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THE HONOURABLE DAN HAYS
SPEAKER

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THE SENATE

Tuesday, February 10, 2004

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

Prayers.

The Hon. the Speaker: Honourable senators, before calling for Senators' Statements, I wish to give notice that I will reserve the final three minutes for Senator Prud'homme. It is a rather rare occasion today in that most of the allotted time for Senators' Statements will be taken up with tributes to the honourable senator.

SENATORS' STATEMENTS

THE HONOURABLE MARCEL PRUD'HOMME

CONGRATULATIONS ON FORTIETH ANNIVERSARY AS PARLIAMENTARIAN

Hon. Jack Austin (Leader of the Government): Honourable senators, I am happy to rise today to recognize our colleague, the Honourable Marcel Prud'homme, on the occasion of the fortieth anniversary of his election to Parliament. Senator Prud'homme is the longest serving parliamentarian still on Parliament Hill.

Over the course of his involvement with the Canadian political process, Senator Prud'homme has served as President of the Young Liberals, as chair of the national caucus and of the Quebec caucus, and as parliamentary secretary in several portfolios; and he served under nine prime ministers.

Senator Prud'homme was first elected in a by-election on February 10, 1964, by 3,000 votes. In subsequent elections, his margins grew and twice he received 25,000 votes more than his nearest opponent. Senator Prud'homme won again by a large margin in 1984, when many Liberal members of Parliament lost their seats.

[Translation]

In reference to politics, he said that if you put your heart and soul into it, it always pays off. This energy and this trust in the public have been Senator Prud'homme's greatest strengths.

[English]

Some of you may not know that Senator Prud'homme comes from a large family and is the youngest of 12 children. Perhaps because of this background, he learned how to speak out and be noticed. When he entered politics as a young student, I knew him as a fiery speaker who had a memorable impact on his audience. At the time, I am told, his father cautioned him against the dangers of pursuing politics for a living, advising him to not let this career path dramatically alter his perspective. As honourable senators know, Senator Prud'homme has lost none of his passion for speaking and he is not easily diverted during his regular appearances on radio and television — an observation that will come as no surprise to honourable senators.

During his 40 years as a politician, there has scarcely been an issue before Parliament that has escaped Senator Prud'homme's scrutiny. His political record is noteworthy, all the more remarkable when you consider that he is not one to follow any group — be it caucus, political party or guardians of conventional wisdom. However, if you were to ask him, he would say that he is guided by others: the people of the riding he represented for almost three decades and Canadians who have come to him for assistance. Many of these Canadians have been new immigrants for whom Senator Prud'homme has played a special role in providing assistance as they adjust to their new lives in Canada.

His interest in immigrants began in his student days when he organized a party in 1957 to welcome Hungarian refugees. Since then, he has worked for the acceptance of many groups to Canada, including American soldiers who deserted the military during the Vietnam War.

He has said that there are thousands of causes to espouse and that the role of parliamentarians is to work on a cause worthy of their efforts. Senator Prud'homme's causes — and I have not always agreed with them — have been issues in the international arena such as demilitarization, peace in the Middle East and parliamentary diplomacy. Senator Prud'homme deserves recognition for the important role he has played in promoting these objectives and, in particular, for the Prud'homme-Strahl report of 1999, which recommended ways to make parliamentary associations more productive and meaningful.

Throughout his career, Senator Prud'homme has envisioned —

The Hon. the Speaker: Honourable senator, I regret the interruption but a number of senators wish to speak and so I will observe the time allotted.

[Translation]

Hon. Gérald-A. Beaudoin: Honourable senators, Senator Prud'homme is a born parliamentarian. We could say that he is the doyen of Parliament. As a member of Parliament and a senator, he of course has left his mark in the legislative chambers of the state and he continues to do so. He has even threatened to run for office in the other place when his term in the Senate expires, six years from now.

There are very few people who have been parliamentarians for 40 years or more. Senator Prud'homme may some day equal Sir Wilfrid Laurier's record for his time spent in Parliament.

Senator Prud'homme was first elected to the House of Commons on February 10, 1964, and he was appointed to the Senate by Prime Minister Brian Mulroney, in May 1993, as an independent Liberal.

In the February 9 edition of the daily *La Presse*, journalist Gilles Toupin paid a well-deserved tribute to our colleague.

• (1410)

I certainly agree with him. Senator Prud'homme, who is a good speaker and an astute tactician, is very at ease in his house, his house being Parliament.

He ruffles feathers, and that is true. But we all admit that, at times, we must ruffle feathers. He has deep convictions. When it comes to the Constitution, he points out that he is a French Canadian and that is true. This is a debate in Quebec and in the rest of Canada.

He is a parliamentarian who has a keen interest in international politics and its endless battles, including the one in the Middle East. He is a straight shooter.

He is entitled to his opinions. He is true to his father, who used to tell him: "We must believe in the universality of the protection of human rights or else hold our peace."

[English]

Senator Prud'homme is, no doubt, a very good parliamentarian. He is faithful to his principles — a French Canadian in the real sense of those two words. Good luck, senator. Thank you for what you are doing every day for your country.

Hon. Joyce Fairbairn: Honourable senators, it gives me great pleasure today to salute the longevity and the achievements of an old colleague and friend, Senator Marcel Prud'homme. He is, indeed, the granddaddy of Parliament Hill in terms of tenure in Parliament itself. However, I do have to remind him that I am two years ahead of him in terms of tenure on this Hill, so he still has to show a bit of respect.

Senator Prud'homme came to this Hill as a young man, back in the 1960s. He was as filled with passion and conviction then as he is today. He was, as has been said, highly involved with the Young Liberals of Canada. From those days till now, Senator Prud'homme has been a warrior and a cheerleader for a united Canada, in every part of this country — and this at a time when, on this Hill, people did not move around the country as much as they do now.

A young Marcel Prud'homme, who did not speak much English, made a point of travelling to Western Canada because he did not know much about that part of the country. He wanted to gain some understanding of the West. It was during that time that he turned up in my area of Western Canada. Knowing I was not able to get out there too often because of responsibilities here, he decided, out of kindness, to go visit my mother. He arrived, unannounced, at 630 15th Street, South, in Lethbridge, Alberta, and knocked on the door. My mother was a timid and a tiny woman. When she arrived at the door, a lanky francophone, bending low over her hand and kissing it, greeted her. It took my

mother a long time to recover from that visit; she asked me for a long time when she could expect another such visit from Senator Prud'homme.

Today, I simply wish to extend a heartfelt thank you to Marcel. He has never let the institution of Parliament Hill down in the years that he has served in both chambers.

He and I also served together — he as chair, me as vice-chair — on the National Liberal Caucus, at a difficult time in the mid-1980s. We became good friends again in that capacity.

Never short of words, never short of criticism when, in his view, it was needed, he was also a good — I would not say supporter, but friend, when I was Leader of the Government in the Senate, in the days when we had a very small minority in this place. He taught me that courtesy and information was absolutely critical to maintaining good relations in this place, regardless of where one sat. Congratulations, senator, for a very vigorous life.

The Hon. the Speaker: I regret to inform the honourable senator that her three minutes have expired.

Hon. Gerry St. Germain: Honourable senators, I also wish to pay tribute to Senator Prud'homme. While sitting beside him for the last two and a half or three years, I received an education. He can inspire and put a thought process in motion, like no other man I have ever met. He is partisan, but yet he is not partisan.

[Translation]

When he speaks French, he does so like a Quebecer and he has always defended the rights of ordinary people.

[English]

As I came to learn, in working with him over the years, Senator Prud'homme never forgot how he came to the Senate, but he never really became as partisan as the other side likes to think. He thought openly on most issues. A tribute to his longevity in Parliament is that, in spite of the fact he was associated with the Liberal Party for so many years — and, in the province from which he came, I think that this is a natural home for him politically — he never lost sight of the fact that we, as westerners, inasmuch as we are different in a lot of ways, are the same in most ways, as Canadians, because we all work for the interests of one Canada.

During the debates on Quebec and the many sensitive questions over the years, he never lost sight of the fact that Canada is a great country because of all of its parts, not because of some of its parts. Congratulations and good luck!

The Hon. the Speaker: We have one minute before going to Senator Prud'homme.

Hon. Lise Bacon: Honourable senators, I need more than one minute for Senator Prud'homme.

[Senator Beaudoin]

[Translation]

Honourable senators, I have known Senator Prud'homme since the time we were active Young Liberals together, some years ago.

Our honourable colleague fully deserves the tribute we are paying him today for his remarkably long, not to say legendary, career in politics, for his exceptional tenacity, and for the conviction with which he defends the values he cherishes, all with an energy that has not diminished with the years. You will agree with me that after 40 years, Marcel Prud'homme has lost none of his fighting spirit, the flame that has burned within him since the beginning.

It would have been hard for Senator Prud'homme to avoid a life of politics. His father, a respected physician, was also a very active Liberal and passionate about politics. He transmitted that passion to his son. It was inevitable; Marcel was so passionate about politics and his interest in it so intense that he became active in both student associations and the Young Liberals, where his oratorical skills were quickly discovered and appreciated.

At the age of 26, he decided to stand for the Liberal nomination in Montreal-Laurier in a provincial election. But he had to withdraw in favour of a rising star named René Lévesque. As a team player, he accepted the decision of the leader, Jean Lesage, and withdrew, but the truce was short-lived, because his passion for politics is intense. In 1964 he was elected as the member of Parliament for the federal riding of Saint-Denis in Montreal. He was barely 30 years old and perhaps did not realize that a splendid career lay just over the horizon.

From his earliest days in politics, Marcel Prud'homme's direct and intense style left no one indifferent, and sometimes it ruffled people's feathers. While remaining true to himself and his deepest values, Senator Prud'homme played a significant role in parliamentary committees, particularly as chair of the Standing Committee on Foreign Affairs and National Defence, as a parliamentary secretary, as an opposition critic, and in the interparliamentary associations.

Today, after 40 years of a very active political life, he is still keenly interested in many projects and ready to fight other battles, and continue to defend his favourite causes. Indefatigable and untiring, our colleague looks straight ahead, eager to be able to continue making his contribution to the public forum.

Congratulations and all our wishes for good fortune in the future.

• (1420)

The Hon. the Speaker: Honourable senators, I regret that left on my list are Senators Rivest, Poulin, Gauthier, Day, Buchanan, Grafstein and Cools.

Senator Prud'homme, you have the floor.

Hon. Marcel Prud'homme: Honourable senators, I will not abuse your kindness and I will try to keep to the time allotted to tell you how grateful I am and how happy you have made me today.

Usually these tributes are reserved for senators who are leaving public life or who have passed away. I do not know which of these

fates awaits me first. However, I would like to thank you for the kindness you have shown me.

[English]

This morning I received a call from my godfather in the Senate, Senator Riel, who once served as Speaker in this chamber. During that conversation, he asked me to remind honourable senators that he is still alive and still enjoying life. Anyone who wants to know how to reach him should get in touch with me.

Senator Fairbairn, yes, I remember very well having met your mother in the 1960s, without forewarning you. I am willing myself not to be too emotional — as some of you know, these are difficult times in our family. I am happy to share my “famous” day with my sister, Rita Prud'homme, who is in the gallery. I also want to acknowledge Anita Richard, a lady who knows all my secrets, because she writes shorthand. As honourable senators can imagine, she needs to write quickly, to catch everything I want to say. Anita has been with me for many years, and hopefully for many years to come. I also wish to acknowledge Mohamad Barakat, who is an intern in my office. I probably drive him absolutely crazy. He is one of hundreds of interns who have assisted me over the years — and, by the way, some of them have enjoyed much success in their careers. As a matter of fact, one of them — who years ago as an intern here was in charge of the parliamentary association — occupies the highest post in China today.

Honourable senators, I remember visiting every province. I spoke at Senator Carstairs' school in Alberta, and not in Manitoba, and remember being told the sensitive subjects to stay away from. Of course, these were the first subjects I addressed, much to the chagrin of Liberals. However, honourable senators, at the end of the day, all of them were ready to stand with me in the parade on very sensitive issues.

If one is truly honest, as my father taught me to be, one need not be afraid. I believe in forgiveness. The Indian leaders who taught me taught that forgiveness leads to peace, harmony and reconciliation. Some people believe in “getting even.” I do not believe in it because I believe in the power of conviction and in being patient.

In 1964 — during a Liberal minority government — I remember being the only Liberal welcome in Saskatchewan, having known Ross Thatcher as a student. Mr. Pearson said to me, “I do not know how you can manage that, but go.” It was during that time that I met a fabulous lady — Senator Merchant's mother-in-law and I campaigned for her. I was pleased to recommend her for the high honour of the Queen's Golden Jubilee Medal.

Honourable senators, I wish to thank Senators Beaudoin and St. Germain.

[Translation]

Honourable senators, thank you for your kind words.

[English]

I know that Senator Austin had a lot more to say. My advice to him is to keep his notes, because I may very well be here to celebrate my forty-fifth anniversary, since I will not be obliged to retire before then. I also wish to salute the dean of this place, Senator Sparrow, to whom I have always bowed with all due respect. I want to thank him for his friendship over the years as I also wish to thank all honourable senators for having been patient with me. I promise to change, since I am getting mellow.

I want to salute those who spoke today on my behalf, and I look forward to campaigning again with Senator Bacon for the good cause in Quebec.

[Translation]

The Honourable Senator Bacon and I have known one another for more than 40 years and we have fought all the major battles in Canada. We have never wavered. However, people do not always entirely understand what it means to be a French-Canadian nationalist from Quebec, like me. But that is what is so wonderful about Canada!

[English]

I also wish to thank His Honour for his graciousness today in accepting the debate. I want to thank Senator Lynch-Staunton, the Leader of the Opposition, and Senator Austin, the Leader of the Government, both of whom, I am sure, gave their consent to mark this special day in my life. I thank you very warmly again and again.

[Translation]

ROUTINE PROCEEDINGS

AUDITOR GENERAL

REPORT TABLED

Hon. Bill Rompkey: Honourable senators, I have the honour to table, in both official languages, the report of the Auditor General of Canada dated November 2003.

[English]

NATIONAL FINANCE

REPORT PURSUANT TO RULE 104 TABLED

Hon. Lowell Murray: 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 National Finance. 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. 55.)

[Senator Prud'homme]

ABORIGINAL PEOPLES

REPORT PURSUANT TO RULE 104 TABLED

Hon. Nick G. Sibbeston: 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 Aboriginal Peoples. 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. 56.)

NATIONAL SECURITY AND DEFENCE

REPORT PURSUANT TO RULE 104 TABLED

Hon. Jane Cordy: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Committee on National Security and Defence. 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. 57.)

MARRIAGE ACT INTERPRETATION ACT

BILL TO AMEND—FIRST READING

Hon. Anne C. Cools presented Bill S-10, to amend the Marriage (Prohibited Degrees) Act and the Interpretation Act in order to affirm the meaning of marriage.

Bill read first time.

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

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

NATIONAL SECURITY AND DEFENCE

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO PERMIT ELECTRONIC COVERAGE

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

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

• (1430)

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO ENGAGE SERVICES

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

That the Standing Senate Committee on National Security and Defence 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.

ABORIGINAL PEOPLES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO PERMIT ELECTRONIC COVERAGE

Hon. Nick G. Sibbeston: Honourable senators, I give notice that, at the next sitting of the Senate, I shall move:

That the Standing Senate Committee on Aboriginal Peoples be empowered 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. Nick G. Sibbeston: Honourable senators, I give notice that, at the next sitting of the Senate, I shall move:

That the Standing Senate Committee on Aboriginal Peoples 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.

[Translation]

THE ESTIMATES, 2003-04

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO CONTINUE STUDY ON MAIN ESTIMATES

Hon. Lowell Murray: Honourable senators, I give notice that tomorrow I shall move:

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Estimates for the fiscal year ending March 31, 2004, with the exception of Parliamentary 10 and Privy Council Vote 25, and

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

[English]

NATIONAL FINANCE

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO ENGAGE SERVICES

Hon. Lowell Murray: Honourable senators, I give notice that tomorrow, I shall move:

That the Standing Senate Committee on National Finance 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 matter of bills and estimates as are referred to it.

[Translation]

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO PERMIT ELECTRONIC COVERAGE

Hon. Lowell Murray: Honourable senators, I give notice that tomorrow, I shall move:

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

[English]

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

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO STUDY A CODE OF CONDUCT FOR SENATORS

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 authorized to consider a code of conduct for Senators and that all related evidence and papers taken on this issue by the Committee in the 2nd Session of the 37th Parliament be referred to the Committee; and that the Committee be authorized to take into context the 51st Report of the House of Commons Standing Committee on Procedure and House Affairs from the 2nd Session of the 37th Parliament; and that the Committee report no later than April 1, 2004.

[Translation]

OFFICIAL LANGUAGES

BILINGUAL STATUS OF CITY OF OTTAWA— PRESENTATION OF PETITION

Hon. Jean-Robert Gauthier: Honourable senators, I am pleased to table a petition bearing 1,000 signatures, bringing the total to 22,834 calling for Ottawa, the capital of Canada, to be a bilingual city reflecting the linguistic duality of the country.

It is high time that the Senate adopted some rules and follow-up procedures to ensure that these petitions receive the serious attention they deserve. A petition is an official request addressed to the Canadian Parliament and must therefore be taken seriously. It is also an instrument that has influence on the policies and laws of this country.

[English]

QUESTION PERIOD

TRANSPORT

AIR TRANSPORTATION AND NAVIGATION DIVESTITURE INITIATIVES

Hon. Donald H. Oliver: Honourable senators, my question is for the Leader of the Government in the Senate and deals with one of the many things expressly excluded from the Speech from the Throne. At this time, I will deal with the Chrétien-Martin government's approach to air transportation policy.

Mr. Doug Young, a former transport minister in the Chrétien-Martin government, recently stated that handing control for airports to local authorities was "a mistake" and he regrets handing federal air navigation services to NAV CANADA.

As the author of this government's air transportation and air navigation divestiture initiatives, Mr. Young's statements are a scathing and highly credible indictment of what has been a major policy initiative of the Martin-Chrétien government. Is cabinet considering a review of these divestiture initiatives which, according to their ministerial author, have been such a massive blunder?

Hon. Jack Austin (Leader of the Government): Honourable senators, I, too, saw the press reports attributed to former Minister Young and found them of high interest in terms of the community that is affected by the current policies.

I will not be able to advise Honourable Senator Oliver at the moment as to the state of cabinet consideration, except to say that former Minister Young's statements have been noted.

Senator Oliver: Honourable senators, Mr. Young also said that the airport authorities and NAV CANADA have "gotten out of line because there isn't sufficient accountability to make sure that business decisions are being made on a viable basis."

If Mr. Young's statement does have some currency with the government, what specific steps will this government take to address the matters that Mr. Young raised?

Senator Austin: Honourable senators, I am not in a position to answer the question specifically at this time.

VETERANS AFFAIRS

VETERANS INDEPENDENCE PROGRAM— ENTITLEMENT TO WIDOWS

Hon. Michael A. Meighen: Honourable senators, my question is also directed to the Leader of the Government in the Senate, but he will be relieved to know that it is a much easier question than the one he failed to answer from Senator Oliver. As I provided the question prior to today's session, I am sure he will have no trouble with the answer.

As the honourable leader knows, my question deals with an issue that I believe he agrees with and cares deeply about, as do other members of this chamber.

On November 6 of last year, the then Minister of Veterans Affairs announced changes to the Veterans Independence Program as it relates to surviving spouses. Members of the other place were told by Minister Pagtakhan:

Today, I am pleased to announce, thanks to the Prime Minister and the Minister of Finance, and the government as a whole —

He seems to have forgotten the Senate Subcommittee on Veterans Affairs, but that is another matter.

— that we will be able to reinstate VIP maintenance and ground services for qualified surviving spouses.

I believed, as did most who heard him at the time, I think, that he meant just what he said: reinstatement for all surviving spouses with no arbitrary cut-off date. It has now apparently come to light that an arbitrary cut-off date for eligibility was indeed established, September 1, 1990.

Would the Leader of the Government in the Senate confirm this astounding decision and use his influence to persuade the present Minister of Veterans Affairs, who as the former Minister of Defence knows this file quite well, to eliminate this arbitrary cut-off date so that all surviving spouses benefit, including the very few whose spouses died prior to September 1, 1990?

Hon. Jack Austin (Leader of the Government): I thank Honourable Senator Meighen for giving me notice of this question. I am obliged to report that, as he stated in his question, the cut-off date of 1990 remains in place. I have spoken to the Minister of Veterans Affairs and he has agreed to review the matter. I will continue to press him for an early decision.

Senator Meighen: Honourable senators, I have great faith in the leader's influence. Obviously, he has made progress, so we will wait for an early resolution.

DEFINITION OF PRISONERS OF WAR

Hon. Michael A. Meighen: Honourable senators, everyone in this chamber is aware that the recognition of prisoner of war status was well-established during World Wars I and II. However, the situation has changed dramatically since 1945 and particularly as a result of Canada's heavy involvement in what are often erroneously termed "peacekeeping operations."

In today's conflicts, for that is what they are, the enemy is ill-defined, to say the least. Situations arise, such as in Bosnia in 1993, where our soldiers were taken captive, beaten, tied up and denied the benefits of the rules of the Geneva Convention. Yet, upon their return home, their applications for recognition as prisoners of war were rejected since they did not fit the long-standing traditional definition as such.

• (1440)

Would the Leader of the Government in the Senate undertake to look into this question and urge the Minister of National Defence to propose an update of the definition of "prisoner of war" so as to reflect the changing situation in which our soldiers now find themselves as they defend Canada's interests around the world?

Hon. Jack Austin (Leader of the Government): Honourable senators, I commend Senator Meighen for raising this particular issue. I will add it to the agenda of my forthcoming discussion with the Minister of Veterans Affairs.

HEALTH

INOCULATION OF CHILDREN AGAINST COMMON DISEASES

Hon. Wilbert J. Keon: Honourable senators, my question is directed to the Leader of the Government in the Senate. An increasing number of parents around the world are not inoculating their children against common diseases such as measles, mumps and rubella. Health experts are concerned that there could be a related rise in these diseases. Parents fear the so-called MMR vaccine is linked to diseases such as autism, multiple sclerosis and bowel disorders, although several medical groups and a British report issued last month have all determined such fears are unfounded.

The World Health Organization has said that five European countries have experienced recent measles outbreaks with the most likely cause being the decline in childhood immunization.

Is Health Canada concerned about the trend in this country toward parents not having their children vaccinated? Are we tracking the occurrence of these diseases? If so, is there a greater number of cases than compared with recent years?

Hon. Jack Austin (Leader of the Government): Honourable senators, the question is important, and it asks for details that are not at hand. However, I will obtain the answers and perhaps provide them to Senator Keon by letter.

We have seen such concerns expressed, particularly by certain communities with religious convictions. I would very much appreciate engaging Senator Keon in a discussion as to how that can be addressed.

Senator Keon: Honourable senators, I thank the leader for that answer. I also look forward to receiving his written answer.

I am reasonably sure there is no monitoring system in place for this kind of information. Rather than a short-term survey, it would be worth suggesting that we put in place a monitoring system. Honourable senators, this is not a question but a suggestion.

Senator Austin: Honourable senators, I am delighted to accept the representations of Senator Keon. As I cannot ask him a question, I can only wonder aloud in my answer as to whether there are international monitoring efforts underway. I will pursue the inquiry to see if that is happening.

HUMAN RESOURCES DEVELOPMENT

QUEBEC COURT OF APPEAL RULING THAT FEDERAL PARENTAL AND MATERNITY LEAVE PROGRAMS ARE UNCONSTITUTIONAL

Hon. Gérard-A. Beaudoin: Honourable senators, my question is addressed to the Leader of the Government in the Senate. Parental leave is an important part of the division of powers in our federal system. A few days ago, the Quebec Court of Appeal ruled that the federal government's parental and maternity leave programs are unconstitutional. The government relies on the Employment Insurance Act. The Prime Minister has said that he is ready to negotiate with Quebec, which is quite understandable and I could not agree more with that sentiment.

In view of the importance of this domain in constitutional law, is the Prime Minister considering an appeal to the Supreme Court of Canada? I ask the question because the debate concerns not only family law or civil law — a point upon which we all agree — but it also includes the federal spending power.

Hon. Jack Austin (Leader of the Government): Honourable senators, I have no information to provide the Honourable Senator Beaudoin at the moment. I will speak to the Minister of Justice and advise the honourable senator as soon as possible.

[Translation]

CANADIAN BROADCASTING CORPORATION

DISPARAGING COMMENTS BY SPORTS COMMENTATOR DON CHERRY

Hon. Jean-Robert Gauthier: Honourable senators, my question is for the Leader of the Government in the Senate.

Recently, I raised a question concerning a person by the name of Don Cherry, a commentator on CBC's *Hockey Night in Canada*, and some disparaging remarks that he has made with respect to francophones, the use of protective visors by hockey players and the hockey players of Quebec.

In response to my question, the minister told me last week that the CBC is an independent Crown corporation and that it must fulfil its mandate. I understand all that.

Since then, the CBC has decided to put in place a kind of censorship. From now on, there will be a seven-second delay before the comments made by Mr. Cherry during hockey games are aired, to avoid any embarrassment. Mr. Cherry is getting paid good money for his role in this so-called debate on hockey games.

Since it is the CBC's mandate to reflect Canada, since Mr. Cherry's comments are not very appropriate and are even disgraceful, as I said, and since this issue must be settled, I wonder if the minister could tell us whether this censoring by the CBC will cost Canadians a rather significant amount of money to keep tabs on someone who, in my opinion, should have been fired?

It is unacceptable that one person would continue to set such an example for young Canadians in the field of sports. His remarks should be beyond any doubt or question, and he should not hold any biases against francophones.

Could the minister tell us how much Mr. Cherry, who makes these disgraceful remarks, costs Canadians? How much will it cost the CBC to put in place a censorship system to ensure that Mr. Cherry does not continue to express disgraceful views?

[English]

Hon. Jack Austin (Leader of the Government): Honourable senators, personally, I found Don Cherry's comments unacceptable. However, as I said in the chamber last week, the CBC is an independent and self-governing corporation. It has taken steps to caution Don Cherry.

I understand also that the Commissioner of Official Languages has undertaken an investigation and there may be additional complaints made to other appropriate bodies that would cause further investigatory procedures.

Frankly, if I may say, the CBC is one of those organizations in the public marketplace that will respond to its clientele — that is, the public of Canada. The more clearly the public of Canada makes its views known on this issue, I am sure the more concerned the CBC will be.

TREASURY BOARD

NEED FOR WHISTLE-BLOWING LEGISLATION

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators will recall the pioneering work of this chamber in the area of contemporary whistle-blowing legislation. I should like to ask the Leader of the Government in the Senate whether the government will build upon the work that has been done by the Senate in pioneering this needed area for legislation and introduce such legislation forthwith.

Hon. Jack Austin (Leader of the Government): Honourable senators, the answer is that the government intends to proceed with what is colloquially known as "whistle-blowing" legislation. Information on that subject should be available shortly.

• (1450)

Senator Kinsella: I have a supplementary question, honourable senators. The sponsorship fiasco ran for six years, from 1996 to 2002, yet no one knew what was going on — and many knew what was going on, but they were not willing to blow the whistle, even though "every rule in the book was broken," to use the phrase of the Auditor General.

The Auditor General has, of course, even today re-issued the call for Parliament to enact whistle-blowing legislation, as indeed did the president of the Treasury Board, Minister Alcock, when he was chair of the House of Commons' government operations and estimates committee, particularly at the time of the Privacy Commission fiasco last spring.

Would the minister in the Senate agree, given these two contemporary examples of the need for such legislation, that the government could help with some damage control by perhaps announcing today the introduction of that legislation?

Senator Austin: Honourable senators, without accepting some of the preceding portions of Senator Kinsella's statement, the government intends to introduce legislation by March 31, 2004. The representations made in the Senate by Senator Kinsella and in the report of the other place have been taken into account. This is important legislation. It is complex legislation because it deals with the requirement of public administration to be transparent and to be of integrity, while at the same time it deals with the relationship between employees and government itself.

Those on the other side who may have been in the cabinet of Prime Minister Mulroney or have served on the political staff will understand that it is a delicate balance. However, we look forward to seeing that legislation. My belief is that it will require some careful study by interested publics, including the Public Service Commission and members of the political community. I should hope that we will be in a position to have legislation that is fair and balanced before the end of this year.

AUDITOR GENERAL

REPORT ON SPONSORSHIP PROGRAM

Hon. Terry Stratton: Honourable senators, my question is addressed to the Leader of the Government in the Senate. The government was given an advance copy of the Auditor General's report in October, a month before the original planned tabling date of November 25. This is standard practice as it allows the government an opportunity to respond to the Auditor General's recommendations. It is now the second week of February. The government has been sitting on this report for four months. Why did the government not recall Ambassador Gagliano immediately, rather than allow his continued presence in Denmark to be a source of embarrassment to Canada's foreign service?

Hon. Jack Austin (Leader of the Government): Honourable senators, I should first like to thank opposition senators for giving me a soft run-up to these more difficult questions today.

In response to Senator Stratton, I know he is very much aware of the fact that the original time for the tabling in Parliament of the Auditor General's report was November 25. The report would have been tabled at the time, but that Parliament was prorogued earlier in November. Consequently, under the standing orders of the other place and under the rules here, the report could only be tabled once Parliament had resumed in this session.

The rules applicable to the Auditor General require Parliament to be in session before an Auditor General's report can be tabled. The decision in respect of the date on which such a report is tabled is a decision of the speakers of the two chambers. They chose today to table that report. It would have been inappropriate, in my view, for any action to be taken under that report until it was available to the public and the public had an opportunity to understand the issues raised by the Auditor General.

The Auditor General has raised very serious and disturbing issues with respect to the sponsorship program, which was active in the Department of Public Works from roughly 1997 to 2002. The government is now in a position, as the report has been tabled, to take appropriate action to deal with the Auditor General's recommendations. I am sure you may have a question or two to follow.

Senator Stratton: Honourable senators, last week, the government made a public example of Norm Steinberg, the director general of audit and ethics at Public Works. The whole Public Works department received a memo telling that Mr. Steinberg faces an undisclosed but significant financial penalty for buying a \$19,000 plasma TV. Ironically, in a memo to his staff, Public Works Deputy Minister David Marshall wrote that, "Norman and his team were responsible for uncovering the sponsorship problem long before the Auditor General made it public."

If the sponsorship problem was uncovered "long before the Auditor General made it public," why was it only stopped when it became a source of political embarrassment?

Senator LeBreton: Why does the PM say he knows nothing about it?

Senator Austin: Honourable senators, the problems relating to the sponsorship program were originally discovered by an internal audit in the Department of Public Works. It was the government of the time that referred the matter to the Auditor General for further investigation. I understand Senator Stratton's impatience. However, when the integrity of individuals and the transparency of public administration are at stake, it is crucial that the government is extremely careful not to act on innuendo or rumour or bias or prejudice, but to act only on facts. The result has been a careful audit and investigation by the Auditor General, the results of which are now before the Senate.

Honourable senators will also be aware that a public servant was charged as a result of work done both by the internal control system in Public Works and by the Auditor General, and that an RCMP investigation was launched and continues to this day.

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, why was the same type of thorough investigation not entertained prior to the Department of Justice writing to Swiss authorities that former Prime Minister Brian Mulroney had engaged in criminal activities?

Senator Austin: Honourable senators, I expect that the opposition leader and Senate colleagues opposite will have become very sensitive to accusations that are not necessarily based on fact but on supposition, and that they would be prepared to accord the same sensitivity with respect to anyone on the government side who, similarly, might be the subject of stories.

Senator Lynch-Staunton: Honourable senators, why was the same sensitivity not shown to the reputation of former Prime Minister Brian Mulroney, prior to the Department of Justice writing to Swiss authorities that he had, and I quote from the translation, "engaged in criminal activities"?

Senator Austin: Honourable senators, as a minister of this government, I cannot answer to whatever took place at that particular time.

• (1500)

I will say that no one that I know wanted former Prime Minister Mulroney involved in rumours, innuendos or stories that had no basis in fact, and I personally was pleased that the matter was resolved to his satisfaction.

REPORT ON SPONSORSHIP PROGRAM—
RECOVERY OF MISAPPROPRIATED FUNDS

Hon. David Tkachuk: Honourable senators, the Leader of the Government will get the same sensitivity from me as we have received from him.

The sponsorship program consumed \$250 million of taxpayers' money, of which \$100 million went to communications agencies as fees and commissions. The Auditor General tells us that there was little regard for value and that there were artificial invoices and contracts, or no contracts at all, which appear to have been designed to pay commissions to communications agencies while hiding the source of funding and the true substance of the transactions.

In a document called "Sponsorship Update," posted on the Public Works Web site and last updated September 3, Canadians are told that "recovery of funds has been initiated and holdbacks are in place." The government's response to the Auditor General's report also tells us that the government is trying to recover funds.

Could the Leader of the Government in the Senate advise us as to exactly how much money has been recovered to date, from whom it has been recovered and how much additional money the government realistically expects to recover?

Hon. Jack Austin (Leader of the Government): Honourable senators, the government wants to get to the bottom of the issues raised by the Auditor General. For that reason, the government has today announced a judicial inquiry to be headed by Mr. Justice John Gomery of the Quebec Superior Court.

I believe that many of the questions that the honourable senator has just asked will emerge during that inquiry, but I want to make it clear that those who misappropriated government funds will be held to account. Prime Minister Chrétien made it extremely clear in announcing the appointment of the Honourable Ralph Goodale as Minister of Public Works that he wanted Minister Goodale to get to the bottom of things and that if people have committed criminal acts, they will be prosecuted. The government today takes the same position.

REPORT ON SPONSORSHIP PROGRAM— INVOLVEMENT OF QUEBEC WING OF LIBERAL PARTY

Hon. David Tkachuk: I am sure that the minister will be able to bring to the Senate chamber answers to my question well before the judicial inquiry because there is no reason the inquiry should hold up that process.

Honourable senators, serious allegations have been made in recent days that there was a link between the Liberal Party operations and the abuses of the ad sponsorship program. If these allegations are found to be true, will measures to recover funds also be directed at the Liberal Party's Quebec wing, and will this judicial inquiry also investigate the Quebec wing of the Liberal Party?

Hon. Jack Austin (Leader of the Government): Honourable senators, I do not have the terms of reference of the judicial inquiry before me now. They will be developed with the judge who has agreed to act as inquiry commissioner. That is the normal practice. However, the intention of the government is to ensure that all aspects of this issue are subject to the commissioner's scope of responsibility.

I want to answer part of the honourable senator's penultimate question and tell him that the Government of Canada has appointed Quebec lawyer André Gauthier, a well-known civil litigator, to recover all funds that were inappropriately paid to whatever party.

INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

AUDITOR GENERAL'S REPORT—TRACKING OF FUNDING FOR AGREEMENTS INVOLVING GWICH'IN AND PEOPLE OF NUNAVUT

Hon. Gerry St. Germain: Honourable senators, my question is to the Leader of the Government in the Senate. I sit here bewildered. The government wants to get to the bottom of this scandal. Coming into an election, we are going into a judicial inquiry — another one.

Here we have a leader, the Prime Minister, the former Minister of Finance, the former Vice-President of the Treasury Board and the minister in charge of Quebec, who is totally informed about cabinet proceedings. Is the Leader of the Government in the Senate telling us now that the public should trust this man? The man that has held those lofty positions, where information should have been readily accessible, signed the cheques, and now the Leader of the Government in the Senate is telling us that we will have an inquiry. They have been cheating and stealing and doing all these things, and now they are going to have an inquiry.

It is time that the Liberals faced Canadians squarely and dead on. This situation is terrible. This scandal is all about corruption, theft at its highest levels, and is unacceptable to Western Canadians. The honourable senator knows it is; I know it is. He knows that the Liberals have no representation in the West because activities like these have been allowed to continue. It is not Quebecers who are responsible; it is you fellows right here — all you ministers and the ministers that went before you.

My question relates to Aboriginals. There are two agreements involving the Gwich'in and the people of Nunavut. According to the Auditor General, no tracking of the funding has been done by the department. The department is not tracking costs at all.

Is the government prepared to look after these unfortunate ones? They are prepared to give big payoffs to Groupaction, all the boys in Quebec and lobbying firms here in Ottawa. Are they prepared to start looking at the needs of our Aboriginal peoples, who, the Auditor General said, are being shortchanged because of the lack of supervision by DIAND?

Hon. Jack Austin (Leader of the Government): Honourable senators, a good part of the preamble to the honourable senator's question is absolutely unacceptable. He cannot accuse people of theft or stealing, to use the words that he used, without making charges against individuals. I hope he will withdraw that part of his preamble.

Senator Rompkey: Withdraw!

Senator Austin: Otherwise, the honourable senator should name names. He should name names if he believes someone has stolen.

Senator St. Germain: Why will there be a judicial inquiry if no one has done anything wrong?

Senator Austin: Will the honourable senator name names or not? Has he the courage of his energy and his vigour at the moment, or will he sit there behind invective and innuendo?

Senator St. Germain: I will not sit here and back down to anyone. A judicial inquiry has been established. I will listen to its findings and then name names. They will name names.

The Hon. the Speaker: Honourable senators, the time for Question Period has expired.

PAGES EXCHANGE PROGRAM WITH HOUSE OF COMMONS

The Hon. the Speaker: Honourable senators, before going to Orders of the Day, I would like to introduce some guests from the House of Commons. They are Brittany Piovesan from Embrun, Ontario. She is enrolled in the Faculty of Social Sciences at the University of Ottawa and is majoring in international development and globalization.

Also with us is Philppa Payne from London, Ontario. She is enrolled in the Faculty of Social Sciences at the University of Ottawa. She is majoring in political science.

Finally, Meghan Wilcox, from Kamloops, British Columbia, is enrolled in the University of Ottawa's Faculty of Arts. Meghan is majoring in communications. Welcome to all of them.

• (1510)

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.—(3rd day of resuming debate)

Hon. Lorna Milne: Honourable senators, I am pleased to be able to take this opportunity to rise to comment on the Speech from the Throne from our new government. I was pleased to hear that the government has decided to set an activist agenda that builds on the social foundation that has been laid by Liberal governments in decades past. I strongly believe that now that our

years of mounting debt and deficits are behind us as a result of structural changes introduced by the Prime Minister when he was Minister of Finance, we can now resume the expansion of Canada's social infrastructure. The time has come for Canadians to reap some rewards from their years of fiscal sacrifice.

There are three areas in the Speech from the Throne that I want to concentrate on in the course of my speech this afternoon: health care, education and the environment. The federal government has announced major commitments in all three areas and for that I applaud them. In fact, it should not be any surprise to honourable senators that these issues are playing a central role in the plans of this government. Canadians have been telling us that these are the three issues that concern them the most and that require the greatest government attention.

Time and time again, Canadians have shown their willingness to invest in our health care system. Last week, the government announced it indeed would follow through on its intention to transfer an additional \$2 billion to the provinces for health care spending. It is a good start, but there is no doubt that much more needs to be done.

Both the Romanow and the Senate reports on health care reform clearly indicated that structural change in our health care system is necessary to ensure that it is sustainable for the future and that it will continue to live up to the standards that are set out in the Canada Health Act. To meet the challenges of an aging population, the government will have to work closely with the provincial governments to ensure that the health care system does not collapse as a result of ever-increasing pressures.

News reports over the past few days have shown that our new government's clearly expressed interest in addressing provincial concerns is starting to pay dividends. The premiers and the Prime Minister have agreed to meet regularly to tackle these challenges. However, I want to caution the Prime Minister about moving too quickly to meet the demands of provinces to allow increased flexibility into the health care system. Canadians have proudly paid taxes into our health care system because they know that it is an egalitarian system with very high national standards. It is the government's responsibility to protect those national standards when negotiating with the provinces. I urge Prime Minister Martin to keep in mind his duty to protect our national values when working with the provinces to reform medicare.

One area where Prime Minister Martin has shown particular attention is in the area of public health. By appointing the member for St. Paul's as Minister of State for Public Health, the Prime Minister has shown that public health will become a new priority for the federal government. After a year of SARS, mad cow disease and now concerns about avian flu, Canadians are very pleased with this latest development. However, there is one area of public health that has gone almost unnoticed in this chamber to which I should like to draw everyone's attention.

Southwestern and Eastern Ontario are in the midst of an epidemic of a deadly and debilitating disease — cancer. The real tragedy is that there is increasing evidence that this epidemic may have been caused by fallout from the atmospheric testing of nuclear weapons in the United States in the early 1950s.

A study was completed this last fall by the Honourable Ralph Ferguson, former Minister of Agriculture, on the incidence of cancer in Brooke, Alviston and Watford townships in southwestern Ontario. The conclusions of the study are quite startling. It shows clearly that cancer rates in families that arrived in the area before 1957 are extremely high, while cancer rates for families arriving after that date are average. Since this report was published on June 27 of last year, other areas with what appear to be higher than normal instances of cancer have come forward. One village in that area has 14 cases on a street with 28 homes. Another small village has 13 cases on a very short main street. One elementary school with 20 teachers has had 10 cases of cancer amongst these teachers over the last few years. I urge the new Minister of State for Public Health to look closely at Mr. Ferguson's report and to investigate the steps that can be taken to address the issues that are raised in this report.

The government's plan to renew its focus on education is another area in which I believe government's intervention is timely. The fact of the matter is that the costs of education are rising at a rate that is almost out of control. The vast majority of students from middle-class families do not qualify for aid under the Canada Student Loan Program, while the costs of tuition, fees, books, and room and board are rising at an astronomical rate.

Over the past few years, the government has made significant investments in education. While the current Prime Minister was the Minister of Finance, the government dramatically increased the expenses that can be written off by university students and their families, founded the Millennium Scholarship Program and introduced the Registered Education Savings Plans that includes a 20 per cent government top-up to all contributions. All three of these measures have been extremely successful, and hundreds of thousands of Canadian students have taken advantage of them.

However, these steps have not been enough to address the damage done by provincial decisions to deregulate tuition fees. In most provinces, the cost of tuition has nearly tripled since 1990. Financial constraints have become the biggest barrier to education — a bigger barrier than they have ever been in Canada's history. I am very proud that the government has announced that it intends to take new steps to address this issue.

In the Speech from the Throne, the government announced that changes will be made to both the Canada Student Loan Program and RESPs to increase their effectiveness. Before those details are announced, I should like to give the government a couple of pieces of advice.

First, the RESP program has been great for families with incomes that are high enough to have money left over at the end of the month to put into such a savings fund. However, those families are almost exclusively middle- and upper-class families, where the children would probably attend university anyway. Most Canadians live from paycheque to paycheque. They simply do not have the funds to take advantage of these programs. Students from lower-income families have always tended not to enrol in post-secondary education, and this has led to the creation of second, third and fourth generations of families that do not

send their children on for further education. Proposed changes to the RES program must give families with low incomes greatly enhanced benefits to encourage them to start putting aside even such small amounts as \$10 a month for the education of their children. The announcement that the government will make an initial seed contribution to an RESP started by low-income families is a good first step in this regard.

Second, the Canada Student Loan Program is long overdue for a major overhaul. The first additional dollars in this program should be spent on grants, not loans. The government must significantly raise the limits on what can be borrowed each year in order to reflect rising tuition and other costs. I believe that limits must also be placed on the maximum amount that students must be required to pay back. Terms of repayment must also be more flexible. Students should have the choice of whether to repay loans on an income-contingent or amortization basis. Rules should also be put into place that will automatically keep interest rates as low as possible. To do all of this will require a complete restructuring of the program. I urge Prime Minister Martin to take on this very important task.

Finally, honourable senators, I want to look at some of the environmental policy announcements that were made by the government. I strongly believe that the government is on the right track by affirming Canada's commitment to the Kyoto accord and by announcing new measures to ensure that we clean up our own backyard.

One thing I want to make absolutely clear this afternoon is that environmental protection does not end with the commitments made in the Kyoto accord. Canada's environmental policy must go far beyond Kyoto if we want to ensure that our country has clean air, clean water, and healthy food for everyone. The government's 10-year \$3.5 billion investment in cleaning up federal brownlands and the monies to clean up the Sydney tar ponds is indicative of our government's commitment to environmental protection that goes beyond Kyoto.

• (1520)

I believe that the government must push further on these issues. We must encourage and develop alternative fuel sources. I hope that Environment Canada and Natural Resources Canada will develop more programs such as the One-Tonne Challenge that will encourage Canadians to incorporate environmentally friendly behaviour into their day-to-day lives.

As you can see, honourable senators, the government has started to reinvest in our social foundations. I applaud these actions and I hope that the government will continue to bring new, progressive programs to the table. Canadians are proudest when we talk about our social programs and quality of life. I look forward over the coming weeks and months to legislation that will implement this new agenda for our new government.

[Translation]

Hon. Yves Morin: Honourable senators, I listened carefully to the speech delivered by Her Excellency, the Governor General of Canada. This remarkable speech lays out a broad program of

action for the government which corresponds to the values and aspirations of Canadians, and lays out a full legislative agenda that we, as parliamentarians, must achieve during the next few months. My attention was particularly caught by the topic of health.

Over the past few years, several polls have shown that health problems are the primary political concern of our fellow citizens.

[English]

The Speech from the Throne highlighted several major issues with regard to health policy. The first, health protection and promotion, is at the forefront of Canadians' minds. Recent events such as the SARS epidemic, mad cow disease, the Walkerton tragedy and the recent avian flu outbreak, together with more chronic threats such as childhood obesity, teenage drug abuse and teenage suicide in the Aboriginal population, are causing great concern among Canadians. They wonder if their government is doing enough to protect their health and that of their children.

This is why, honourable senators, your Standing Senate Committee on Social Affairs, Science and Technology decided in June 2003 to study the governance and infrastructure of health promotion and protection in Canada, as well as Canada's ability to respond to health emergencies. I was pleased to see the committee's recommendations included in the Speech from the Throne. The Throne Speech made a commitment to the establishment of a strong and responsive public health agency to ensure that Canada is linked both nationally and globally to a network for disease control and emergency response. This, of course, was the primary recommendation of the committee.

We came to this recommendation after much careful thought. We concluded that an agency would be able to operate with more autonomy than Health Canada's Population and Public Health Branch and that this would have several advantages. An autonomous agency would be able to concentrate and focus federal resources, respond to emergencies with greater timeliness and flexibility and enhance collaboration among various levels of government.

The committee was also impressed by the fact that the model of a separate agency devoted to health promotion and health protection is gaining currency internationally. In addition to the U.S. Centres for Disease Control in Atlanta, probably the most familiar, Britain created a health protection agency one year ago, while the European Centre of Disease Control has been established and will be located in Sweden.

In Canada, our committee echoed a widely held conviction. All the representatives of the health protection and promotion community that we heard from agreed on the ability of a federal arm's-length agency to anticipate and cope with health emergencies and to make a positive contribution to the health status of Canadians. Further to our report, and now that the Speech from the Throne has confirmed the establishment of a Canadian public health agency, I would venture to make four recommendations.

First, I would recommend that we move decisively and quickly to set up the agency. There is unanimous agreement for its creation among all stakeholders, including that of the provincial first ministers at their last meeting with the Prime Minister. The increase in international communications and the risks of terrorism mean that the number and seriousness of global health threats are rapidly expanding. At any time we could be faced with another serious emergency. We need to be prepared. This being said, I was pleased with the appointment by Prime Minister Martin of the Honourable Carolyn Bennett, an able and energetic physician, who has been long-interested in public health, as the minister responsible for the establishment of the new agency.

Second, I would recommend that we ensure that the agency has a strong scientific foundation and research capacity. The National Advisory Committee on SARS, set up one year ago and chaired by Dr. David Naylor from Toronto, identified serious deficiencies in data collection and management, a shortage of skilled scientists and the absence of a clear research agenda during the SARS outbreak. A strong scientific foundation will require the appointment of a chief public health officer to head the agency. This new position must be held by an outstanding scientist in his or her own right, one who will command respect from colleagues throughout the country and ensure collaboration among the various stakeholders in the field of disease prevention and control.

This brings me to the importance of scientific research within the operations of the new agency. Effective public health protection and promotion needs swift and targeted research as well as more basic biomedical studies. In-house research is certainly appropriate and should, in fact, be promoted, if only to attract the scientists who are needed for a first-class system.

Third, I would strongly recommend that such research be subject to the objective, rigorous peer review used by the Canadian Institutes of Health Research. CIHR has already made significant contributions to public health and protection by working with its partners in Canada's health research community and with the voluntary, private and public sectors. When much of Canada was transfixed with the SARS crisis last year, CIHR-funded researchers sequenced the SARS genome in just 11 weeks. Toward the end of 2003, Canadian researchers announced that they had developed not one but three potential SARS vaccines ready to test on animals.

Each of CIHR's 13 institutes is active in the field of health promotion and health protection and is expressing some of the most challenging and exciting problems we face. Canadians can only benefit from their work, but we need to continue to show our commitment by increasing the government's investment in CIHR.

This brings me to my final recommendation. The new Canada public health agency must be given sufficient resources to make a difference. This is not a time to shuffle desks and job titles and assume that we have done the job. Every witness who appeared before our committee attested to the sad state of funding of public health in Canada as compared to other countries.

The National Advisory Committee on SARS identified serious systemic deficiencies in response to SARS in Toronto, the major ones being the lack of surge capacity in the public health system and the inadequate capacity for epidemiological investigation of the outbreak.

A consultation report conducted by the Coalition for Public Health in the 21st Century also identified inadequate funding and human resources shortages as key barriers to the development of adequate health protection and promotion in Canada.

A sad comment of our inadequacies is the fact that just last week we were told that we have too few scientists to respond to a request for help from the World Health Organization in respect of the avian flu crisis. The Naylor committee recommended additional funding of \$700 million per year as a minimum prudent investment to make. I believe that the next federal budget should award \$300 million in new money to the agency in addition to the \$300 million currently devoted to the Population and Public Health Branch.

• (1530)

There are some who will say that this is too much money. Let me remind those people that the SARS epidemic cost more than \$1 billion. There are some who will say that our health care costs are already unsustainable. They are right. The growth in costs is outstripping the growth in revenues — which means that health care is crowding out other government priorities at all levels. However, I wish to remind these people that investing in health promotion and protection will cut our health care costs. Let me give you some examples.

As the Prime Minister has said, the state of Aboriginal health is a disgrace, with health indicators comparable to those of the Third World. Health care spending for Aboriginals, on the other hand, is more than double the non-Aboriginal average. The Aboriginal health care system in Canada is probably the most expensive in the world, but it is not resulting in better health. Prevention and health promotion will reduce the burden of disease while also reducing costs. Throughout our country, expensive procedures are increasing in number. Cardiac procedures are increasing by 12 per cent a year; joint surgery by 8 per cent a year; and renal dialysis, which costs \$50,000 a year, by 14 per cent. Effective evidence-based prevention could reduce these numbers by half.

As baby boomers age, we hear sombre predictions of the impending bankruptcy of our health care delivery system. However, we know that health promotion in these groups will lead to what is called compressed morbidity, adding many years of healthy living and reducing health care costs in this age group.

[Translation]

That is why, honourable senators, I was pleased to learn in the Speech from the Throne about the creation of a new agency whose mandate it would be to protect and promote Canadians' health. I am also pleased to note that this agency will be created

[Senator Morin]

quickly. I have every reason to believe it will be based on a solid scientific foundation. Today I wanted to make a strong plea for adequate financial resources in the next budget in order to help the agency fulfil its vital role in the health of our fellow citizens and maintain our country's fiscal balance.

Hon. Céline Hervieux-Payette: Honourable senators, I would like to draw my colleagues' attention to a subject that, although not mentioned in the Speech from the Throne for many paragraphs, should nonetheless be of interest to them.

The Governor General, in her address to our Chamber, said:

...that Canada is a world leader in developing and applying the path-breaking technologies of the 21st century, such as biotechnology, environmental technology, information and communications technologies, health technologies, and nanotechnology.

This is an area in which our daughters, the women of this country, will excel in the years to come, thus taking Canada to never-before achieved heights. There are more and more women entrepreneurs in Canada and they will have every opportunity to succeed and to bring a new perspective to our economy.

It is important to review what has gone on in recent months. A task force on women entrepreneurs has released a significant report, which I invite honourable senators to consult. This report will become one of the foundations for achieving our objectives. It is important to keep in mind that we have not yet achieved equality as far as the treatment of women entrepreneurs is concerned, as in a number of other areas.

Yet the number of young women entrepreneurs in Canada is rising every year, four times faster than the number of their male counterparts. It is important to keep in mind that these young people are the Canada of tomorrow.

A study was recently published on blue chip companies. Three hundred and fifty-three companies responded in a sampling of 500 major companies between 1996 and 2000. According to this study, the rate of return on investment was 35 per cent higher in businesses where the positions in command were occupied by women. These statistics were gathered at the request of the Bank of Montreal. This same study also reports the increase in stock value of these companies, which was 34 per cent higher than in companies with all male management.

This shows that it is cost-effective to have women entrepreneurs, women at the head of our businesses. It is important for them to be involved in the development of our economy, particularly where the new technologies are concerned. According to another study, there is still a long way to go as far as the number of women in the boardroom is concerned.

A senate committee examined corporate governance and made some recommendations. According to the latest census, from 2001, only 9.8 per cent of executive positions in public companies are occupied by women.

When the governance of companies is entrusted to women, who have a different point of view and a particular working style, these businesses are economically more productive. Thus, it is in the interest of companies to have women in leadership positions.

The programs the government will be presenting to support women entrepreneurs — whether they are administrators, managers or independent entrepreneurs — are truly in the interest of the entire country.

This report talks about the additional services that will be provided, the offices that will be opened and operated within the Industry Canada structure, which will make it possible to provide assistance and support, and perhaps correct inequities in the private sector's treatment of women entrepreneurs. Studies have shown that it is still more difficult for a woman entrepreneur to obtain risk capital than for a man.

However, statistics show that since 1990, the number of women holding professional qualifications from universities has increased by 57 per cent and from colleges, 59 per cent. These women will be the managers of tomorrow. There is a contingent of them arriving on the market very soon and they will be in the majority in the labour market.

Of today's university graduates, 50 per cent are women, and that is a 47 per cent increase over the figures from 10 years ago. Measures that will help women move forward and that support women in the labour market are extremely important. We know that there are still structural barriers that do not allow exactly the same access to services and financing.

Speaking about the economy in general and the performance of companies led by women, remember that our committee recommended having a balance among administrators, if we want our businesses — and our public enterprises in particular — to be dynamic and to meet all needs in every sector. One of the important criteria is to ensure that women are appropriately represented on boards of directors.

Honourable senators, you are going to say that I am preaching for my own interests, but this is about more than women's interests alone. The future of the country is at stake. The government plans to introduce certain measures. I refer to the creation of specialized offices within Industry Canada. This is a step in the right direction.

• (1540)

There is also the announcement of a special venture capital fund, accessible through the Business Development Bank of Canada, for women who want to expand their businesses or develop new markets abroad, a new avenue for women entrepreneurs.

In fact, there is more than one government corporation to support women entrepreneurs. Here again, I believe there is underfunding and under-representation, and special efforts will have to be made, both in emerging sectors and in the traditional economy.

If the government wants to achieve its goals and objectives, which include moving forward with the new technologies, it needs women entrepreneurs.

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, could Senator Hervieux-Payette indicate whether the report that she is referring to was tabled in the Senate?

Senator Hervieux-Payette: Honourable senators, the task force on women entrepreneurs was chaired by a member of Parliament, Ms. Bulte, and the vice-chair was Senator Calbeck. Senator Fitzpatrick was also a member of that committee.

The report is of course available to all honourable senators and it contains important recommendations to provide specific support to women entrepreneurs who are still in the process of raising a family. This initiative will provide specific support to these women, so that businesses are not jeopardized or children neglected.

This exercise was conducted across the country and I am taking this opportunity to salute those who took part in it and made recommendations. A number of these recommendations will surely be useful in the coming months.

[English]

Hon. Gerard A. Phalen: Honourable senators, I was pleased to hear in the Throne Speech that the government will undertake a 10-year, \$3.5-billion program to clean up contaminated sites for which the government is responsible. I should like to bring to your attention today the issue of contaminated sites that contain sea-dumped chemical and conventional munitions.

I am sure honourable senators recall the devastation wrought by Hurricane Juan in Halifax just six months ago. Not only did Nova Scotians have to contend with damage caused by the storm and massive power outages, but also they had to deal with World War II munitions and explosives that washed up on the shores.

Hearing about these munitions washing ashore immediately reinforced the testimony that was heard on June 3, 2003, by the Standing Senate Committee on Fisheries and Oceans. The committee heard from a panel of witnesses that included scientists, First Nations and an expert on explosive disposal. The testimony of these witnesses highlighted the potential for a catastrophic event to occur in our coastal waters. I was intrigued and had a need for more information. It was clear to me that anything that could pose such a significant threat certainly deserves greater investigation. Let me give you some of the background and history that I have learned about this serious problem.

The easiest and cheapest way to eliminate chemicals and conventional weapons in the aftermath of World War II was to dump them into the oceans. Sea dumping of chemical and conventional weapons took place from 1945 to the mid-1970s in every ocean of the world. Following Germany's defeat in 1945, their arsenal of chemical weapons totalled 300,000 tons. These weapons were captured by the Allied forces and dumped into the sea.

The U.S.A. is responsible for 60 sea dumpings, totalling 100,000 tons of chemical weapons filled with toxic materials.

In his book "Canada's Secret War," former journalist John Bryden revealed the scope and extent of Canada's chemical weapons program. Bryden's book opens with a graphic description of the military loading 10,982 drums — about 2,500 tons — of a deadly mustard blister agent onto a war-surplus ship in Halifax in 1946. The ship was towed into the Atlantic and pounded by anti-aircraft guns until it sank about 300 kilometres from Sable Island, Nova Scotia. It is only recently that DND has publicly admitted that these sites existed off both the East and West coasts of Canada.

The closure of U.S. military installations in Newfoundland and Labrador, particularly at Argentia and Stephenville, among others, was a source of widespread munitions dumping on the East Coast of Canada. It is reported that from Argentia large transport vessels made numerous trips to dump at sea. One such vessel, the *USS Calhoun County*, made four trips in October 1960 for ammunition disposal. Dumping originating from Argentia is known to have occurred off Cape Breton Island. Although some records do exist, we do not have a full understanding of what was dumped.

In addition to the dumping areas within the 4Vn fishing zone off Cape Breton Island, there are also 15 naval shipwrecks that may contain munitions. This area is actively being fished by both native and non-native fishers. The first site is a danger area containing unexploded ordnance. It has a radius of approximately one mile. The second site is identified on nautical charts as "explosive dumping grounds." It has a radius of approximately five miles.

A geophysical survey conducted over a two-year period by the Geological Survey of Canada confirms that there are two large anomalies within the Bras d'Or Lakes system that require further investigation. Sites are believed to exist in the Bras d'Or, in the waters near Johnstown, and Long Island.

Not only are Canada's Atlantic waters affected, but also activity occurred in the Pacific. On the West Coast, a 1947 photo from the *Victoria Daily Times* shows 400 tons of chemical warfare gas, "much of it still on the secret list," being unloaded in nearby Esquimalt, British Columbia, for dumping in the Pacific.

The disposal of chemical and biological warfare agents at sea was prohibited internationally by the London Convention in 1972, and implemented by Canada through the Ocean Dumping Control Act in 1975. The Chemical Weapons Convention, which was entered into force in April 1997, bans production, acquisition, stockpiling, transfer and use of chemical weapons, and compels its signatories to get rid of their arsenals by 2007.

Honourable senators, there can be no question that these munitions were dumped, but thankfully we now have treaties in place to ensure no further dumping.

Honourable senators, what is happening to these munitions as they sit on the ocean floor decade after decade, and what are the consequences to the environment, our health and our economy?

In 1992, the Helsinki Commission convened a special working group designated to deal with problems related to dumped chemical munitions within the Helsinki Convention Area, and that is in the Baltic Sea. This special working group, consisting of members representing the Baltic States and Scandinavia, along with others from the United Kingdom and the United States, examined the various problems arising from the chemical munitions dumped into the Baltic Sea until 1947. The commission noted that some of the more commonly dumped munitions do pose a threat to the photosynthesis of plankton and to the hatching rate of crustacean eggs. Specifically, their report noted that "warfare agents can persist locally in the sediment of elevated concentrations for a long period of time." These agents include those containing arsenic, as well as viscous mustard gas.

Dumping has occurred not only in oceans but also in lakes, ponds, rivers and wetlands. The Government of Canada has conducted investigations and/or remediation activities in Val Cartier River, Quebec, Elbow River in Alberta, Petawawa River in Ontario, as well as Lake Ontario and Lake Huron.

• (1550)

The incidence of munitions in lakes and rivers is less than that from ocean dumping but may even be more dangerous, as these areas are often closer to population centres making contamination of the water supply a real possibility.

Some have expressed concern that these munitions are contributing to the collapse of the fish stocks. While no links have been drawn as yet, recent data certainly supports the need for more research.

As an example of this data, a four-year study of cod and flounder stocks in the Bras d'Or Lakes conducted by the Department of Fisheries and Oceans and the Unama'ki Institute of National Resources shows the averages of all species are down. Tim Lambert, project supervisor and scientist emeritus at the Bedford Institution of Oceanography, was quoted as saying:

There is definitely a downward trend...but we don't know the cause. The same trend is happening in the Sydney Bight and that makes the study all that more interesting because they are adjoining but separate ecosystems.... These are parallel communities; we are pretty sure they are separate populations.

The study has ruled out fishing as a cause of the decline.

The health benefits of fish are well known. It is a good source of protein and is low in saturated fat. The American Heart Association says that fatty fish such as mackerel, lake trout, herring, sardines, albacore tuna and salmon are high in two kinds of omega-3 fatty acids, which protect against heart disease. Some researchers believe that fish lives up to its reputation as brain food and may help with memory and learning. Lately, however,

toxicity levels of mercury and lead are overshadowing the positive health benefits of fish. Some have even backed away from eating predator fish such as shark, tuna and swordfish. Other fish, such as salmon and freshwater whitefish, have lower levels of mercury present and are considered safer, primarily because they do not eat other fish containing mercury.

Laurie Chan, a toxicologist from McGill University, believes it is not helpful to offer across-the-board warnings about mercury levels in fish and that it is better to offer advice based on specific species of fish caught in specific bodies of water.

In her June 3 presentation to the Standing Senate Committee on Fisheries and Oceans, Dr. Jennifer Mokos, Vice-President of Alion Science and Technology stated:

If a dump site is disturbed enough to cause some sort of release, it could decrease the fish stock by approximately 70 per cent. This is just an example of what some of the outcomes could be.

In the Baltic Sea, munition dumps have started to discharge mustard gas, an oily liquid at room temperature which, when exposed to seawater, forms a thick outer crust over an inner core, allowing it to be brought to the surface where it can injure fishermen. The Danish authorities have recorded more than 400 cases of fishermen hauling up crusts of toxic materials in their nets, and there have been deaths and injuries to those who inadvertently handled the materials. Fishing is now forbidden around the four main dumping grounds, which hold an estimated 300,000 tons of ammunition.

We must also address the fact that our oceans are vitally important to the economies of both Atlantic Canada and British Columbia. When one considers that fish processing, tourism, traditional fishing, transportation and aquaculture are all bound tightly with the oceans, we begin to understand the value of the oceans from an economic perspective. Ocean industries in Atlantic Canada alone account for \$6.76 billion of gross domestic product, or 16 per cent of the total GDP of the region.

It is clear to me, honourable senators, that we have dumped munitions and that they are degenerating. The potential consequences are devastating, and the problem is very real today and must be addressed before time runs out.

What can be done? The Department of National Defence is tasked with protecting our homeland and vital interests abroad, from peacekeeping to peace enforcement and recently with the additional tasking of the war on international terrorism. How can the department, with an already limited budget and manpower, adequately address sea-dumped sites when the environment is not one of the top 10 priorities within the department framework?

Any future discussion on these sites should involve the Government of Canada and all of the stakeholders, including First Nations and regional participation, to ensure that a comprehensive risk assessment is carried out based on both

military and civilian technologies. These sites need to be clearly identified on nautical charts. As well, health and environmental risks associated with each site must be documented. Regional participation from each of the affected areas will ensure that stakeholders are adequately informed.

The Government of Canada must take the lead to identify hazardous sites not only in our waters, but also across the country, and prioritize sites based on the size, scope and risk of the problem. Sites should then be remediated or neutralized based on the risk, environmental impact, priority, resources and the available funding.

In an attempt to bring focus to the problem, the NATO scientific community sponsored an advanced research workshop on sea-dumped chemical munitions, held in Bellagio, Italy, in April 1996. This conference provided the opportunity to draft an action plan to prevent inertia on this potential ecological time bomb. A post-conference bulletin issued by conference organizers stated:

Although the risk of sea-dumped munitions does not meet the eye, the corrosion of the shells and rounds which were dumped five decades ago is progressing fast now. It is feared that major quantities of chemical agents will leak into the sea by 2005. Beyond the immediate impact of a further depletion of the world's endangered fish stocks, poisonous agents will enter the food chain via plankton. Toxic effects with possible genetic consequences would not be confined to the countries of the region, but might become a worldwide concern.

Canada's past as a chemical weapons producer was hidden so well that even the military is not sure where all the remnants of its toxic stockpile are buried or what risks they represent to the public and the environment.

In July 2003, the first stage of a \$10 million review commenced for warfare agents that were lost or improperly disposed of in Canada or its waters. The announcement of this study, however, does not mean that a solution is at hand or that the sites will be adequately addressed. The review is expected to be completed by 2007, but that review may not address the expected major releases of chemical agents into the oceans of the world by 2005.

I agree with the panel of witnesses that appeared before the Standing Senate Committee on Fisheries and Oceans on June 3, 2003. I believe that there should be greater federal involvement on the part of the departments and agencies other than the Department of National Defence, as well as a substantial long-term financial and scientific commitment on the part of the federal government to fully address the issue of sea-dumped chemical munitions.

A local ordinance disposal expert and resident of Cape Breton, Terry Long, who appeared before the Standing Senate Committee on Fisheries and Oceans on June 3, has taken the initiative to address this issue and is now working toward the development of an international conference on sea-dumped chemical munitions to be held in Cape Breton.

The Hon. the Speaker: Senator Phalen, I am sorry to interrupt, but I regret to advise that your time has expired.

Is leave granted for the honourable senator to continue?

Hon. Senators: Agreed.

Senator Phalen: Thank you.

Honourable senators, I support such an international conference with participation by the government and the United Nations. Canada has the opportunity to take the lead internationally on this serious issue of sea-dumped chemical munitions.

Mr. Long has also developed a proposal in conjunction with St. Francis Xavier University to conduct historical and scientific reviews on the sites and then to measure the levels of contamination in the water, sediment and organisms. The final component of the study will establish the impacts of the contaminants by conducting an environmental and public health scan of the selected First Nations communities. The proposal has been submitted to the Assembly of First Nations and Health Canada.

Honourable senators, some experts believe that a massive discharge of poisonous chemicals is likely to occur within the next four years. As I said earlier, NATO has identified 2005 as the potential date that global releases of a critical nature might occur. The first shock wave is expected to affect the Baltic and North Seas. As a result, governments of affected nations may impose a ban on fishing. If we do not want to see the same thing happen off the Atlantic coast, we must start looking at this issue today before it is too late.

• (1600)

Honourable senators, Senate committees are ideal vehicles to bring to the forefront historical information and scientific experts on this subject. It is my hope that either the Standing Senate Committee on Fisheries and Oceans or the Standing Senate Committee on Energy, the Environment and Natural Resources will undertake a study of this very serious issue and report its findings to the Senate.

Hon. Gerald J. Comeau: Will the Honourable Senator Phalen answer a question?

Senator Phalen: Of course, honourable senators.

Senator Comeau: First, I should like to congratulate Senator Phalen on his extremely important, well-thought-out and well presented speech. I agree entirely with the honourable senator. One could tell right away that his speech was not written by some obscure individual in the PMO. This was prepared by someone who knows of what he speaks.

I share the concerns of the honourable senator. Fishermen are casting nets in the areas to which he referred. They are probably

also dragging those very areas and throwing down lobster pots in them. This is extremely dangerous as it disturbs the munitions lying on the ocean floor.

Over the last number of years, this issue has not hit the front pages of either *The Globe and Mail* or the *National Post* — out of sight, out of mind. If what the honourable senator says will happen in 2005 — and I hope it does not happen — it would make the SARS crisis look like a Sunday afternoon picnic.

Has the honourable senator made his speech available to the Prime Minister and to the people in his think-tank? I ask my question not because the issue has not hit the front pages yet but as a proactive effort to try to come up with some kind of advance solution to what could be a national disaster.

Senator Phalen: Honourable senators, no. However, it has been suggested to me today. It is probably something I will do.

Hon. J. Michael Forrestall: Honourable senators, first, I wish to express appreciation for the remarks of the Honourable Senator Phalen.

Did the honourable senator make reference in his speech to the difficulty occurring in Bedford Basin with respect to the continued industrial development of the Dartmouth industrial park because of the location of the naval magazine adjacent to it? If not, could the honourable senator make mention of it when he circulates his comments? That could help to straighten out the difficulty we have with industrial expansion of our remaining waterfront land, which might be used for shipment, transshipment or the development, for example, of a tax free port, as well as a lot of other things that cannot happen now so long as that ammunition lies on the floor of Bedford Basin adjacent to the industrial park.

Senator Phalen: Honourable senators, my research did not find that. However, I am sure it is there. The recent storm did not blow it in. It did not come from 300 miles offshore. It came from somewhere in the Halifax Harbour in the Bedford Basin. There must be sites there.

I could find nothing in any records — and I looked for Bedford Basin in particular because I wanted to find out where these washed up munitions came from. I could not find that information anywhere.

It is the hope that the \$10 million study that is being done now will identify those sites.

[Translation]

Hon. Aurélien Gill: Honourable senators, we listened with great interest to the Speech from the Throne, the first by the government of the Right Honourable Paul Martin, the Prime Minister of Canada.

It struck a chord with me as an Aboriginal. First, I would like to sincerely congratulate the Prime Minister and his government for according so much importance to the issues concerning our people. This interest is evident in all of the Prime Minister's statements. There is no doubt that his concerns are real, his intentions good, and his commitments promising.

This is not the first time I have risen in this house to speak about First Nations issues. I will try not to repeat myself, although it will not be easy.

When we talk about Aboriginals in Canada, we have the impression that we are always starting at square one, as though the arguments of the past had never been raised.

Nonetheless, I still have hope. I want to be increasingly specific and to contribute to the success of this government's intentions to resolve the numerous problems Aboriginals face in this country.

This change in situation, this resolution, is something we have been wanting for generations. I suppose all Canadians would like to see an end to this abnormal and often disastrous situation.

I would like to take this opportunity to remind honourable senators that Aboriginals are Canadians and that we want to become full citizens. We are as interested in Canadian realities as everyone else, sometimes much more so.

We are concerned about problems with the environment, the economy, the future of the regions, cultural and linguistic diversity, Canada's place in the world, and all the important national issues.

We should not be confined to strictly Aboriginal issues merely because we are Aboriginals.

We want to help this country grow and flourish as a nation. We want to be recognized as having contributed fully as nations with our own identities, histories and cultures.

But for us to do that and be so recognized, something has to change. We have to take a step forward. We have to break the vicious circle. We must create and innovate — now.

Through the committees the Prime Minister has just established, through the new parliamentary secretary, and through the groundswell that may encourage all people of goodwill, whether Aboriginal or not, to embrace new ways of doing things, there is once again hope that we can achieve something just and good for the First Nations of this country, based, of course, on our Aboriginal rights and treaties according to section 35 of the Constitution.

Yes, we want more economic prosperity, better education for the younger generation and better governance. But that will all be for naught if we do not create the political institutions that will back up these fine intentions and if we do not fight vigorously against the major obstacles, which of course have never changed.

We have been deprived of responsibility for nearly two centuries. That is roughly eight generations. The official policies have reduced our rights. The First Nations have been fragmented and isolated. In short, they have been unilaterally administered from the outside, by a centralized power that held all the reins controlling our daily lives, as individuals and as communities.

Because of that, we have lost our sense of nationhood. We were peoples; now we have become tiny groups living on Indian reserves — more than 600 Indian reserves, each with its council, its politics, its peculiarities and customs, under a guardianship that does not wish to disappear. These councils and reserves were imposed on us by the government and the act.

We must end this scattering that weakens us. I say it loud and clear: the invention of the word “band” — a band is not a First Nation and the future of the First Nations does not lie with the councils as defined by the Indian Act of today. Governance will have real meaning only if it is meant for autonomous Aboriginal governments with well-defined jurisdictions, appropriately representing the electors and being accountable to them.

• (1610)

Honourable senators, these independent Aboriginal governments do not exist. What does exist is over 600 small communities lost behind the appearance of powers and at the mercy of the public servants' administration.

We all try to do the best we can with artificial structures that are foreign to our cultures, political structures arising out of the Indian Act. There must be an end to this. I am thinking of a number of small communities that have had to cope with all manner of problems. Often they find themselves totally alone, with no appropriate institution with which to manage their communities and all the problems inherent in a small isolated community or one adjacent to a major centre.

The community is often alone because it is subject to the administrative laws of Indian Affairs, although with some semblance of power it can have taken away from it at any time, for any number of reasons. Yet this is a democratic country we live in. The case could not be clearer: a band council, an Aboriginal community coping without any authority with a multitude of problems, without any institution to help it solve its problems. How did we come to be in this abnormal situation?

Do I need to remind this Chamber, Canadians in general, and Aboriginal Canadians, of the following, which is just one of many possible examples? Toward the year 1000 of the modern era, Hiawatha founded the Iroquois or Five Nations Confederacy, the Hau-De-Na-Sau-Nee. This was, metaphorically, a Long House bringing together the Seneca, Oneida, Onondaga, Cayuga and Mohawk nations. So, without going into further detail, we are talking here of the Iroquois Nation, itself comprised of five nations joined together in a confederation.

The Indian Act has never acknowledged the concept of nation as we understand it here. In fact, for a long time it even banned a number of political associations that were deemed not to conform with its own imposed system.

As a result, rather than have isolated small communities lacking resources, with one isolated chief and no power to even benefit from the most elementary justice, we ought to have communities sharing a common language, a common culture and one territory, grouped together under a single government authority, that of their nation. These communities would then be able to settle the urgent and vitally important issues of their fellow citizens. They would also be able to do such things as manage their own security services. The matter of security and the various abuses of power in the communities would be the responsibility of a responsible government capable of dealing with it, the independent government of the nation, be it Cree, Innu, Micmac or Mohawk.

But this government does not exist. In the minds of Canadian politicians, the nation does not exist. What exists are Aboriginal people, Aboriginal communities and small Aboriginal councils, with everything based on the principle of scattering, and keeping things small and politically weak. What goes for one nation goes for all the other First Nations of the country. But they do not exist as nations in the minds of Canadians.

Who talks about the Micmac nation in the Maritimes? Who talks about the Anishinabe in Ontario? This is a major challenge for us Aboriginal people. This is a monumental task that we must undertake by changing our habits ourselves.

Once we were people and nations. We must become people and nations again. We must no longer be viewed as one million Aboriginals with no political references, no pride or dignity, lost off-reserve, in cities, and lost on-reserve, hidden away from the world.

For our children, we must create a new world of the First Nations. The time has come. These are critical years.

A number of reports have been published on this issue. More specifically, it would be appropriate to read or reread the conclusions and recommendations of the report produced by the Erasmus-Dussault royal commission, in 1997. This document is the latest in a long series of reports and studies that have always pointed in the same direction.

We need responsible First Nations governments. In Canada, we need new political institutions that reflect our identity as First Nations. Then and only then will these responsible governments, whether there are 12, 24 or 36 of them in Canada, respect the fundamental rules of governance, ensure economic prosperity and be responsible for education, health and justice.

[Senator Gill]

We will no longer have the arbitrary definitions and interpretations of officials concerning reserves, bands, the act, exceptions and administrative ruses. We will no longer be looking at a brick wall. We will close the chapter on guilt, dishonour, fear, crises, and exaggerations, because there will no longer be Savages, Aboriginals, or even Indians in Canada. Instead there will be Innu, Cree, Anishinabe, Dene, Kakwakakwas, Tshepentem, Siksikwas, all proud to be Canadian. All Canadians will incorporate into the national culture the dignity of these thousand-year-old names of peoples who have survived a history which was not easy.

We must think about the future. These new institutions will be fashioned by our First Nations, by our leaders and our thinkers, in cooperation with the other governments in this country, in the normal course of events.

Canada will be a finer country the day First Nations regain their rightful place within it. That is what we want.

In conclusion honourable senators, I appeal to our historical conscience and collective goodwill in setting aside partisan tendencies in this chamber. As Canadians we are all facing this urgent need to change, once and for all, the unfortunate, unfair, even disgraceful destiny of this country's first inhabitants. The fact that we were the first Canadians makes us want to be Canadian all the more. We can enrich this country. The better off we are, the better off Canada will be. Let us boldly go forward.

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

[English]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, before proceeding to the next item, I would like to draw your attention to the presence in our gallery of 60 students from Appleby College, Oakville, who are participating in the school's annual visit to the Parliament of Canada.

Welcome.

• (1620)

[Translation]

CRIMINAL CODE

BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

Hon. Jean Lapointe moved the second reading of Bill S-6, to amend the Criminal Code (lottery schemes).—(*Honourable Senator Lapointe*).

He said: Honourable senators, Bill S-6, previously known as S-18, had reached committee stage. During the last session, many senators had an opportunity to express their opinions and I believe it is essential that the bill be examined in greater depth by the Standing Committee on Legal and Constitutional Affairs, as quickly as possible.

I urge you all to pass the motion, which is intended to speed up the legislative process, in order to save lives and help the people who are struggling to escape the clutches of these infernal machines found on every street corner in eight of our provinces. I urge you to pass the motion so that people will stop committing suicide, households will stop breaking up, children will no longer be eating soda crackers for lunch because their father gambled away all his wages over the weekend, and seniors will stop feeding their RRSPs into these infernal machines.

The video lottery terminal plague can leave no one indifferent. With all my heart, I hope this bill is adopted as quickly as possible.

In my opinion, honourable senators, video lotteries are one of the worst scourges Canada has seen since the Spanish flu.

On motion of Senator Kinsella, debate adjourned.

LOUIS RIEL BILL

SECOND READING—DEBATE ADJOURNED

Hon. Serge Joyal moved the second reading of Bill S-9, to honour Louis Riel and the Metis People.—(*Honourable Senator Chalifoux*).

He said: Honourable senators, you will remember that last week, as our colleague, Senator Chalifoux retired, her last act in this chamber was to introduce for first reading Bill S-9, to honour Louis Riel and the Metis People.

I remind you that this is the third time this bill has been presented in this chamber. It was introduced in the two previous sessions and I would like to move second reading.

Honourable senators, this bill, now in its third reincarnation, was referred in the last session of Parliament to the Standing Committee on Legal and Constitutional Affairs and we had begun to hear witnesses.

[*English*]

Honourable senators, our former colleague Senator Chalifoux made a passionate plea when she introduced this bill. In the previous session, there were contributions on both sides of this chamber on its merits, and it was referred to the Standing Senate Committee on Legal and Constitutional Affairs. For that reason, we could say that we have already started our study of the bill. Therefore, with the concurrence and acceptance of honourable senators, I would like to move the adoption of this bill at second reading.

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

USER FEES BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Ringuette, seconded by the Honourable Senator Mercer, for the second reading of Bill C-212, respecting user fees.—(*Honourable Senator Kinsella*).

Hon. Gerald J. Comeau: Honourable senators, I believe this bill should be referred to committee for scrutiny, but I wish to raise two points that honourable senators should be aware of. The first point is the exclusion of the Senate chamber in future dealings with this bill, and the second item concerns the costs associated with this bill.

First, on the question of the exclusion, the preamble to the summary of the bill reads that “This enactment provides for parliamentary scrutiny...” Remember the words “parliamentary scrutiny,” and let me refer to some of the provisions of the bill.

Clause 2, the interpretation clause, states:

“Committee” means the appropriate standing committee of the House of Commons.

Clause 4(2) refers to the following:

In addition to subsection (1), the Minister must table a proposal in the House of Commons...

Clause 6(1) states that:

The House of Commons may pass a resolution approving, rejecting or amending the recommendation made by the Committee pursuant to section 5.

The bill goes further. If a committee fails to report recommendations to the House of Commons, the minister must, within 40 sitting days of Parliament after their implementation, report these actions to the committee.

Clause 8 states that the minister “shall cause to be laid before the House of Commons...” Subclause (2) indicates that:

A report laid under subsection (1) shall be referred by the House to the Committee.

Nowhere does this bill refer to the second chamber of Parliament, even though the summary of the bill refers to “parliamentary scrutiny.” Therefore, if the second chamber is to be excluded in such bills, why not simply say it? Do not refer to “parliamentary scrutiny.” Refer to one of the two chambers of parliamentary scrutiny, and say that the Senate is excluded. That is my first comment on the bill.

My second comment relates to cost. To my knowledge, no witnesses appearing before our committee in the last session of Parliament gave us any indication of the cost to implement this bill. However, clause 4 of the bill refers to such items as “consultation requirements.”

Paragraph 4(1)(b) of the bill refers to giving “all clients or service users a reasonable opportunity...” I do not know who drafted that clause, but it is not very precise. What does “reasonable opportunity” mean? Are we to believe that those in the civil service will define it? I assume so.

Paragraph (f) of the same clause refers to establishing “standards which are comparable to those established by Canada’s major trading partners...” Who are Canada’s major trading partners? Is it the U.S.? Is it the first two or three partners we deal with, or the first 10 or the first 50? Again, we leave it to others to decide. It is very imprecise.

The bill refers to conducting an impact assessment whenever a user fee is to be established. What will be the cost of doing these impact assessments? It refers to establishing an independent, dispute resolution process, which one must assume will mean a whole new tribunal or a semi-judicial group in some shop somewhere. Again, there is no indication whatever of the cost of implementing this.

• (1630)

It is reasonable that the bill should be referred to committee. It is also reasonable that the department appear before the committee, or some departments, or the government — possibly Treasury Board officials — to indicate to us what it will cost to implement this bill. In this day and age of firearm registration, I think we have learned our lessons as parliamentarians. Sometimes costs do go slightly higher; there are slight overruns.

To use the gun registration as an example, costs went from \$2 million to more than \$1 billion and counting, plus give or take a couple of hundred million dollars a year for maintaining it. Who was the Finance Minister doing the books when this was calculated?

I think we have learned that those who do the planning for these new tribunals and so on have not taken any cost accounting courses. Therefore, we must be vigilant, especially since one of the two Houses of the Parliament of Canada is to be excluded from this bill. This is our only kick at the can; this is our only opportunity to look at this matter. After this has passed through the Senate, we will no longer have anything to do with it, because it will strictly be the House of Commons. This is our one chance to do something. I hope it receives the scrutiny it deserves at the committee. With that in mind, I would be more than pleased to see it referred to committee.

On motion of Senator Rompkey, for Senator Carstairs, debate adjourned.

CRIMINAL CODE

BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

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

[Senator Comeau]

Hon. Bill Rompkey (Deputy Leader of the Government): Inadvertently, I did not see Senator Cools. If she is ready and able to speak now to Bill C-250, I would be pleased to accommodate her.

Hon. Anne C. Cools: Honourable senators, the debate stands adjourned in Senator Rompkey’s name. I think he should wrap his mind around speaking to the bill, since he is holding the debate.

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Does Senator Rompkey intend to speak in this debate, or did he take the adjournment in the name of another senator?

Senator Rompkey: I took the adjournment because I understood that people wanted to speak in the debate. In order to accommodate them, I took the adjournment. I had Senator Cools specifically in mind, I might say.

Senator Cools: I am very pleased the deputy leader was so kind and magnanimous, but if the issue is who is taking the adjournment of debate, I would be quite happy to move the adjournment today myself.

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

An Hon. Senator: No.

The Hon. the Speaker *pro tempore*: Will all those in favour of the motion please say “yea”?

Some Hon. Senators: Yea.

The Hon. the Speaker *pro tempore*: Will all those opposed to the motion please say “nay”?

Some Hon. Senators: Nay.

The Hon. the Speaker *pro tempore*: In my opinion, the “yeas” have it, and the debate is adjourned.

[Translation]

Hon. Fernand Robichaud: Honourable senators, I am not absolutely sure I understand the point of the last motion voted on. I would just like some clarification. I was under the impression that we were voting on a motion to defer the debate until the next sitting. From what I heard, it was apparently defeated. If I am mistaken, please inform me and I will then understand what just transpired a few seconds ago.

The Hon. the Speaker *pro tempore*: Honourable senators, if I understand correctly, the yeas were in the majority for adjournment of the debate. Perhaps I misunderstood, but it was my understanding that the debate was to be adjourned.

[English]

BILL TO CHANGE NAMES OF CERTAIN ELECTORAL DISTRICTS

SECOND READING—ORDER STANDS

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Could I ask my colleague, Senator Rompkey, on Bill C-300, to change the names of certain electoral districts, if he intends to speak on that bill which changes the names of the 301 ridings which are currently in place before June 23?

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, the bill is under active consideration at the moment and is being considered along with other bills and items that bear on the issue.

Order stands.

HUMAN RIGHTS

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

On the Order:

Resuming debate on the motion of the Honourable Senator Grafstein, seconded by the Honourable Senator Fairbairn, P.C.:

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

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

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

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

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

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

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

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

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

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

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

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

Appendix

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

1. Recalling that the OSCE was among those organizations which publicly achieved international condemnation of anti-Semitism through the crafting of the 1990 Copenhagen Concluding Document;
2. Noting that all participating States, as stated in the Copenhagen Concluding Document, commit to “unequivocally condemn” anti-Semitism and take effective measures to protect individuals from anti-Semitic violence;

3. Remembering the 1996 Lisbon Concluding Document, which highlights the OSCE's "comprehensive approach" to security, calls for "improvement in the implementation of all commitments in the human dimension, in particular with respect to human rights and fundamental freedoms", and urges participating States to address "acute problems", such as anti-Semitism;
4. Reaffirming the 1999 Charter for European Security, committing participating States to "counter such threats to security as violations of human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief and manifestations of intolerance, aggressive nationalism, racism, chauvinism, xenophobia and anti-Semitism";
5. Recognizing that the scourge of anti-Semitism is not unique to any one country, and calls for steadfast perseverance by all participating States;
13. Calls upon participating States to ensure aggressive law enforcement by local and national authorities, including thorough investigation of anti-Semitic criminal acts, apprehension of perpetrators, initiation of appropriate criminal prosecutions and judicial proceedings;
14. Urges participating States to bolster the importance of combating anti-Semitism by holding a follow-up seminar or human dimension meeting that explores effective measures to prevent anti-Semitism, and to ensure that their laws, regulations, practices and policies conform with relevant OSCE commitments on anti-Semitism; and
15. Encourages all delegates to the Parliamentary Assembly to vocally and unconditionally condemn manifestations of anti-Semitic violence in their respective countries and at all regional and international forums.—(*Honourable Senator Kinsella*).

The OSCE Parliamentary Assembly:

6. Unequivocally condemns the alarming escalation of anti-Semitic violence throughout the OSCE region;
7. Voices deep concern over the recent escalation in anti-Semitic violence, as individuals of the Judaic faith and Jewish cultural properties have suffered attacks in many OSCE participating States;
8. Urges those States which undertake to return confiscated properties to rightful owners, or to provide alternative compensation to such owners, to ensure that their property restitution and compensation programmes are implemented in a non-discriminatory manner and according to the rule of law;
9. Recognizes the commendable efforts of many post-communist States to redress injustices inflicted by previous regimes based on religious heritage, considering that the interests of justice dictate that more work remains to be done in this regard, particularly with regard to individual and community property restitution compensation;
10. Recognizes the danger of anti-Semitic violence to European security, especially in light of the trend of increasing violence and attacks regions wide;
11. Declares that violence against Jews and other manifestations of intolerance will never be justified by international developments or political issues, and that it obstructs democracy, pluralism, and peace;
12. Urges all States to make public statements recognizing violence against Jews and Jewish cultural properties as anti-Semitic, as well as to issue strong, public declarations condemning the depredations;

Hon. Noël A. Kinsella (Deputy Leader of the Opposition):

Honourable senators, I rise to support the motion that is now before us, a motion to refer to committee the matter of the 2002 Berlin Resolution of the Organization for Security and Cooperation in Europe, which was developed by the organization's parliamentary assembly.

Honourable senators, our Standing Senate Committee on Human Rights is ideally situated and should be seized of this resolution, taking note of the fact that the member states of the OSCE, including Canada — all of which, of course, are party to the Helsinki accords — are, by virtue of being a state signatory, committed to the respect for the rights of people and persons belonging to national minorities, their right to equality before the law and the full opportunity for the enjoyment of human rights and fundamental freedoms.

• (1640)

Honourable senators, it might be appropriate to remind ourselves that, in the *Lovelace* case, the United Nations Human Rights Committee found Canada to be in violation of article 27 of the International Covenant on Civil and Political Rights, which provides that:

In those States in which ethnic, religious or linguistic minorities exist persons belonging to such minorities shall not be denied the right, in community with other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.

Honourable senators, it seems to me that Canadians are blessed by the fact that we live in the freest country in the world, where the practice of freedom has enjoyed a humongous success, notwithstanding that there have been blemishes along the way. In Canada, where great care is given to the practice of freedom and to the values of human rights, those values find expression in

statutory law of Canada enacted over the years, both provincially and federally, and, of course, in the early 1980s, in the Charter of Rights and Freedoms.

It might also be instructive to note that the last phrase of the second preamble paragraph of the 2002 Berlin Resolution of the OSCE reads as follows:

...and further that the participating member States recognized that such respect was an essential factor for the peace, justice and well-being necessary to ensure the development of friendly relations and co-operation between themselves and among all member States.

Honourable senators, my point is that there is an inextricable, direct relationship between respect for human rights and freedom and peace. That relationship is at the cornerstone internationally of the United Nations system. Frequently throughout the Charter of the United Nations, we find the articulation of the relationship between respect for human rights and peace.

The 2002 Berlin Resolution of OSCE calls upon all member states to take specific action to combat anti-Semitic violence and other manifestations of anti-Semitism and to condemn it unequivocally. The Standing Senate Committee on Human Rights might wish to analyze the nature of anti-Semitism in Canada in the year 2004 and to make recommendations concerning the effectiveness of our current federal anti-discrimination legislation. I believe that it is important.

Honourable senators, supporting the motion that this resolution be examined by our Human Rights Committee is not only an opportunity for Canada to fulfil its role as a member state of the OSCE but also an opportunity for us to assess the current nature of things in our ongoing development of human rights values so critical to our quality of life. We could also assess our progress toward the necessity for zero tolerance of any form of discrimination, and in particular anti-Semitism and acts of violence that are motivated by anti-Semitism, none of which has any place in Canadian society.

The Hon. the Speaker *pro tempore*: I must advise honourable senators that if Senator Grafstein speaks now, his speech will have the effect of closing the debate.

Is there a senator who would like to speak?

Hon. Jeremiah S. Grafstein: Honourable senators, I shall be brief. I want to thank the Honourable Senator Kinsella for his assistance and his pointed references to our existing legislation and our obligations as a member state of the OSCE. When we sign treaties, we have an obligation to comply. The 2002 Berlin Resolution sets out the many manifestations of resolutions affecting the question of anti-Semitism in the entire OSCE region. As parliamentarians, we are obliged under that resolution to debate, consider and review our legislation, as the honourable senator pointed out, and to bring it forward to educate the public and ourselves about this ancient scourge. Again, I thank Senator Kinsella for his support.

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

Hon. Senators: Agreed.

Motion agreed to.

[Translation]

STUDY ON OPERATION OF OFFICIAL LANGUAGES ACT AND RELEVANT REGULATIONS, DIRECTIVES AND REPORTS

MOTION REQUESTING GOVERNMENT RESPONSE—
DEBATE ADJOURNED

Hon. Jean-Robert Gauthier, pursuant to notice of February 3, 2004, moved:

That, pursuant to rule 131(2), the Senate ask the government to table a detailed and comprehensive response to the Fourth Report of the Standing Senate Committee on Official Languages, tabled in the Senate on October 1, 2003, during the Second Session of the 37th Parliament, and adopted on October 28, 2003.

He said: Honourable senators, I will be as brief as possible. This is an important speech and one I want to see taken seriously. It is a matter of requesting a comprehensive response from the government to a report of a standing committee of the Senate, in this case the Standing Senate Committee on Official Languages, which tabled a report in October 2003.

That report deals with a number of issues and particularly the government's action plan on official languages, which was tabled almost one year ago, on March 12, 2003.

The Standing Senate Committee on Official Languages and the Senate have reviewed the report and taken a close look at its content. The committee made 21 recommendations to the government to ensure that this action plan is seriously taken into consideration.

So, I suggested that we ask the government to table a comprehensive response and I am moving the motion.

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, I would like to add a few words regarding Senator Gauthier's motion. Based on rule 131(2) of the *Rules of the Senate*, I think it is important that the government provide responses to the requests made by our committee. These serious studies include important recommendations.

• (1650)

It is interesting to see that, under the current circumstances, a distinction seems to be made between the current and former governments. But since there is not really any difference between these two governments, I personally think it would be necessary to obtain clarification from the current government on this issue.

We can expect the response of the Martin government to be the same as that of the Chrétien government. In any case, I think it is important that honourable senators support Senator Gauthier's motion.

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

On motion of Senator Corbin, debate adjourned.

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

MOTION TO AUTHORIZE COMMITTEE TO STUDY CERTIFICATION OF PETITIONS TABLED IN THE SENATE—DEBATE ADJOURNED

Hon. Jean-Robert Gauthier, pursuant to notice of February 3, 2004, moved:

That the Standing Committee on Rules, Procedures and the Rights of Parliament be authorized to examine, for the purposes of reporting by March 1, 2004, all Senate procedure related to the tabling of petitions in this Chamber in Parliament assembled, that a procedural clerk, having examined the form and content, certify the petitions in accordance with established standards and that follow-up be provided for in the Rules of the Senate.

He said: Honourable senators, this is also an important motion. For centuries, citizens have submitted petitions intended to right a wrong or make a change in a law.

Here in the Senate of Canada, there are no rules regarding the tabling of petitions. The Senate receives a great many petitions on many subjects; they are deposited somewhere and that is the end of that.

Recently, I started tabling petitions asking that Ottawa, the country's capital, be declared an officially bilingual city. During the second session of the 37th legislature, I submitted nearly 25,000 petitions, and I am at it again, with more petitions that come regularly into my office. In fact, I tabled some nearly every day of the second session.

I consider it important for petitions to be looked at seriously by the appropriate committee. For example, a petition dealing with a constitutional issue would be handled by the Standing Senate Committee on Legal and Constitutional Affairs.

In the House of Commons, the tabling of petitions is taken seriously. Every day there is a 15-minute period allocated for petitions. Here in the Senate, I could not be prevented from rising to read each of the 1,000 petitions I present. I do not want to do that, as it would obviously be a waste of time.

This is why it is essential to pay special attention to petitions. The Senate constitutes one of the chambers of Canada's Parliament and must take it seriously when it tells Canadians they may present petitions and the Senate will follow up on them.

In the House of Commons, as in other legislatures, there is always a response to petitions. The government must reply. Here

in the Senate the petitions go nowhere, and that does nothing for the credibility of senators, nor does it encourage dialogue with the public.

I think this is a bad arrangement. The Senate neglected to add a provision to its procedure for follow-up on petitions. A "petitions clerk" could be appointed as an indication that the chamber respects the requirements.

This motion calls for the Senate to adopt the appropriate rules for the tabling of petitions. I therefore propose that this motion be adopted and referred to the Committee on Rules, Procedures and the Rights of Parliament, so that it may make a serious contribution to this matter.

In the fourteenth report, tabled in June 2002, it is noted that Senator Austin made a recommendation, one I myself had made in 2001, concerning petitions. I believe it is important for there to be a follow-up on our promise to be an integral part of the process whereby the Canadian people may be heard equally in the Senate and in the House of Commons.

The Hon. the Speaker *pro tempore*: Are honourable senators ready for the question?

On motion of Senator Corbin, debate adjourned.

[*English*]

TRANSPORT AND COMMUNICATIONS

MOTION TO AUTHORIZE COMMITTEE TO CONTINUE STUDY ON MEDIA INDUSTRIES— DEBATED ADJOURNED

Hon. Joan Fraser, pursuant to notice of February 5, 2004, moved:

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.

She said: Honourable senators, this is a repetition of a request for a reference that the Senate granted to the Standing Senate Committee on Transport and Communications in the last session. This is identical in all substantive details to that order of reference from the last session, the only changes being that this order would call for a final report in 2005 and that, understandably, we ask that papers and evidence received and taken during the last session be referred to the committee, so that it can continue with

its work without repeating work that has already been done. This motion was quite significantly debated in the last session and I would like to propose that it be adopted.

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, I would like to ask a question of the chair of the committee. Concerning the date of March 31, 2005, would the chair advise us what date her committee was to report just before we prorogued? What was the date in the order of reference of the committee?

Senator Fraser: Honourable senators, the date then was March 31, 2004. However, some colleagues may recall, when we were discussing in this chamber the budget for this inquiry, I reported that the Internal Economy Committee — which is faced with trying to do enormous amounts of work with fewer dollars than committees request — had requested that we plan to spread our work over two fiscal years. The committee agreed with that proposal, and no dissenting voice was heard in the chamber. Hence, this order of reference simply reflects that understanding.

On motion of Senator Kinsella, debate adjourned.

• (1700)

COMMITTEE AUTHORIZED TO PERMIT ELECTRONIC COVERAGE

Hon. Joan Fraser, pursuant to notice of February 5, 2004, moved:

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.

Motion agreed to.

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Joan Fraser, pursuant to notice of February 5, 2004, moved:

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.

Motion agreed to.

FOREIGN AFFAIRS

COMMITTEE AUTHORIZED TO CONTINUE STUDY ON TRADE RELATIONSHIPS WITH UNITED STATES AND MEXICO

Hon. Peter A. Stollery, pursuant to notice of February 5, 2004, moved:

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 American 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 Organisation trade negotiations;

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

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 its final report until July 31, 2004.

He said: Honourable senators, we are continuing our study on the NAFTA. This is the same reference that we had in the last session. Nothing except the date for reporting has been changed. We anticipate completing this order of reference before the end of March.

Some Hon. Senators: Question!

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

Hon. Senators: Agreed.

Motion agreed to.

MOTION TO AUTHORIZE COMMITTEE TO CONTINUE STUDY ON ISSUES RELATED TO FOREIGN RELATIONS—DEBATE ADJOURNED

Hon. Peter A. Stollery: Honourable senators, pursuant to notice of February 5, 2004, moved:

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.

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): We should like to have an explanation as to why this motion is being proposed by the chair of the Standing Senate Committee on Foreign Affairs.

Senator Stollery: Honourable senators, this motion reintroduces one of our terms of reference from the last session.

Senator Kinsella: Honourable senators, I am quite obtuse in these matters. As I read this motion, it gives a blanket order of reference to the Foreign Affairs Committee to study whatsoever issue. The motion reads, in part, that the committee:

...be authorized to examine such issues as may arise from time to time relating to Foreign relations generally.

According to our rules, a committee's order of reference must be approved by the Senate for a committee to undertake profound or in-depth study on a particular issue. In that way, honourable senators are afforded an opportunity to assess whether the issue a particular committee is proposing to study is of a priority in the minds of honourable senators. Under that scenario, honourable senators are permitted, if so desired, to ask questions as to the methodology that would be employed by the committee carrying out such a study.

I do not think that this provision is typical practice. Perhaps Senator Stollery would provide a response to that.

Senator Stollery: Honourable senators, as Senator Kinsella has pointed out, this is a broad motion. The thinking of committee members is that we sometimes cannot anticipate what emergency or crisis might occur in foreign affairs. Clearly, the committee is occupied for what we suspect may be the rest of this session with completing the NAFTA part of our review of the Free Trade Agreement of 1988 and the North American Free Trade Agreement of 1992. There is no question about that.

This motion, which has been approved by the Senate previously, seeks to cover the committee in the event of an unanticipated foreign affairs issue. We will not live or die if this motion is not approved by the Senate, but that is the rationale for it — to cover us in the event that an issue comes before us that we had not anticipated.

Senator Kinsella: Honourable senators, every other committee could argue the same case. For instance, in regard to the Energy Committee, some issue relating to energy could come up. With regard to the Social Affairs, Science and Technology Committee, a front-burner issue could arise relating to new science or new technological methods. Typically, in order for the Senate to be able to manage its business and the business of its committees, committees are required to seek an order of reference from the Senate. The Senate will then decide whether to approve the order of reference.

I understand the argument of the honourable senator, but, by extension, then, that philosophy should apply to all committees.

Hon. Eymard G. Corbin: I have a question of Senator Stollery. Is it not a fact that this kind of provision is meant to cover various situations, such as visiting VIPs, briefings from the departments and joint meetings upon invitation of the House of Commons? We have had a number of those situations in the past and these events are usually sprung upon us on very short notice, at times with no notice at all. The Senate is willing to participate and to do its share in these exercises. This motion would cover just those sorts of events, would it not?

• (1710)

Senator Stollery: Honourable senators, as I said, this has been a standard motion of the Foreign Affairs Committee for the last few sessions of Parliament.

As Senator Corbin has pointed out, we are quite commonly asked to meet, on short notice, with dignitaries from other countries. Sometimes notice is received the same day. Quite often, these meetings are not about a subject we are studying. However, because of protocol and for diplomatic reasons, members of the committee have been good at showing up at some of these events. As Senator Corbin has said, that covers us.

I assure honourable senators that we would not contemplate a study that would cost money without first going to the Standing Committee on Internal Economy, Budgets and Administration and then coming to the Senate.

This is not about finances. For anything more than this kind of thing, we would, of course, come back to the Senate to seek its approval.

Hon. John Lynch-Staunton (Leader of the Opposition): According to Senator Stollery, nothing is at stake here. Therefore, I move the adjournment of the debate.

On motion of Senator Lynch-Staunton, debate adjourned.

COMMITTEE AUTHORIZED TO PERMIT ELECTRONIC COVERAGE

Hon. Peter A. Stollery, pursuant to notice of February 5, 2004, moved:

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

Motion agreed to.

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Peter A. Stollery, pursuant to notice of February 5, 2004, moved:

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

Motion agreed to.

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

COMMITTEE AUTHORIZED TO PERMIT ELECTRONIC COVERAGE

Hon. Lorna Milne, pursuant to notice of February 5, 2004, moved:

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.

Motion agreed to.

**ENERGY, THE ENVIRONMENT
AND NATURAL RESOURCES**

**COMMITTEE AUTHORIZED TO CONTINUE
STUDY ON ISSUES RELATED TO MANDATE**

Hon. Tommy Banks, pursuant to notice of February 5, 2004, moved:

That the Standing Senate 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;

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

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.

He said: Honourable senators, beginning with the word "That," this motion is identical to the one which was in place during the last session of Parliament. It allows us to continue our work, and I should like to point out to honourable senators that we are obliged to report to the Senate by February 28, 2005.

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, can Senator Banks tell us the date for reporting to the Senate in the committee's previous order of reference?

Senator Banks: February 28, 2005.

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

Motion agreed to.

[Translation]

BANKING, TRADE AND COMMERCE

**COMMITTEE AUTHORIZED
TO STUDY CREDIT RATES**

Hon. Madeleine Plamondon, pursuant to notice of February 5, 2004, moved:

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

She said: Honourable senators, pursuant to notice of February 5, 2004, I move that the Standing Senate Committee on Banking, Trade and Commerce place a study of credit rates on its agenda for the current session. This issue is very important because today Canadians are spending more than ever. It is easy to get credit, and interest rates on credit range from 4.25 per cent to 15 per cent at a regular institution, but can be as high as 50.6 per cent at a financing company. I have a contract on hand to prove it. It is very important that the Standing Committee on Banking, Trade and Commerce debate this issue.

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

Motion agreed to.

The Senate adjourned until Wednesday, February 11, 2004, at 1:30 p.m.

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