Charlottetown. Allow me to put that in context. The December labour force in Prince Edward Island was about 78,000 people. One in 65 working Prince Edward Islanders were employed at Veterans Affairs. The salary budget for those 1200 employees will grow beyond \$68 million this fiscal year.

Additionally, many students obtain much-needed summer jobs at Veterans Affairs, and the global budget for the department spent throughout Canada in the current fiscal year is in the area of \$2.5 billion. To put some of these figures in further context, especially the total budget of the department, the entire provincial government of Prince Edward Island will spend in the area of \$1 billion this year.

Honourable senators can see that, economically, the role of Veterans Affairs is enormous in my home province, and when the social and economic factors are blended, Veterans Affairs also represents a thriving community. In tandem with its size and contribution to Canada, the jobs at Veterans Affairs in Prince Edward Island are among the best in the province. The department's senior managers are in Prince Edward Island. These positions carry a high degree of responsibility and are paid accordingly. These good and secure positions contribute a great deal to our economy, but, just as importantly, Veterans Affairs offers a potential career path for future generations of Islanders who want to stay in Prince Edward Island and excel in the federal public service.

All that being said, it is also important to point out that the decision reached in the 1970s to relocate the Veteran's Affairs Department to Prince Edward Island was not without controversy.

• (1600)

Honourable senators, allow me to offer some background. In 1976, the government announced that it would be moving the department to Charlottetown. At the time, the former mayor of Ottawa went so far as to call the relocation a "mindless action." Even on Prince Edward Island, many questions and criticisms were raised. Why this department? What was the department's future after the passing of our nation's veterans?

The president of the P.E.I. Real Estate Association at the time summed up the popular opinion. In a newspaper interview Mr. Keys said he was "cautiously optimistic, but certainly if it does come to pass, it is going to be a good thing for the entire province." Then Mr. Keys went on to question the future of Veterans Affairs. He said:

I just wonder what the size of the complement of the Department of Veterans Affairs will actually be in five years time. Will it in fact be a separate department in government?"

Of course, 27 years later, we know the answer, and on Prince Edward Island we know the wisdom of decisions taken many years ago to decentralize the role of the federal government in a way that benefits many Canadians. Not only is Veterans Affairs a separate department, it is thriving and evolving to meet the changing needs of the Canadian population.

The main purpose of the department is to contribute to the financial, physical and social well-being of veterans and their dependents. Additionally, the department is charged with much of the responsibility to ensure that the memory of veterans and their sacrifices on behalf of Canadians are kept alive. However, the department is also addressing those long-ago concerns about its future by expanding its client base. The department has evolved over the years to include pensions, disability issues, home care and members of the Canadian Forces and the Royal Canadian Mounted Police. Canadians making a contribution to world peace in the midst of overseas conflict will become future clients of Veterans Affairs.



As the department changes to reflect the evolution of our society, its employees are responding with determined professionalism. In my experience, the employees serving at Veterans Affairs are among the most dedicated in the entire public service.

This year, Veterans Affairs has a major task before it. As all honourable senators know, this year will mark the sixtieth anniversary of the D-Day invasion. This is an important historical milestone, and the portion of the Veterans Affairs' mandate that requires it to provide leadership in remembrance planning will once again be called to the test.

I believe that Canadians are increasingly interested in their history and they are very concerned that our rich contribution to the conflicts of decades past be recognized and celebrated in a dignified fashion. As time passes and the shadow of those great conflicts in Europe and Asia begin to dim, Veterans Affairs will be increasingly called upon to shed light on the sacrifices of the past and to recognize the remarkable contributions of the present in places like Afghanistan and the Middle East.

On motion of Senator Stratton, debate adjourned.

[Translation]

## OFFICIAL LANGUAGES ACT

### BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

**Hon. Jean-Robert Gauthier** moved the second reading of Bill S-4 to amend the Official Languages Act (promotion of English and French.—(*Honourable Senator Gauthier*).

He said: Honourable senators, Bill S-4 amends the Official Languages Act to clarify the scope of section 41 of Part VII of that act in order to make it enforceable.

This is the third bill I have presented to the Senate on this topic during the past three parliamentary sessions. The first bill, Bill S-32, died on the Order Paper when Parliament was prorogued on September 16, 2002.

That prorogation gave me an opportunity to consult and reflect, and to draft a second bill, S-11. I took my inspiration from the many comments and proposals made as we considered Bill S-32. Bill S-11 had the same goal as Bill S-32, that is, to clarify the scope of section 41 of Part VII of the Official Languages Act in order to make it enforceable.

Honourable senators will remember that Bill S-32 was considered by the Standing Senate Committee on Legal and Constitutional Affairs, and during our examination we held eight meetings and heard 32 witnesses. The bill died on the Order Paper when Parliament was prorogued.

Bill S-11 was placed on the Order Paper. It went through first and second readings and was referred to committee. It was adopted in committee and reported to the house, but once again — I am unlucky — it died on the Order Paper when Parliament was prorogued yet again.

Thus, I am returning to the charge for the third time with another bill. I shall explain. First, Bill S-4 makes clear the binding nature of the commitment set out in Part VII of the act. It imposes a duty on the federal institutions to implement this commitment. It also provides for access to legal remedies, thus enabling the courts to monitor the implementation of the Act.

Bill S-4 takes into account most of the recommendations made by the Commissioner of Official Languages and by a number of the witnesses. The Commissioner recommended that Part VII of the Official Languages Act be clarified, and that the binding nature of the commitment be made clear by imposing an obligation on the federal institutions. She maintained that the bill ought to provide for the adoption of regulations in order to ensure the implementation of an appropriate system. It ought also to include a right of recourse before the courts under Part X of the Official Languages Act. I have incorporated all these recommendations into Bill S-4.

The federal machinery, as honourable senators are aware, can sometimes be slow, because it does not know what Canadians expect of it. The desire to act promptly has a tendency to slow down when legislation is ambiguous, vague and without legal significance. This is the reason why the official language communities have long been calling for government action, for it to make a strong commitment to foster their development.

I remember the committee debate in 1988, when the minister responsible for the act told me that section 41 created obligations for the government. I believed him, but that was not to be the case. Afterward, we were told it was not executory, but declaratory; that it was policy, not a legal commitment. This law imposes an obligation.

Honourable senators may tell me that the government acted positively by coming up with its action plan almost one year ago, on March 12, 2003, when Minister Dion tabled an action plan on official languages. This plan, which we strongly supported, was the outcome of a long reflection by a number of federal ministers. The leadership of Prime Minister Jean Chrétien is well recognized and the exceptional contribution made by Minister Stéphane Dion was critical to the success of this plan.

• (1610)

I recognize that the action plan focuses on specific federal institutions, but there are a number of federal institutions in other critical areas that need clear and specific guidelines regarding their obligations.

This is why I believe that Part VII of the Official Languages Act should be clarified. Nowadays, we cannot accept agencies claiming to be above the law.

The government now has a credible and very satisfactory plan. We must implement this plan to eliminate any ambiguity that could dampen the enthusiasm of some. Official language communities need to feel that the governments and the courts are behind them. Hard-won battles in the area of official languages have been confirmed by the courts, whether in education, health or social services.

In the education sector we had the Maher case, while in the health sector it was the Montfort Hospital case. Sure, we have made progress, but it is the courts that have clarified these rights. It is thanks to the courts and the determination of official language communities that the necessary changes have been made.

Recently, the Trial Division of the Federal Court handed down a ruling in *Forum des maires de la péninsule acadienne v. Canada Food Inspection Agency*. This was an appeal concerning employees of the agency who worked as inspectors in plants and whose jobs were eliminated. This had an economic impact on the community because the agency had not consulted the communities, as set out in the legislation. Jobs, which used to be based in the north, were relocated to the south. This had an economic impact, an impact on the right to work in the language of choice and an impact on the service provided to the public in French or English. The Federal Court judge, Trial Division, found that the forum had a good case and ruled in its favour. I have just learned that the government is going to appeal this decision to the Federal Court of Appeal. We will see what happens.

With regard to the issue of educational rights, God knows we have worked hard. Under section 23, we have the right to educate our children in our own language and even to administer our own schools. In Ontario, it took 17 years before the province granted the right to school administration. We won these rights in the courts, through the work and determination of the communities. In terms of health care, there is no need to detail what happened with the Montfort Hospital, you all know. If you are interested, a very interesting book entitled *Montfort* has just been published. The constitutional right of minority communities to an education in their own language and to obtain health care in their own language has been confirmed.

Yet, the provincial governments long hesitated with regard to these rights. In a decision handed down on November 6 in the *Doucet-Boudreau* case, the Supreme Court recognized the importance of actively promoting the development of official language communities and ensuring that governments take the necessary means to do so.

If official languages communities had not had recourse to the courts, they would not, today, have their own schools or the responsibility of administering them.

I will close on a positive note. I am confident that the Senate will respect its constitutional mandate to protect, defend and promote, in a timely fashion, the rights of all minorities and to represent the regions.

I ask for the patience of honourable senators, and to grant second reading so that we may continue to third reading, then vote on the bill and send it to the House of Commons.

On motion of Senator Stratton, debate adjourned.

[ Senator Gauthier ]

[English]

## HERITAGE LIGHTHOUSE PROTECTION BILL

### SECOND READING

**Hon. J. Michael Forrestall** moved the second reading of Bill S-5, to protect heritage lighthouses.

He said: Honourable senators, I would also ask that this matter now proceed to third reading.

**Hon. Bill Rompkey (Deputy Leader of the Government):** Honourable senators, we on this side would be perfectly agreeable. This matter has had adequate debate, thanks to the intervention of Senator Forrestall. We would be happy to expedite this today.

**The Hon. the Speaker:** First, I will put the question at second reading.

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

Motion agreed to and bill read second time.

### THIRD READING

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

**Hon. J. Michael Forrestall:** With leave, now.

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

**Hon. Senators:** Agreed.

Motion agreed to and bill read third time and passed.

[Translation]

## USER FEES BILL

### SECOND READING—DEBATE ADJOURNED

**Hon. Pierrette Ringuette** moved the second reading of Bill C-212, respecting user fees.

She said: Honourable senators, in October and November, we discussed this bill, which is in the annals of the Canadian Parliament, since it was unanimously adopted by the House of Commons before being referred to us. This bill essentially seeks to meet the requirement for a transparent, accountable and comparable process that establishes performance standards and also an impartial complaints resolution mechanism to hear users who must pay fees for certain services.

• (1620)

In November, the members of the committee on National Finance undertook the review of this bill. We have already heard from some stakeholders. Others will also propose changes and make comments on this legislation.

Therefore, for reasons of efficiency, I am now moving that the bill be read a second time, so that it can be referred to the National Finance Committee at the earliest opportunity, to allow that committee to carry on its more in-depth review.

On motion of Senator Kinsella, debate adjourned.

[English]

## CRIMINAL CODE

### BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

**Hon. Serge Joyal** moved the second reading of Bill C-250, to amend the Criminal Code (hate propaganda).—(*Honourable Senator Rompkey, P.C.*).

He said: Honourable senators, if my colleagues will allow me two minutes, I shall give a brief resume of where we were with Bill C-250 when Parliament was prorogued in November.

I should like to remind honourable senators that we had a lengthy debate on this bill at second reading. More than 15 honourable senators intervened on the bill. I reviewed the allocation of interest. There were seven senators on the opposition side who took a stand and raised issues with the bill and important questions. There were nine on the government side. We had come, in my opinion, to a point where we would be ready to continue our study at the committee stage by hearing witnesses — experts and professors, researchers, chiefs of police associations and so forth.

Since the bill is in the exact condition it was when we had that debate last fall, honourable senators, I am of the opinion that, at this stage, we would be ready to proceed to the Standing Senate Committee on Legal and Constitutional Affairs to continue our study of the points that were raised by our colleagues during that period of time. That is why, honourable senators, I move that the bill be sent to committee for further study.

**Hon. Noël A. Kinsella (Deputy Leader of the Opposition):** Honourable senators, I was pleased to second the motion that this bill be read a second time, and did so because we had a fulsome debate on the principle of the bill prior to prorogation. Therefore, I believe it is not necessary to repeat that debate but, rather, that we should refer the bill to committee for appropriate study.

As I am on my feet, I will point out that hate crime, whether physical or propaganda-based, has no place in Canadian society and that Bill C-250 amends subsection 318(4) of the Criminal Code, which deals with the proscription of hate propaganda against identifiable groups in Canada. The objective is to add sexual orientation to the explicit grounds that currently include colour, race, religion and ethnic origin.

I believe it is clear to all Canadians that by adding sexual orientation we are making it explicit that propaganda for hate purposes against identifiable groups of Canadians because of their race, skin colour, or sexual orientation, has no place in our society.

As a reminder to honourable senators, it is an offence under the Criminal Code to advocate or promote genocide based on these prohibited grounds; it is an offence to incite hatred against a group based on these identifiers; and it is an offence to wilfully promote hatred against a group identified by race or colour. Bill C-250 adds “sexual orientation,” which is not only perfectly reasonable but socially appropriate for all who believe in the principles of social justice in our country. Prejudice against Canadians because of their race or sexual orientation has no place in our society. This amendment to the Criminal Code is long overdue, and we should move the bill to committee, where any doubts, honourable senators, if there are any doubts, concerning the provisions of the proposed bill can receive an in-depth and an informed examination.

On motion of Senator Rompkey, debate adjourned.

## REASONS FOR SITTING AS PROGRESSIVE CONSERVATIVE

### INQUIRY—DEBATE ADJOURNED

**Hon. Norman K. Atkins** rose pursuant to notice of February 3, 2004:

That he will call the attention of the Senate to the reasons for his decision to sit as a Progressive Conservative Senator.

He said: Honourable senators, I shall try to be brief. I do not put down this inquiry on the Order Paper lightly. I wanted an opportunity to speak about my decision to continue to sit as a Progressive Conservative senator, to speak about how my views evolved and the people who most influenced them, and then to put on the record in this place the thinking that led me to my decision, while most of my Senate colleagues declared themselves to represent the Conservative Party of Canada.

I want to set out my thoughts on how I feel about the party — the Progressive Conservative Party — and the decision that it be dissolved. I have been a Progressive Conservative from the time I was 18 years old, beginning as a gopher in 1952 during the provincial election in New Brunswick. In the last 52 years, I have been involved in 38 election campaigns in one way or another. Some of them have been leadership campaigns, some provincial and others federal. All have been under the banner of the Progressive Conservative Party.

The party has changed its name a number of times since 1850. However, for me, the name “Progressive Conservative” came to mean much more than the title of a political party. For me, it came to mean what the party stood for. The name signified the joining together of not two parties but two sets of values, the values represented by those who espoused fiscal economic responsibility — living within one’s income, a balanced budget, little or no debt, and government intervention in the economy only when truly necessary. These are the “Conservative” values.

Combined with that, the “Progressive” name for me means social policy directed at the less fortunate in our society — which means accessible, adequate health care paid by the government, an education system where all who are academically qualified can access post-secondary training and education, policies that recognize that both people and even provinces are not created equal and that we must from time to time recognize a need for a hand up, be it through social welfare or equalization payments.

• (1630)

This is what I have fought for since my first campaign in the 1952 New Brunswick election, an election which saw Hugh John Flemming's party take 36 of 52 seats after being in the wilderness for 17 years, an election that impressed upon me, a young student, the importance of leadership, policy and democracy at work.

Through campaigns for the Right Honourable Robert Stanfield, both federal and provincial in Nova Scotia, Duff Roblin in Manitoba, Walter Shaw in Prince Edward Island, Bill Davis in Ontario, Richard Hatfield in New Brunswick, the Right Honourable Joe Clark and the Right Honourable Brian Mulroney, I have always believed in the cause, and was fighting for the cause, of the Progressive Conservative Party and its leadership, a party that not only believed in self-reliance, but also in wealth distribution.

I am a moderate Tory, in the same way my friend Dalton Camp saw himself as a moderate Tory. As he said in an interview with Pamela Wallin in 1995:

I am in favour of people, and I am in favour of trying to alleviate the problems people have, and I think that is one of the functions of government, and I just don't want to see us abandon that role.

I do not want to see that happen either. I would rather carry on the fight for what I believe in than to join with others who may not share that philosophy. To me, Robert Stanfield set the bar very high, and it is that standard that I wish to uphold.

The people I have known in politics, the people I admire, never compromised. They never gave up the fight for the country and its people. To mention a few, Peter Lougheed fought back against enormous odds to form a government and introduce a bill of rights as his first piece of legislation. Richard Hatfield stood for equal opportunity. Duff Roblin had the courage and showed the leadership to build the floodway against great opposition, as did Bill Davis when he stopped the extension of the Spadina Expressway. Robert Stanfield, whose life we celebrated most recently, did not compromise his principles in the 1974 "wage and price controls" general election. Brian Mulroney and Joe Clark, following in the footsteps of John Diefenbaker, stood against the governments of Britain and the United States in taking an anti-apartheid stance on behalf of Canada in support of Nelson Mandela. At home, the federal Progressive Conservative Party has been a champion of national unity and, in particular, of Quebec's place in Canada. It was under the prime ministership of Joe Clark in 1979 that Canada reached out its hand to take the Vietnamese boat people fleeing oppression to safety in Canada.

All this has been done by those who believe that the party name, Progressive Conservative, actually had evolved into a common set of values or a common centre, if you will, not just the joining together of political party labels.

The leaders I have known, the leaders I have been close to, did not give up when faced with great challenges or odds that seemed impossible to overcome. They stayed to fight for what they believed in.

It is my firm belief that this is what we who called ourselves Progressive Conservatives should have done. Yes, there may be a possibility of electoral success, but at what costs? What is the cost to Canadians if a group of political leaders abandon the core beliefs of the party they represent to achieve electoral gain? Are we right in sacrificing the cause of the less fortunate on the altar of political expediency? This is my concern.

We have inherited a legacy from the past leaders of the Progressive Conservative Party. This is a legacy to be cherished, a legacy of never giving up, of succeeding against all odds. Stanfield, Lougheed, Hatfield, Clark and Mulroney did that. There was a legacy of common fiscal thinking combined with social compassion. It is a legacy I cannot shrug off, a legacy I will not abandon.

The Progressive Conservative Party had a history and a tradition that I believed would last forever, whatever the circumstances. If there is to be some form of cooperation between parties, it must be based on principle, not expediency.

Therefore, I will continue to support and advocate my beliefs as a Progressive Conservative senator in Question Period, in debate and in committee. I will continue to speak out to defend the values I believe are emblematic of a Progressive Conservative. I will be watching with interest both the leadership and the policies of the new party to see whether they address my concerns. It is my hope that they will reflect the values and beliefs Progressive Conservatives hold so strongly.

I thank honourable senators for giving me the opportunity to put my thoughts and reasoning for continuing as a Progressive Conservative senator on the public record.

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

On motion of Senator Murray, debate adjourned.

#### ADJOURNMENT

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

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

That when the Senate adjourns today, it do stand adjourned until Tuesday, February 10, 2004, at 2 p.m.

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

**Hon. Senators:** Agreed.

Motion agreed to.

The Senate adjourned until Tuesday, February 10, 2004, at 2 p.m.

**THE SENATE OF CANADA  
PROGRESS OF LEGISLATION**

(3rd Session, 37th Parliament)

Thursday, February 5, 2004

**GOVERNMENT BILLS  
(SENATE)**

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.

**GOVERNMENT BILLS  
(HOUSE OF COMMONS)**

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.

**COMMONS PUBLIC BILLS**

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-212	An Act respecting user fees	04/02/03							
C-249	An Act to amend the Competition Act	04/02/03							
C-250	An Act to amend the Criminal Code (hate propaganda)	04/02/03							
C-260	An Act to amend the Hazardous Products Act (fire-safe cigarettes)	04/02/03							
C-300	An Act to change the names of certain electoral districts	04/02/03							

**SENATE PUBLIC BILLS**

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
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S-3	An Act to amend the Constitution Act, 1867 and the Parliament of Canada Act (Speakership of the Senate) (Sen. Oliver)	04/02/03							
S-4	An Act to amend the Official Languages Act (promotion of English and French) (Sen. Gauthier)	04/02/03							
S-5	An Act to protect heritage lighthouses (Sen. Forrestall)	04/02/03	04/02/05	—	—	—	04/02/05		
S-6	An Act to amend the Criminal Code (lottery schemes) (Sen. Lapointe)	04/02/04							
S-7	An Act respecting the effective date of the representation order of 2003 (Sen. Kinsella)	04/02/04							

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-8	An Act concerning personal watercraft in navigable waters (Sen. Spivak)	04/02/05							
S-9	An Act to honour Louis Riel and the Metis People (Sen. Chalifoux)	04/02/05							

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

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