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Tuesday, November 2, 2004



THE HONOURABLE DAN HAYS
SPEAKER

This issue contains the latest listing of Senators, Officers of the Senate, the Ministry, and Senators serving on Standing, Special and Joint Committees.

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THE SENATE

Tuesday, November 2, 2004

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

Prayers.

SENATORS' STATEMENTS

TRIBUTES

THE HONOURABLE EDWARD M. LAWSON

The Hon. the Speaker: Honourable senators, I received a notice from the Leader of the Government who requests that, pursuant to rule 22(10), the time provided for Senators' Statements be extended today for the purpose of paying tribute to the Honourable Senator Edward Lawson, who retired on September 24, 2004.

I remind honourable senators that, pursuant to our rules, I am obliged to advise that the time for tributes for each senator is three minutes. They may speak only once. The time in total is not to exceed 15 minutes.

Honourable senators, before proceeding to the tributes for Senator Lawson, I should like to draw to your attention the presence in the gallery of our former colleague, the Honourable Ed Lawson, his wife Beverley, and their nephew Robert Jackman, who is a political science student.

Welcome to the Senate.

Hon. Senators: Hear, hear!

Hon. Jack Austin (Leader of the Government): Honourable senators, it is far from easy to do justice to the life and times of our colleague Senator Edward Lawson within the space of three minutes.

For over 33 of his 34 years in the Senate, Senator Lawson represented British Columbia. He was an independent in politics. He joined the Liberal Party at the beginning of his last year, yet throughout his 34 years as senator he has remained independent in thought from the day he was appointed to the Senate until the day he retired this September.

I believe Senator Lawson is the most senior labour leader we have had in the Senate. As is well known, he rose quickly in Canadian teamster ranks, serving ultimately as Vice-President with the International Brotherhood of Teamsters.

I first met him 40 years ago when he headed the Vancouver local of the teamsters. He not only stood tall for the rights of the house of labour but was also a leader in the cause for people who are called today the "socially and economically disadvantaged."

Some of us may recall that following Senator Lawson's inaugural speech, Senator Jacques Flynn, then Leader of the Opposition in the Senate, expressed concern that Senator Lawson might unionize the Senate. Senator Lawson's response was that he would, except the policy of the union was "to organize only the downtrodden and underprivileged." Actually, some senators of that day thought that those words fit.

Senator Lawson earned the respect of the U.S. teamster leaders by challenging them to extend equal pension rights to Canadian members. Because of Senator Lawson, Canadian teamsters were able to establish their own separate chapter, and Quebec teamsters were able to benefit by having their own union constitution in French and by conducting union business in French.

No union leader is ever free of politics. As a member of the Teamsters International Board, he was compelled to endorse President Nixon's campaign in 1976. In addition, each board member was requested to give a campaign donation to Mr. Nixon of US \$1,000. Senator Lawson objected to participating on the grounds that as a Canadian citizen it was illegal for him to give any campaign donation, but the senator's abstention was not accepted by the board. Thus, he had to concede and provide the requisite US \$1,000.

He thought nothing of the matter for 16 years. However, in 1992, Senator Lawson retired from the International Brotherhood of Teamsters and decided it was time to read the file on him compiled by the FBI. Only one item stood out — an illegal contribution to the Nixon campaign. It probably got him an FBI gold star.

Senator Lawson has worked for the benefit of many charities, including a decade at the Johns Society, an alliance of members of labour, management and government who have come together to support leukemia patients and bone marrow registration. For his work on this worthy cause, Senator Lawson was honoured in 1997 by the Johns Society and by a congressional House of Representatives award, which I am sure means a great deal to him.

Integrity and justice have been his prime motivation. His speech last year in commemoration of Black History Month, recounting his personal experience with Martin Luther King Jr., is one that no one here is likely to forget.

• (1410)

Senator Lawson has always been effective in disarming critics by employing his famous sense of humour, but there is truth in his levity. He will be missed not only for his straightforward views but for the many enlightening experiences that have contributed to the edification of his colleagues over these many years.

Senator Lawson's retirement on September 24, 2004, when Parliament had not yet been recalled from the June 28 election, does not let him respond to us today, so we say good health and good work for many years to come, especially in the company of his wonderful wife, Beverley, who has been solidly by his side.

Hon. Gerry St. Germain: Honourable senators, my friends Ed and Bev will be missed by Margaret, my family and me. Today I lose a friend in the Senate; I lost him as a travelling colleague on September 24.

I would like to start at the beginning, because I have come to know Senator Ed in a personal way, not only as a friend and as a golf partner, but as someone I travelled with, laughed with, and sometimes cried with as well.

Honourable senators, I think the Senate reflects many different people; those who come to serve from absolute poverty to those who come from better beginnings. Senator Lawson was born in Gerald, Saskatchewan, and ended up in Pouce Coupe, British Columbia, with his family, where he lost his father and his mother became very ill. They were moved to Vancouver through the Catholic Children's Society and he and his siblings were raised by the Hébert family in Fort Langley, B.C, close to where I have resided for most of my life.

He had two brothers, Émile and Leonard, and one sister, Clara. Émile went into the military very young, being the oldest in the family, and he died on the last day of the war in 1945, leaving a void in Senator Ed's life.

Senator Ed went to work at the age of 15 in a warehouse in New Westminster, British Columbia. He then proceeded to Kitimat.

I will not be able to cover everything in three minutes. As Senator Austin pointed out, the man has led an interesting and good life.

He became Vice-President of the International Brotherhood of Teamsters after having served with the construction workers in Kitimat, B.C, where he rose to the highest level for a Canadian in the teamsters.

In 1993, when I came to the Senate, I met Senator Lawson briefly, and then I met him again in Palm Springs. We had much in common. Golf has been our passion and humour has been part of our lives, with the humour aspect mainly on Senator Lawson's side.

Senator Sparrow has shared many of our interesting moments as far as humour is concerned. Senator Lawson's humour has shared the podium with the likes of Milton Berle, Jackie Mason and others, which is an indication of how funny he really is. I know that most senators have seen the humorous side of Senator Ed.

Honourable senators, Senator Lawson has worked with the Hispanic caucus in the teamsters and in the Zajac Foundation in Vancouver, just to name a few. He was appointed to the Senate by Prime Minister Pierre Trudeau on the recommendation of Prime Minister Pearson, where he served for 34 years.

His logic has always risen to the fore, whether it be with respect to the gun registry, which we agreed on, or the decriminalization of marijuana, which we disagreed on. Nevertheless, we always worked together.

Senator Ed has three daughters — Linda, Wendy and Lisa — and his nephew is here with us today; but his greatest strength is the lady in the centre, the lady in red, Beverley Lawson. She has been his soulmate and supporter, and has been a friend of ours as well. She is a wonderful person.

Friendship, Piesporter wine, non-whipped butter, and fresh-brewed decaffeinated coffee are Ed's hallmarks.

May your drives be long and straight, and your putts short and true. God bless you, my friend.

[Translation]

Hon. Pierre De Bané: Honourable senators, I want to pay tribute to Senator Ed Lawson, who retired on September 24. His retirement is well-deserved and we hope it is a very happy one.

Senator Lawson sat in this chamber for more than 34 years. Currently only Senator Sparrow — also a native of Saskatchewan — can boast a more enviable record. However, no other senator ever represented British Columbia longer than Senator Lawson did.

[English]

Edward M. Lawson was called to the Senate in October 1970 by then Prime Minister Pierre Elliott Trudeau. Perhaps I should use words like "convinced" or "cajoled" instead of saying "called" to the Senate.

Mr. Lawson, who felt he was far too busy as a national director of the International Brotherhood of Teamsters, had said no when first asked by Prime Minister Trudeau. Mr. Trudeau insisted and, in the end, Mr. Lawson relented, all for the better.

From October 1970 until January 1992 when he retired from the labour movement, Senator Lawson devoted himself to the affairs of the international brotherhood as well as those of the Senate. Beginning in 1992, he devoted all his time and attention to fulfilling his senatorial duties. With his vast union experience, Senator Lawson has brought a unique labour perspective to our debates, along with a touch of humour, for he was known for his sense of humour and liked to say, "People who laugh live a lot longer."

[Translation]

Over the course of the 34 long years that he sat in the Senate, Senator Lawson always defended the interests of Canadians, but especially British Columbians. The interests of the citizens of his province, but especially western alienation, have always concerned Senator Lawson. In fact, that is why he gave up his status as an independent senator in February 2004 in order to join the Liberals. He felt he could do more to counter western alienation as a member of the Martin Liberals than as an independent senator.

While Senator Lawson has always had the interests of British Columbians at heart, so too has he had the interests of workers at heart throughout his entire life.

[English]

For more than 40 years, before he was called to the Senate and thereafter, Ed Lawson has devoted time and effort to the International Brotherhood of Teamsters, serving the needs of North American working men and women in various capacities. Notably, he has served many years as vice-president for the brotherhood and is founding Director of the Canadian Conference of Teamsters.

Senator Lawson has received many awards, including, most notably, the James R. Hoffa Lifetime Achievement Award. That award was set up in 2003 to mark the one-hundredth anniversary of the International Brotherhood of Teamsters and to recognize members of the brotherhood "who have distinguished themselves with their membership and brought credit to the union." Only five people, it should be noted, have ever received the James R. Hoffa Lifetime Achievement Award.

• (1420)

Senator Lawson has served, and continues to serve, on the boards of several Canadian companies. Most notably, he has served on the board of Northwest Sports, which operates the Vancouver Canucks of the National Hockey League. Senator Lawson has participated actively in many charitable and community organizations, including the Variety Club, Lions Society, Zajac Foundation and Childhelp U.S.A., to name only a few.

Senator Lawson may have had to retire from the Senate but he has not retired from life. We shall miss him and his sense of humour. We wish him and Ms. Lawson well.

Hon. David Tkachuk: Honourable senators, Gerald, Saskatchewan, was the birth place of baby Ed Lawson some 75 years ago. For those who do not know, Gerald is a town that survived the 50-year exodus from Saskatchewan to Alberta and British Columbia and still has 158 residents today. It is between Esterhazy and Manitoba. If senators still cannot place it, it is up the road from Rocanville, not far from Yarbo and Spy Hill. Now everyone should have a good picture of Senator Lawson's hometown.

I have an update. Senator, in case you and Bev are thinking of retiring in Gerald, it has running water and a Web site, which I particularly like. It says: well water; tastes very good; treatment, however, unknown; \$60 every three months, sewage included.

Senator Lawson has been in the Senate much longer than he was in Gerald. He was appointed in 1970 — 34 years ago. He spent 33 and one half of those years as an independent because it took the Liberals that long to convince him to join them. Senator Lawson is the most expensive convert in history.

I always knew Senator Lawson was a Liberal because he favoured the legalization of marijuana and other drugs, not that that idea is unusual because many libertarian Conservatives have the same view. The point is that Senator Lawson wanted to tax those drugs.

I was introduced to Ed by Senator St. Germain. For a number of years, Ottawa restaurants beheld the unusual but not infrequent gathering of the three of us — Alliance, Progressive Conservative and independent senators — when we met for dinner and stories, often joined by his wife, Bev. Despite our political differences, we got along rather famously. After all, we often wanted the same things out of our political system but just different pockets to pay for them. Unlike many modern-day union leaders who are more active in organizing government employees, Senator Lawson knew that we need capital, labour and returns on investment for the families to enjoy good salaries and pensions. He organized in the open market, which is a tough thing to do.

Senator Lawson, we all know what a good senator you are and what a good orator you are. That brings me to my lament for your absence. I read in one of your West Coast news publications, *The Public Eye*, that former Liberal MP, Sophia Leung, is the odds-on favourite to replace you, apparently voted year after year as the worst orator in the other place.

Good luck and good health. I know that you and Bev will enjoy many laughs. I hope that in retirement we will have ample opportunity to share them with you.

Hon. Ethel Cochrane: Honourable senators, I, too, wish to add my voice in tribute to my friend, the Honourable Edward Lawson. I can only agree with the portrait that other honourable senators have painted today of this fine man. I wish to add a personal thank you to Ed. The warmth and good humour that he brought to this place will be dearly missed. He is one of those rare people who brightens any room and can always lighten the mood with a good joke, a funny story and a hearty laugh. Even on the most challenging days, Ed could inspire a smile and ignite a fit of laughter. I thank you for that Ed.

As you take your well-deserved retirement, I wish you and Beverley much health and happiness for many years to come.

Hon. Marcel Prud'homme: Honourable senators, I would like to say a few words about our friend Senator Lawson. He was a tough negotiator when I first came to the Senate. He watched me having difficulty with the government whip and said that I needed someone to negotiate for me; and he helped me out. Honourable senators may be aware that I am a member of the Foreign Affairs Committee, but I do not know if Senator Lawson had anything to do with that. He is charming, absolutely convincing and ever surrounded by the most beautiful smile of his wife, Beverley. Senator Lawson is devoted, loyal to his friends and feared by his enemies, if ever he had any enemies.

At the end of his career, he returned to the Liberals. After 41 years he simply returned to the place where he had always been. As a Montreal Liberal, I can say that many Liberals in the 1950s and 1960s are forever extremely thankful for the great support they received from the teamsters over the years during their difficult election.

I will miss you, Senator Lawson, but I will see you and your wife in British Columbia. Both of you have always been so kind to me since I first arrived in the Senate. Long live both Ed and Beverley.

SIMON FRASER UNIVERSITY

Hon. Mobina S. B. Jaffer: Honourable senators, Simon Fraser University was established in 1965 during a time of dramatic social change. It was a time when institutions and traditions were tested by deep questioning, radical imagination and creativity. SFU captured the vibrant spirit of those formative years and gave new definition to the idea of university. Hierarchy was tempered by openness, inclusion and a profound commitment to academic freedom. Like the explorer whose name the university bears, SFU prizes adventure and discovery.

Nearly 40 years later, with its main campus situated atop Burnaby Mountain in the heart of B.C.'s Lower Mainland, SFU is recognized as one of Canada's leading comprehensive universities. Five times it has been ranked the number one comprehensive university by *Maclean's*, which can be attributed, in part, to its innovative undergraduate programs and outstanding graduate programs, with an enrolment of more than 23,000 students. SFU is making a rich contribution to the economy and to the intellectual environment in B.C. and in Canada.

The Centre for Dialogue, located in downtown Vancouver, welcomes local, national and international meetings of government, business and community organizations in a setting custom-designed to facilitate dialogue on matters of urgent public importance. SFU is proposing to relocate its celebrated School for the Contemporary Arts to the historic Woolworth's development in Vancouver's downtown East Side. It will be part of the dramatic transformation proposed for this disadvantaged part of the city.

SFU will be celebrating its fortieth anniversary in 2005 through the Reaching New Heights Campaign. Simon Fraser University is preparing for its next 40 years. I ask that honourable senators join me in congratulating Simon Fraser University, Chancellor Milton K. Wong, and President and Vice-Chancellor Michael Stevenson on 40 years of academic achievement.

JUSTICE

STEVEN TRUSCOTT CASE

Hon. Marjory LeBreton: Honourable senators, last Thursday Justice Minister Irwin Cotler announced that he was referring the case of Steven Truscott to the Ontario Court of Appeal. The minister had determined that there was "a reasonable basis to conclude that the miscarriage of justice likely occurred" back in 1959 when Mr. Truscott, then a 14-year-old boy, was convicted of murdering 12-year-old Lynne Harper. Words cannot properly express my profound sadness as I watched the Truscott family following the decision. While I was pleased to note that the minister acknowledges, by referring the case to the Court of Appeal for Ontario, the evidence that there was a miscarriage of justice, I regret his decision, because it delays, yet again, Mr. Truscott's desire to clear his name.

• (1430)

Honourable senators, we all know that Mr. Truscott was convicted on highly questionable and circumstantial evidence in a trial that lasted only a few weeks. Steven Truscott has maintained his innocence throughout. Can you imagine a 14-year-old boy facing a trial, a death sentence, four months on death row and 10

years in prison? Any fair-minded, straight-thinking person would surely conclude that what we have here is a travesty of justice.

The Association in Defence of the Wrongly Convicted undertook an application for a section 690 review of the case on behalf of Mr. Truscott. Their research showed incompetence, inappropriate behaviour by police and the withholding of information that would have freed Mr. Truscott, not to mention new information that has come to light since.

Last week, the justice minister arrived at his decision regarding the case. He had three options from which to choose: refer the case to the Court of Appeal for Ontario; order a new trial; or dismiss the application. The minister chose to send the case to the Court of Appeal for Ontario because, in his opinion, it would produce a strong conclusion to the matter. That may be. However, the Court of Appeal for Ontario could also dismiss the appeal or order a new trial. In any case, it could be at least two years before the family can put this behind them.

Mr. Truscott is seeking exoneration. He quite rightly wants to clear his name. His lawyer, James Lockyer, has said that his client wants the Attorney General of Ontario to acknowledge that Mr. Truscott did not commit the crime.

If the minister had ordered a new trial, the charges likely would have been dropped because of lack of evidence. In an October 30, 2004, article in the *National Post*, David Asper wrote the following:

In a perfect world, Cotler would have effectively exonerated Truscott on the spot.... The Crown would rise and advise the judge that it intended to call no evidence against Truscott. The defence would move for an acquittal. And it would all be over.

Honourable senators, this is not a perfect world. The minister did not call for a new trial; he sent the case to appeal. The Attorney General of Ontario apparently cannot expedite the case. All we can do is watch the spectacle continue.

It is to Mr. Truscott's credit that he has so stoically accepted the minister's decision. I get the sense that he dares not hope. How terribly sad.

Honourable senators, this is truly a situation where justice delayed is justice denied. Mr. Truscott has waited 45 years to clear his name. Regrettably, because of the decision by the justice minister, he has been forced to wait even longer.

REMEMBRANCE DAY 2004

Hon. Catherine S. Callbeck: Honourable senators, November 11 is a day of remembrance, a day to remember the more than 110,000 Canadians who died fighting for freedom in the First World War, the Second World War and the Korean War. The year 2004 marks the ninetieth anniversary of the beginning of World War 1, what was then thought to be the war that would end all wars. Almost 620,000 Canadian men and women served in the First World War at a time when the population of our country was only a few million of them; 7,168 were from Prince Edward Island. In total, 66,000 Canadians lost their lives in that conflict.

The year 2004 also marks the sixtieth anniversary of the invasion of Normandy — the beginning of the end of the Second World War. Over 1 million Canadians served in the Second World War, and 9,039 of them were from Prince Edward Island. Approximately 45,000 Canadians gave their lives in this battle of freedom.

Canadians again responded to a call to arms when North Korea invaded South Korea, the first open attack of aggression since the establishment of the United Nations. Canada made a larger contribution per capita than most of the nations. Our country provided troops for the international force, with more than 26,000 Canadians serving in the Korean War. In excess of 516 Canadians lost their lives in that war.

This November 11, we will also remember the men and women who have contributed, and continue to contribute, to Canada's peacekeeping efforts around the world. Canada has a long-standing commitment to peace and freedom as shown by our contribution to more than 40 separate peacekeeping missions.

Tens of thousands of Canadians have served in peacekeeping missions, and more than 100 have lost their lives. The sacrifice of all the Canadian men and women who have lost their lives in the pursuit of peace and freedom is not forgotten.

THE LATE AL CLOUSTON

Hon. Ethel Cochrane: Honourable senators, I rise today to pay tribute to a well-known Newfoundlander, Al Clouston, who died last week at the age of 94.

"Uncle Al," as he was known in my province, was a gifted storyteller who entertained generations of Newfoundlanders and Labradoreans. Whether in a kitchen or a parish hall, on a wharf in an outport community or on the stage of a lecture theatre, audiences would be holding their sides in laughter at the colourful yarns spun by Uncle Al.

Al published numerous best-selling books over the years, including two Christmas books, and recorded four comedy albums. For his album "Cinderelly," he was honoured with a Juno nomination in 1980. Those impressive achievements are all the more remarkable when you consider that Al was already in his sixties and retired from the family business when he turned his passion for funny stories into a career.

Uncle Al's jokes and stories were always positive and in good taste, and they were told in a manner that celebrated the people of my province and her folklore. He wrote:

Newfoundlanders have the divine gift of being able to laugh at their troubles, at their triumphs and at themselves.

This view was fundamental to his work.

Honourable senators, I experienced Uncle Al's storytelling genius first-hand. On a visit to St. Patrick's Mercy Home in St. John's a few years back, I stopped by a room to visit with

seniors who were holding a singsong. As I entered the room, I noticed that one voice was louder than the rest — and what a wonderful voice it was. When I looked to see who was responsible for that beautiful singing, I was pleasantly surprised to see that it was Uncle Al. He was the heart of the group, surrounded by all the others, and his charisma was undeniable. His infectious smile lit up the room.

Later that day, he could not let me leave without first telling me a funny story. I do not recall which one he told me that day, but undoubtedly it included one of his classic one-liners, like:

Did you hear the one about the Newfoundland obituary which listed the children of the deceased as "two sons living and one in Toronto"?

Uncle Al once said that "Laughter, after all, is good for the soul." By sharing his remarkable gifts for storytelling and humour, Uncle Al touched many a soul and shared his goodness with us all. We are grateful for his wonderful life and that, through his many books and recordings, he will continue to make us laugh for generations to come.

[Translation]

MICROCREDIT

Hon. Madeleine Plamondon: Honourable senators, I would like to draw your attention to the problem of credit as it affects the least advantaged members of Canadian society. These people are currently unable to access the regular credit channels, so parallel credit has gained ground. There are several types of non-traditional credit and, although methods have changed, the weakest among us still pay the price.

To get around the law, for instance, such things happen as I read about in yesterday's *Le Devoir*. The customer takes a pile of CDs to the pawnshop. They are worth \$100, but the pawnbroker buys them for \$25. They agree that the customer can redeem them after a month for \$40. The result: 700 per cent interest.

Honourable senators, if the pawnshop industry has lost ground only in Quebec, it is because it is prohibited in Quebec to charge for cashing a government cheque, but not in the rest of the country. One million Canadians make use of pawnbroker or payroll loans, according to *Mes Finances — Ma Caisse*. Why do they not complain? Because they need this parallel credit system.

This issue has also been addressed by the newspaper *Le Monde*. It reports that the World Savings Bank Institute, an international organization with 1150 financial institution members in 89 countries, has released an interesting study. In most of the developing countries, only 20 per cent of the population has access to financial services. In the developed countries, an average of 10 per cent of the population are in a similar situation. Since commercial banking institutions are interested in the most cost-effective customer groups, people living in disadvantaged areas are also excluded. In Quebec, the Desjardins Group has started up a self-help fund, in conjunction with certain community groups that provide budgeting advice. The average loan made is \$548, and 92 per cent of people pay back their loans.

• (1440)

Honourable senators, 2005 will be the International Year of Microcredit. The World Savings Banks Institute decided last Wednesday to adopt a resolution to facilitate access to financial services for everyone. Canada must get involved. This is a critical challenge, and a prerequisite for balanced socio-economic development throughout the world.

ROUTINE PROCEEDINGS

PUBLIC ACCOUNTS OF CANADA

ERRATUM TABLED

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, an Erratum concerning the Public Accounts of Canada for the fiscal year ended March 31, 2004.

[English]

STATISTICS ACT

BILL TO AMEND—FIRST READING

Hon. Bill Rompkey (Deputy Leader of the Government) presented Bill S-18, to amend the Statistics Act.

Bill read first time.

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

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

OFFICIAL LANGUAGES

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

Hon. Eymard G. Corbin: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Official Languages be authorized to study and to report from time to time on the application of the *Official Languages Act* and of the regulations and directives made under it, within those institutions subject to the Act;

That the Committee be authorized to study the reports and papers produced by the Minister Responsible for Official Languages, the President of Treasury Board, the Minister of Canadian Heritage and the Commissioner of Official Languages as well as any other material concerning official languages generally;

That papers and evidence received and taken during the second and third sessions of the Thirty-seventh Parliament be referred to the Committee;

That the Committee report to the Senate no later than June 15, 2005.

[Translation]

LEGAL AND CONSTITUTIONAL AFFAIRS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY INCLUDING IN LEGISLATION NON-DEROGATION CLAUSES RELATING TO ABORIGINAL TREATY RIGHTS

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

That the Standing Senate Committee on Legal and Constitutional Affairs be authorized to examine and report on the implications of including, in legislation, non-derogation clauses relating to existing Aboriginal and treaty rights of the Aboriginal peoples of Canada under s. 35 of the *Constitution Act, 1982*;

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; and

That the Committee present its report to the Senate no later than October 31, 2005.

[English]

NATIONAL SECURITY AND DEFENCE

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO CONTINUE STUDY ON VETERANS' SERVICES AND BENEFITS, COMMEMORATIVE ACTIVITIES AND CHARTER

Hon. Michael A. Meighen: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on National Security and Defence be authorized to undertake a study on:

(a) the services and benefits provided to veterans in recognition of their services to Canada, in particular examining:

- access to priority beds for veterans in community hospitals;
- availability of alternative housing and enhanced home care;
- standardization of services throughout Canada;
- monitoring and accreditation of long term care facilities;

[Senator Plamondon]

(b) the commemorative activities undertaken by the Department of Veterans Affairs to keep alive for all Canadians the memory of the veterans achievements and sacrifices; and

(c) the need for an updated Veterans Charter to outline the right to preventative care, family support, treatment and re-establishment benefits;

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

That the Committee report to the Senate from time to time, no later than June 30, 2005.

HUMAN RIGHTS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY CASES OF ALLEGED DISCRIMINATION IN HIRING AND PROMOTION PRACTICES AND EMPLOYMENT EQUITY FOR MINORITY GROUPS IN FEDERAL PUBLIC SERVICE

Hon. A. Raynell Andreychuk: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Human Rights be authorized to invite from time to time the President of Treasury Board, the President of the Public Service Commission, their officials, as well as other witnesses to appear before the Committee for the purpose of examining cases of alleged discrimination in the hiring and promotion practices of the Federal Public Service and to study the extent to which targets to achieve employment equity for minority groups are being met; and

That the Committee continue to monitor developments on the subject and submit a final report to the Senate no later than December 23, 2005.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY INTERNATIONAL OBLIGATIONS REGARDING CHILDREN'S RIGHTS AND FREEDOMS

Hon. A. Raynell Andreychuk: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Human Rights be authorized to examine and report upon Canada's international obligations in regards to the rights and freedoms of children.

In particular, the Committee shall be authorized to examine:

- Our obligations under the United Nations Convention on the Rights of the Child; and
- Whether Canada's legislation as it applies to children meets our obligations under this Convention.

That the Committee present its final report to the Senate no later than March 22, 2005, and that the Committee retain until April 30, 2005 all powers necessary to publicize its findings.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY ISSUES RELATED TO NATIONAL AND INTERNATIONAL OBLIGATIONS

Hon. A. Raynell Andreychuk: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Human Rights be authorized to examine and monitor issues relating to human rights and, *inter alia*, to review the machinery of government dealing with Canada's international and national human rights obligations; and

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

That the Committee submit its final report to the Senate no later than December 23, 2005, and that the Committee retain until January 31, 2006 all powers necessary to publicize its findings.

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

Hon. A. Raynell Andreychuk: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Human Rights be authorized to invite the Minister of Indian and Northern Affairs to appear with his officials before the Committee for the purpose of updating the members of the Committee on actions taken concerning the recommendations contained in the Committee's report entitled "A Hard Bed to Lie In: Matrimonial Real Property on Reserve", tabled in the Senate November 4, 2003; and

That the Committee continue to monitor developments on the subject and submit a final report to the Senate no later than March 31, 2005.

[Translation]

INVISIBLE RIBBON CAMPAIGN 2004

NOTICE OF INQUIRY

Hon. Lucie Pépin: Honourable senators, I give notice that, on Thursday, November 2, 2004:

I will call the attention of the Senate to the 2004 Invisible Ribbon Campaign.

• (1450)

[English]

QUESTION PERIOD

FINANCE

NEWFOUNDLAND AND LABRADOR— NEGOTIATIONS ON OFFSHORE OIL RESOURCES

Hon. Ethel Cochrane: Honourable senators, last week, Newfoundland and Labrador Premier Danny Williams publicly declared that he and Premier Hamm of Nova Scotia were ready and willing to fly to Ottawa at a moment's notice to finalize the deal the Prime Minister made with him in June.

While Nova Scotia's representatives were invited to meet with the federal officials in Ottawa on Monday, Newfoundland and Labrador's representatives received no such invitation. In fact, it was not until yesterday afternoon that Minister Goodale even called his provincial counterpart to make plans to start talking again.

My question is for the Leader of the Government in the Senate. Minister Goodale said in the other place that whatever arrangement is arrived at for one province will be offered in absolute comparable terms to the other province. Why, then, did the federal government not invite representatives of the two provinces back to the bargaining table together? What was the reason for the delay in bringing Newfoundland and Labrador back to the table?

Hon. Jack Austin (Leader of the Government): Honourable senators, at this moment I have no idea what the answer to the question is, but I will make inquiries.

Senator Cochrane: Can the Leader of the Government tell honourable senators whether officials from my province will be joining the talks that are already underway between the federal government and Nova Scotia, or will discussions with the two provinces continue to be held in isolation?

Senator Austin: I must give the same answer to what is virtually the same question. I will make inquiries.

COPYRIGHT BOARD

TARIFF INCREASES INVOLVING MUSICAL WORKS

Hon. David Tkachuk: Honourable senators, on March 24 of this year the Copyright Board of Canada approved rate increases for copyright tariffs for different categories of publicly performed music. One affected category was that of karaoke bars in similar establishments across Canada. The increases are retroactive to 1998. That is six years ago. A bill from SOCAN, the Society of Composers, Authors and Music Publishers of Canada, has been mailed to each establishment, which includes a rate revision that the proprietors of these small businesses did not even know had taken place.

My question is for the Leader of the Government in the Senate. On what principle does the Copyright Board base its decision to impose retroactive fees on Canadian small business?

Hon. Jack Austin (Leader of the Government): Honourable senators, I will have to look into the matter raised by Senator Tkachuk and report back.

Senator Tkachuk: In its written decision approving the tariff hikes, the Copyright Board acknowledged that this particular category, karaoke bars, was subject to some "relatively large increases." It is not unreasonable for owners of establishments which are subject to large arbitrary increases to expect notification, other than just receiving a bill in the mail one day. This seems similar to the incident last year when dentists were unexpectedly told by SOCAN that they had to start paying fees to play CDs or radios in their offices.

Could the Leader of the Government in the Senate tell us what kind of notification was given to this particular industry of the March 24 increase?

Senator Austin: Honourable senators, these types of questions would usually be written questions. However, I will treat them as such and get an answer back to Senator Tkachuk.

Senator Tkachuk: I will ask one more. It seems a decision was made a short time before the election to court favour in the entertainment business.

Would the Leader of the Government inform the Senate when SOCAN asked the Copyright Board to increase the tariffs; and did SOCAN buy any tickets for Liberal fundraisers during 2003-04?

Senator Austin: Honourable senators, I will again make inquiries with respect to questions seeking factual answers.

FOREIGN AFFAIRS

FINANCIAL COMMITMENT TO GLOBAL FUND FOR HIV-AIDS— INVOLVEMENT OF LEAD SINGER OF ROCK GROUP U2

Hon. Jack Austin (Leader of the Government): While I am on my feet, I would inform Senator Tkachuk that I have made inquiries regarding whether expenses were paid by the government with respect to the visit of Bono. I would advise that Bono paid his own expenses.

HEALTH

REVIEW OF ANTI-INFLAMMATORY DRUGS

Hon. Wilbert J. Keon: My question is for the Leader of the Government in the Senate and is with regard to drug reviews.

Honourable senators, Health Canada has announced that it has requested worldwide data on two anti-inflammatory drugs, Celebrex and Movicox, in order to review their safety. These medications are in the same class of drugs as Vioxx, the arthritis drug that was subject to voluntary recall last month. Clinical trial data has shown that patients taking Vioxx have doubled their risk of strokes and heart attacks.

The European Medicines Agency has also recently stated that, as a precautionary measure, it will review all the newly available data on drugs in the same class as Vioxx.

Could the Leader of the Government in the Senate tell us whether Health Canada has a time frame to report to Canadians on the findings of its review? Will Health Canada extend its review to cover all drugs in the Cox-2 inhibitor class?

Hon. Jack Austin (Leader of the Government): Honourable senators, I will, of course, make inquiries and report back to Senator Keon.

Senator Keon: Honourable senators, I noticed that in the delayed answer the leader gave me on Vioxx he has answered the question, so I will leave it be.

JUSTICE

NATIONAL SECURITY—LISTING OF AL-TAWHID WAL JIHAD AS TERRORIST GROUP

Hon. J. Michael Forrestall: Honourable senators, I trust my question is not required to be posed in written form. This is the fourth time that I have raised this matter. Given the possible extremely serious outcome of events that may take place tomorrow and again on Thursday, my question is about the Al-Tawhid Wal Jihad that has been in operation since 2003, during which time they have reportedly killed more than 1,000 people.

Their leader, Abu Musab al-Zarqawi, has experimented, by all accounts, with both biological and chemical weapons. He also routinely beheads prisoners, as we have seen on tape, most recently a 24-year-old Japanese backpacker.

Would the Leader of the Government in the Senate tell us now whether or not the government has had an opportunity — and I am certain that it has — to review this matter and give serious consideration to the banning of this organization under Part II.1 of the Criminal Code of Canada?

Hon. Jack Austin (Leader of the Government): Honourable senators, I have the answer in the form of a delayed answer, but since Senator Forrestall has raised the matter again today, perhaps, if Senator Forrestall agrees, I could read the answer into the *Debates of the Senate*. He may have a supplementary question.

Senator Forrestall: That is fine. Thank you.

Senator Austin: The answer given is as follows: Since the tragic events of September 11, 2001, the Government of Canada has taken many decisive steps to address the global threat posed by terrorism and those who finance terrorist activity. These steps continue on a daily basis.

The listing of entities is but one of these efforts. Under the various listing mechanisms currently being used in Canada, a total of 483 entities are listed with orders to freeze any funds belonging to such entities. The three mechanisms are the United Nations Afghanistan Regulations, the United Nations Suppression of Terrorism Regulations and the Criminal Code.

On October 18, 2004 pursuant to United Nations resolution 1333, Canada listed Jama'at Al-Tawhid Wal Jihad, which I will refer to, with your permission, as JTJ, under United Nations' Suppression of Terrorism Regulations, and the appropriate freezing orders to all financial institutions were made on that day. This action can be found on the Web site of the Office of the Superintendent of Financial Institutions.

JTJ was first listed by the United Nations Security Council on October 18, 2004, pursuant to UN resolution 1333, for being associated with Osama bin Laden and his associates. Actions of this nature by the UN are automatically incorporated into Canadian law by virtue of Canada being a member state of the United Nations. Concerning the Criminal Code, there are currently 35 entities on the list, and the assessment process for other possible listings of those who support terrorism continues.

• (1500)

Listing under the Criminal Code has serious implications and is exercised with strict controls, based on clear and appropriate information gathered by security and law enforcement agencies. A listed entity's assets are frozen and can be the subject of seizure, restraint and forfeiture. As such, we must ensure that the decision to list an entity fully meets the stringent test established by Parliament through a process that is thorough and deliberate.

As a result of the amendments to the Criminal Code introduced by the Anti-terrorism Act in 2001, regardless of whether a terrorist group is listed or not, terrorist activities are defined in the Criminal Code and it is a crime to knowingly participate in or contribute to the activities of a terrorist group.

In addition, any indictable offence under any act of Parliament that is done —

Senator Stratton: Point of order.

The Hon. the Speaker: Honourable senators, a senator has risen on a point of order. However, we do not hear points of order until we come to Orders of the Day. I take note of Senator Stratton's request, and I will see him at the appropriate time.

Senator Austin: As I was saying, honourable senators, in addition, any indictable offence under any act of Parliament that is done for the benefit of, at the direction of, or in association with a terrorist group, carries a maximum sentence of life imprisonment. Furthermore, an offender convicted of any indictable offence that is also a terrorist activity would be liable to life imprisonment.

Honourable senators, I asked Senator Forrestall for his permission to read this answer into the record, and no objection was heard from anyone on the other side when he said yes.

Senator Forrestall: Honourable senators, I appreciate the government leader's reply, but, of course, that reply is a proper response to the first question I directed to him some two weeks ago.

In light of threats to behead a woman and several others not later than tomorrow or Thursday, has the government taken note of that and made any concrete effort to have Al-Tawhid Wal Jihad banned? I would remind the Leader of the Government in the Senate that by the simple initiative of changing their name to al Qaeda they evade some of the very points the minister has just made to us.

The United States has now moved to have the matter put back on the agenda of the Security Council of the United Nations. Would we not signify, in this small way, Canada's real concern about terrorism in the world and ban these two organizations from any activity whatsoever in this country and make illegal any association with them, not simply the contribution of funds?

Senator Austin: Honourable senators, I think my answer included the designation of the organization JTJ as a criminal organization.

Senator Forrestall: Honourable senators, I will not pursue it, but of course that pertains to events that happened some time ago, not to what is about to happen this week. Nothing happened up until now with this sense of urgency. Under the name of al-Qaeda, events are taking place that are very sad in a modern world. I wish the government would stand up for Canada and say that we have no room for this in our country.

Senator Austin: Honourable senators, the taking of hostages is an abominable act, one that, of course, Canada and any civilized person deploras. To the extent that Canada has any influence over that situation, we are, of course, there as part of the United Nations and its efforts.

PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

CANADA FIREARMS CENTRE— ANNUAL BUDGET 2005-06

Hon. Gerry St. Germain: Honourable senators, my question is for the Leader of the Government in the Senate. According to Deputy Prime Minister McLellan, the main goal of the Canada Firearms Centre is public safety. It would appear that no one has told the centre that, because next year the Canada Firearms Centre will spend zero dollars on gun safety education. At the same time, the centre will spend \$876,000 on salaries and communications and client services branch, and an additional \$1.9 million on travel, conferences, hospitality, professional services, and communications and client services branch. That is right — zero dollars for gun safety education and \$3 million for communications, conferences and hospitality.

Honourable senators, can the government leader tell us why it is cutting the education courses when the minister herself stated that the main goal of the whole program is public safety?

Hon. Jack Austin (Leader of the Government): Honourable senators, I, too, saw that news story and I have already initiated inquiries.

Senator St. Germain: Honourable senators, apparently the Canada Firearms Centre has transferred its safety education responsibility to the licensing directorate. In that directorate, only

one person is assigned to safety provisions, and the job of that person is to liaise between the Canada Firearms Centre and the groups that provide gun safety courses for licensing. Where is the public safety that the centre is supposed to be providing? If it is not providing public safety, its main goal, why is it continuing to exist at a cost of close to \$120 million to Canadian taxpayers this year?

Senator Austin: Honourable senators, I can only treat that as a supplementary to the first question and answer it as part of the same inquiry.

FIREARMS REGISTRATION PROGRAM— NET COST OF PROGRAM—DISCREPANCY IN FIGURES ANNOUNCED BY MINISTER

Hon. Gerry St. Germain: Honourable senators, a few days ago, I asked the Leader of the Government in the Senate the reason for the discrepancy in the figures stated by the current Deputy Prime Minister. Before the election, she said that the cost would be around \$25 million, yet the actual cost of running the centre will be \$120 million. The Leader of the Government in the Senate has still not responded to that. Does he have a response to that question that I asked about a week and a half ago?

Hon. Jack Austin (Leader of the Government): Honourable senators, of course, and I thank the honourable senator for coming back to that question.

I believe that the question, as originally put, combined various aspects of the firearms program. Minister McLellan has made clear in her statements that the registry cost for this year will be \$33 million and that the whole program with respect to gun control will come in at about \$100 million. Next year, the operation of the firearms registry will come in at under \$25 million, and we expect the total cost will be reduced to \$85 million.

NATIONAL FINANCE

FIREARMS REGISTRATION PROGRAM— NET COST OF PROGRAM—POSSIBLE CHANGE BY COMMITTEE TO ANNUAL BUDGET

Hon. Noël A. Kinsella (Leader of the Opposition): Honourable senators, I wonder whether the Leader of the Government in the Senate would lend his support and garner that of his colleagues to a specific examination by the Senate's National Finance Committee of the items that have been raised by Senator St. Germain. Would the government leader support a decision of the National Finance Committee to change that budget, so that all the money is not being spent on travel and communications and some money will be spent on public education? Would he support that decision by the National Finance Committee of the Senate?

Hon. Jack Austin (Leader of the Government): Honourable senators, before answering Senator Kinsella I need to know a good deal more about the answers to the questions Senator St. Germain has asked, as reported in the media.

Senator Kinsella: Would the honourable leader agree with me that our Standing Senate Committee on National Finance should look into this?

Senator Austin: I will agree that they have the power and authority to look into it.

• (1510)

FINANCE

EQUALIZATION PROGRAM— OFFSHORE OIL RESOURCES—NEGOTIATIONS WITH NEWFOUNDLAND AND LABRADOR

Hon. Lowell Murray: Honourable senators, I should like to return to the question of the federal proposal to Newfoundland and Labrador regarding the revenues from offshore resources.

The proposal made by Mr. Goodale, the Minister of Finance, is subject to the provision that none of the additional payments would result in the fiscal capacity of Newfoundland and Labrador exceeding that of the Province of Ontario in any given year. Superficially that may look and sound like a reasonable proposition, but then ask yourselves, how is the fiscal capacity of Newfoundland and Labrador to be measured?

In the same letter from Mr. Goodale to Premier Williams, we find that the fiscal capacity of Newfoundland and Labrador is to be defined, first, from annual own-source revenues of the province as calculated under the equalization program prior to the application of the generic solution; second, payments received under the equalization program are to be defined as part of Newfoundland and Labrador's fiscal capacity; and, third, payments received under both the existing Canada-Newfoundland Atlantic Accord and the additional payments in respect of offshore revenues provided for under the approach outlined in this letter. All of this is to define the fiscal capacity of Newfoundland and Labrador.

What possible justification is there for throwing everything but the kitchen sink into the definition of Newfoundland and Labrador's fiscal capacity in such a way as to assure that Newfoundland and Labrador ostensibly will arrive at and surpass Ontario's fiscal capacity in the shortest possible time? This is not the way fiscal capacity of provinces is defined. The honourable minister knows that it is a representative tax system. They are really stacking the deck against Newfoundland and Labrador with this definition of fiscal capacity.

My honourable friend Senator Moore says, "And therefore Nova Scotia," and I thank him for that interjection.

The minister may not want to extemporize on this question at the moment, but I would ask him, as soon as he possibly can, to bring in a reasoned, written defence of this proposition from the Department of Finance so that we may understand what it is they are trying to do.

Hon. Jack Austin (Leader of the Government): I thank the Honourable Senator Murray for his comments, his representations and his suggestion. It is an extremely

complicated discussion, as the preamble to the question has outlined. The very issues my honourable friend is raising in the Senate are subject to discussions that are continuing at this moment. As senators recognize, there is not much merit in our engaging in this discussion at this very moment, but I do undertake to provide a fulsome response to the issues when the Minister of Finance is able to draw my attention to the various questions that are now under negotiation.

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, I have the honour to present four delayed answers to oral questions posed in the Senate, including an answer to questions of Senator Oliver on October 27, 2004, concerning the Auditor General, transfer of advance funds to foundations, accountability to Parliament; the answer to Senator Forrestall's question already read into the record; a delayed response to questions raised in the Senate on October 7 by Senator Keon, regarding British Columbia, outbreak of avian flu; and a fourth delayed answer to questions raised by Senator Keon on October 6, to which he has already alluded, regarding recall of the clinical drug Vioxx.

TREASURY BOARD

AUDITOR GENERAL— TRANSFER OF ADVANCE FUNDS TO FOUNDATIONS— ACCOUNTABILITY TO PARLIAMENT

(Response to question raised by Hon. Donald H. Oliver on October 27, 2004)

The Government is not ignoring the concerns expressed by the Auditor General. The Government takes her concerns seriously and has taken a number of measures to help address them.

Budget 2003 and Budget 2004 outlined the principles under which the Government would consider using foundations including that they would: focus on a specific area of public policy; harness the insight and decision-making ability of independent boards of directors; make decisions using expert peer review; be provided guaranteed funding that goes beyond annual appropriations to provide them financial stability essential for medium and long-term planning; and, have the opportunity to lever funds for other governments and the private sector. Many of these foundations operate in the areas of innovation, research, and federal/provincial/territorial initiatives in health and education where strategic investments are necessary.

In addition, the 2003 and 2004 budgets outlined measures that included strengthened funding agreements for these grants that require: plans, both compliance and financial statement audits, independent evaluations, prudent investment strategies, and better default provisions to enable the recovery of unspent federal assistance should things go wrong. These commitments were on a go forward basis but the Government also undertook to approach existing foundations with a view to incorporating these provisions in their funding agreements.

Legislatively created foundations, whose governance and accountability requirements are included in legislation, are required to table their annual reports in Parliament. In addition, Ministers are required to include in their Annual Reports on Plans and Priorities as well as their Departmental Performance Reports the significant plans and results of foundations. As such, Ministers are accountable to ensure these arrangements are managed in accordance with the terms and conditions approved by Treasury Board and to report to Parliament.

It should be noted that members of a number of the foundations have appeared before parliamentary committees over the last few years.

In her Observations on the financial statements of the Government included in Public Accounts 2004, the Auditor General noted that she planned to examine and report on the accountability regime for foundations. She also noted that she was encouraged by the Budget commitments and that she was reviewing the accounting treatment with the Government based on a new accounting standard of the Canadian Institute of Chartered Accountants - Public Sector Accounting Board.

The Auditor General has not yet commented on the extent to which the Budget commitments have been implemented in existing funding agreements. On this point, over the last couple of years, the Government was successful in strengthening the majority of these agreements. The President of the Treasury Board reported a summary of the progress to the Public Accounts Committee. The current President of the Treasury Board intends to provide an update this year and will be pleased to provide a copy to the Senate as well.

The accountability, auditing and accounting arrangements are very similar to what exists for other not-for-profit organizations that receive federal transfer payments. The biggest difference in these arrangements is that the strategic funding is provided upfront. As noted in Budget 2003, compliance audits can be undertaken by the government's internal auditors, external auditors or, at the discretion of the Minister, the Auditor General.

We will continue to actively review with the Auditor General further measures we can take to address her concerns, while at the same time respecting the independent nature of these not-for profit organizations.

HEALTH

BRITISH COLUMBIA—OUTBREAK OF AVIAN FLU— RESPONSE PROCEDURES—REQUEST FOR INQUIRY

(Response to question raised by Hon. Wilbert J. Keon on October 7, 2004)

The avian influenza outbreak in British Columbia was a significant event from both the animal and human perspectives and with continuing issues involving poultry

and potential pandemic strain viruses in Asia, there was a need to capture any lessons learned from our recent Canadian experience as soon as possible.

The Public Health Agency of Canada (PHAC)/Health Canada is currently conducting an internal review of their response during the avian influenza outbreak in BC. There are also on-going collaborations between PHAC/Health Canada and the Canadian Food Inspection Agency (CFIA) in reviewing the animal and human health aspects to the outbreak response.

On September 23-24, the CFIA and Health Canada co-hosted a meeting in Burnaby, B.C. where participants from the various organizations/agencies and various levels of government (federal, provincial, regional, local) involved in both the animal and the human health response shared their perceptions of what worked well and what required improvement. A number of recommendations were made on different aspects of the management of the outbreaks such as leadership, intelligence and information management, processes and protocols, communications and linkages, and capacity. Each participating organization/agency is now looking at ways to implement these recommendations within their own structure.

The PHAC will also be participating in the Industry/CFIA/the BC Ministry of Agriculture Food and Fisheries (BCMAFF) meeting that will be held October 27-28 in Vancouver. Discussions will include looking at ways to improve the sharing of information across the human and animal health interface and ways to enhance existing collaborations during emerging zoonotic disease outbreaks.

RECALL OF CLINICAL DRUG VIOXX

(Response to question raised by Hon. Wilbert J. Keon on October 6, 2004)

RESPONSE (part 1)

Health Canada is aware of long-standing concerns over the cardiovascular safety of Vioxx and other drugs in the same class. Past studies have not supported a clear conclusion or scientific consensus on this issue.

According to Merck Frosst Canada & Co. their recent clinical trial, directly examining the long-term cardiovascular impact of Vioxx compared to placebo, provides cause for the withdrawal of Vioxx. The trial data have not yet been made available to Health Canada.

Health Canada continues to closely monitor other COX-2 non-steroidal anti-inflammatory drugs for similar side effects, and is requesting a further update on cardiovascular safety information from the manufacturers.

Health Canada is committed to working with stakeholders, including industry, to move towards greater clinical trial disclosure while respecting privacy and commercial confidentiality concerns.

RESPONSE (part 2)

At present, Health Canada is reviewing the issues associated with public disclosure of clinical trial information and results. This includes conducting international comparisons of what other regulatory authorities and health research funding agencies are doing, as well as policy and legal analysis of trade obligations. To date, no regulatory authorities internationally compel and enforce clinical trial sponsors to disclose information and results.

The department is also assessing what international organizations are doing in terms of standards for registries of clinical trial information, including the International Committee of Medical Journal Editors and the World Health Organization, and voluntary action by industry, industry associations, health research funding agencies and research institutions, and others.

Health Canada is also engaging stakeholders on this issue, including industry and industry associations, patient groups, health care providers and research institutions. This work is being conducted in cooperation with the Canadian Institutes of Health Research, Department of Justice, Industry Canada and other government departments.

Except for legitimate and compelling reasons of privacy or business confidentiality, Health Canada supports increased disclosure.

BUSINESS OF THE SENATE

The Hon. the Speaker: Before proceeding with the Orders of the Day, does Senator Stratton wish to raise a point of order?

Hon. Terry Stratton (Deputy Leader of the Opposition): Honourable senators, I would like to withdraw my objection and simply say it is a sad commentary on Question Period that we have been reduced to obfuscation and bureaucratese.

[Translation]

ORDERS OF THE DAY**TAX CONVENTIONS IMPLEMENTATION BILL, 2004****SECOND READING—DEBATE ADJOURNED**

Hon. Mac Harb moved the second reading of Bill S-17, to implement an agreement, conventions and protocols concluded between Canada and Gabon, Ireland, Armenia, Oman and Azerbaijan for the avoidance of double taxation and the prevention of fiscal evasion.

He said: Honourable senators, I welcome this opportunity today to speak at second reading stage of Bill S-17, to implement certain tax conventions.

This bill provides for the implementation of four new tax conventions Canada recently signed with Gabon, Armenia, the Sultanate of Oman and Azerbaijan. It also provides for the implementation of a new tax convention with Ireland designed to replace a convention that is still in effect.

Honourable senators, the tax conventions in this bill have two main objectives: first, to avoid double taxation and, second, to prevent income tax evasion. I will get into the details of how important these objectives are. Before discussing the particulars of the bill, allow me to emphasize a few general points about the nature of tax conventions.

First, honourable senators, I want to point out that Bill S-17 is routine legislation. Like their predecessors, the tax conventions in this bill draw heavily from the OECD Model Tax Convention, which is accepted by most countries around the world. The provisions of these specific conventions fully comply with the applicable international standards. Let us now place this bill in perspective.

[English]

In 1971, the Government of Canada undertook a thorough review and overhaul of Canada's tax system, which involved, among other initiatives, the expansion of our network of tax treaties with other countries — a goal the government has worked hard to achieve, and with a great deal of success, I might add.

At present, Canada has tax treaties in place with 83 countries, a number that will increase to 87 when the treaties in this bill come into force. Bill S-17 is the twenty-sixth tax treaty bill to be introduced in Parliament since 1976. In the past three years alone, Canada has signed treaties or amending protocols with an additional 14 countries.

Honourable senators, the government undertook this review because tax treaties are crucial in supporting two mutually reinforcing pillars of government policy: tax fairness and the promotion of trade and investment. I say that these are mutually reinforcing goals because a fair tax system reinforces our social foundations and in doing so allows Canadians to more fully participate in building a competitive and dynamic 21st century economy. At the same time, the promotion of trade and investment fuels the economic growth that allows us to strengthen our economic infrastructure and meet our social justice objectives.

The government's approach to tax reform has been anchored in the fiscal discipline that is the basis for so much of Canada's success over the past decade. As noted in the recent Speech from the Throne, a virtuous circle, driven by responsible financial management, has led to increased confidence in the Canadian economy, lower interest rates and the robust growth of well-paying jobs and economic output. These fundamental improvements have led to an increase in revenues and the recovery of our fiscal sovereignty, which in turn have permitted the Government of Canada to reduce and improve the fairness of taxes and make new social and economic investments that contribute to improving the quality of life of all Canadians.

• (1520)

While broad-based tax relief focused first on those who need it most, specifically low- and middle-income families with children, the government also took actions on the tax front that reinforce and complete the virtuous circle by establishing the conditions necessary for economic growth and job creation. Specifically, these tax reforms were geared toward improving incentives to work, save and invest; supporting entrepreneurship and small business; and fostering the creation and expansion of dynamic firms that can take on the world.

Honourable senators, tax treaties are an important part of this overall approach to improve the tax system and are an integral element in the balanced mix of initiatives the government has introduced to improve the standard of living of Canadians. That is because they directly affect the international trade in goods and services and therefore directly impact on Canada's domestic economic performance. Their impact is significant. Over 40 per cent of Canada's annual gross domestic product can be attributed to exports. Moreover, Canada's economic wealth each year depends on foreign direct investment, as well as inflows of information, capital, technology, royalties, dividends and interest.

The tax treaties contained in Bill S-17 will benefit Canadian businesses and individuals with operations and investments in the five countries covered by this proposed legislation. First, taxpayers will know that a treaty rate of taxation cannot be increased without substantial advance notice. Second, the mere existence of these treaties will foster an atmosphere of certainty and stability for investors and traders that will only enhance Canada's economic relationship with each country. Third, annoyance and complexity in the operation of the tax system will be reduced because the need to pay tax on certain business profit, where there is no substantial presence in the other countries, will be eliminated and a mechanism to settle problems encountered by taxpayers will be provided. Fourth, reducing the burden of this administrative compliance will encourage more international economic activity, which will have a favourable effect on the Canadian economy.

The new treaties will therefore provide individuals and businesses in Canada and in other signatory countries with more predictable and equitable tax results in their cross-border dealings. By eliminating tax impediments and by creating more predictable tax results for traders, investors and other taxpayers with foreign source income, our tax treaties will promote opportunities in international trade and investment at home and abroad.

Since Canada's economy is likely to become more intertwined in the world economy, eliminating administrative difficulties and unnecessary tax impediments with respect to cross-border dealings will remain an important priority of government.

I would like to return to the issue of tax fairness, and in doing so, I am returning to the primary objective of international tax treaties and conventions. I trust honourable senators would agree

in the name of fairness that no Canadians should ever find themselves subject to double taxation. I will similarly assume that honourable senators would find it unfair for those who owe taxes to not pay any taxes at all. As their full titles imply, this is exactly what tax treaties work to eliminate.

I will explain what I mean by double taxation. International double taxation arises as the result of the imposition of comparable taxes in two or more states, on the same taxable income, in the hands of the same person and for the same period of time. This overlap between taxation by the country where the income arises and taxation by the country where the taxpayer resides can have obvious adverse and unfair consequences to taxpayers. Tax treaties, such as those included in Bill S-17, prevent double taxation by establishing rules for clearly demarcating taxation jurisdictions according to the taxpayer's country of residence and the country where the income arises.

Honourable senators, the prevention of double taxation is so integral to the advancement of a fair and efficient economy that it deserves to be discussed in detail. Having income taxed twice when the taxpayer lives in one country and earns income in another country can be troubling unless relief from double taxation is offered by one country or the other. As I mentioned earlier, without a tax treaty, both countries can claim taxes on income without providing the taxpayer with any measure of relief for the tax paid in the other country.

To alleviate the potential for this happening, a tax treaty between two countries allocates taxing authority with respect to a given item of income in one of three ways. First, the income may be taxable exclusively in the country where the income was generated; second, it may be taxable only in the country where the taxpayer resides; or third, it may be taxable by both the source country and the residence country, with relief from double taxation provided in some form. The treaties contained in this bill confer an exclusive right to tax with respect to a number of items. The treaty partner is thereby prevented from taxing those items and double taxation is avoided.

Administratively, when a country is granted the exclusive right to tax in accordance with its treaty privileges, the burden associated with filing tax returns in the jurisdiction of other treaty signatories is greatly reduced. For example, if a Canadian resident employed by a Canadian company is sent on a short-term assignment — say for three months — to any one of the five treaty countries proposed in Bill S-17, Canada has the exclusive right to tax that person's employment income. However, in the case of most items of income and capital, the right to tax is shared; although for certain kinds of income, such as dividends and interest, the amount of tax that may be imposed in the source state is limited.

Under any of the five tax treaties contained in the bill, where a shared right to tax an item of income of a taxpayer exists, there also exists an obligation on the part of the country in which the taxpayer is a resident to eliminate any double taxation.

Another method of reducing the potential for double taxation involves the reduction of withholding taxes. Withholding taxes are levied by countries on certain kinds of income paid to non-residents. Without a tax treaty or other legislated exemption, Canada taxes various categories of income paid to non-residents at the rate of 25 per cent. Most of Canada's trading partners impose a similar level of withholding tax.

Moreover, because the withholding tax does not provide for the deductibility of expenses incurred in generating the income, this tax is imposed on a gross, rather than on a net, amount. Thus, the taxpayer will be subject to an effective rate of tax that is significantly higher than the tax rate that would be applicable to net income in either the source or resident country.

To remedy this, Canada's network of tax treaties provides for several reciprocal withholding tax rate reductions that more accurately reflect the actual level of taxes owed. Normally, under treaty, the country where the income is generated can withhold tax, usually at the rate of 5, 10 or 15 per cent on dividend income, depending on the circumstances, and 10 per cent on interest and royalty income. In some instances, royalties on copyrights, computer software, patents and know-how are exempt at source.

Honourable senators, overtaxation is clearly unfair and economically damaging, but tax evasion and avoidance are also unfair and economically damaging. The loss of revenue resulting from tax avoidance and evasion has the potential to adversely affect the efforts of governments in reaching important policy objectives and to place a disproportionate share of the tax burden on honest taxpayers.

• (1530)

This government recognizes that the best defence against international tax avoidance and evasion is through improved and expanded mechanisms for international cooperation and information sharing. Double taxation treaties like the one in Bill S-17 permit the exchange of information between revenue authorities and, in so doing, help them identify cases of malfeasance and act on them. Honourable senators, these treaties represent the foundation upon which international efforts to combat tax avoidance and evasion are built.

[Translation]

In conclusion, honourable senators, it is important to point out that the conventions in Bill S-17 also address significant dangers, particularly those relating to capital gains, non-discrimination on the basis of taxpayer's nationality, and allowances and pensions to non-residents. Although time does not allow me to address those provisions in any detail, clearly Bill S-17 does not stir up any great controversy. In fact, this is a necessary bill.

Bill S-17 contains neither surprises nor contentious issues. Its advantages are obvious. The conventions it refers to will provide fair solutions to various taxation problems that exist between Canada and these five countries. These conventions will guarantee Canada's position in the increasingly competitive circle of international investment and trade, while ensuring that Canada's fiscal policy remains uniform internationally and that Canadians do not get hit by double taxation.

Honourable senators, for these reasons, I propose that we pass this bill with no further ado.

On motion of Senator LeBreton, for Senator Lynch-Staunton, debate adjourned.

[English]

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY AS AMENDED ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Munson, seconded by the Honourable Senator Chaput, for an Address to Her Excellency the Governor General in reply to her Speech from the Throne at the Opening of the First Session of the Thirty-eighth Parliament,

And on the motion in amendment of the Honourable Senator Kinsella, seconded by the Honourable Senator Stratton, that the following be added to the Address:

“and we urge Your Excellency's advisors, when implementing the details of their proposals, to review the Employment Insurance program to ensure that it remains well-suited to the needs of Canada's workforce, to reduce and improve the fairness of taxes, to be unwavering in the application of fiscal discipline, to examine the need and options for reform of our democratic institutions, including electoral reform, and to rise above partisanship to address the public interest;

That Your Excellency's advisors consider the advisability of the following:

1. an Order of Reference to the appropriate committee of each House of Parliament instructing the committee to recommend measures that would ensure that all future uses of the employment insurance program would only be for the benefit of workers and not for any other purpose;

2. opportunities to further reduce the tax burden on low and modest income families consistent with the government's overall commitment to balanced budgets and sound fiscal management;

3. an Order of Reference to the appropriate committee of each House of Parliament instructing the committee to make recommendations relating to the provisions of independent fiscal forecasting advice for parliamentarians including the consideration of the recommendations of the external expert;

4. an Order of Reference to the appropriate committee of each House of Parliament instructing the committee to recommend a process that engages citizens and parliamentarians in an examination of our electoral system with a review of all options;

5. with respect to an agreement on ballistic missile defence, the assurance that Parliament will have an opportunity to consider all public information pertaining to the agreement and to vote prior to a government decision;

And we ask Your Excellency's advisors to ensure that all measures brought forward to implement the Speech from the Throne, including those referred to above, fully respect the provinces' areas of jurisdiction and that the financial pressures some call the fiscal imbalance be alleviated."—(8th day of resuming debate)

Hon. Jack Austin (Leader of the Government): Honourable senators, the debate on the motion for an address to Her Excellency the Governor General in the debate on the reply to her Speech from the Throne is one of the most valuable to senators as the subject matter of the debate is not limited. Senators can express their views on a range of topics from philosophy to issues in our communities.

I plan to take full advantage of this freedom to address a number of topics I believe to be of importance to Canadians, and to me as a member of this chamber.

To begin with, however, I want to follow long custom by offering my congratulations to the Speaker of the Senate on his continuance in his high office. He has discharged his responsibilities with balance and fairness and holds the esteem of the Senate.

To the mover of the Address in reply motion, Senator Munson, and to the seconder, Senator Chaput, I express thanks and congratulations. In your short time in the Senate, you both have distinguished yourselves as ardent on behalf of your communities, and as leaders in representing them.

To the new Leader of the Official Opposition, Senator Kinsella, I offer congratulations and good wishes as he undertakes one of the most senior roles in Parliament. Senator Kinsella is an experienced public servant and parliamentarian. He is also an educator, academic and scholar. We on the government side look forward to his continued cooperation in building the capacity and credibility of the Senate as a parliamentary institution.

We also recognize there may, at times, be a diminishment in cooperation when partisan considerations intrude. Such was certainly the case with respect to Senator Stratton's inaccurate and unfair comment at the end of Question Period today.

Senator Lynch-Staunton is owed a debt of gratitude by this chamber for his years of dedicated service to Canada, to the Senate and Parliament, and to the democratic political party

system. Senator Lynch-Staunton was summoned to the Senate on September 23, 1990. He served as Deputy Leader of the Government from September 1991 to October 1993, and as Leader of the Opposition for virtually 11 years, October 1993 to the end of September 2004. Senator Lynch-Staunton is the grandson of Senator George Lynch-Staunton, who served in the Senate as a Conservative until 1940. Senator John Lynch-Staunton has been dedicated to making the work of Parliament more relevant, effective and better known by the Canadian public. He has strongly advanced the institutional role of the Senate in our bicameral system and, on behalf of the government side, I wish to thank him for his service.

The Speech from the Throne shows the way ahead for Canadians. It is a direction Canadians, by their choices in the June 28 election just past, have themselves decided to take. Canadians want government and Parliament to deal with too-long-postponed issues in the social agenda of Canada.

The long and difficult years of mounting deficits, greater debt, job loss and per capita earning decline were tackled by the Chrétien government and by the then finance minister, now Prime Minister Paul Martin. The result today is a growing economy across Canada, seven budgetary surpluses in a row, a diminished debt-to-GDP ratio, substantial job growth, and a more innovative and productive society. Canadians paid a severe price in getting our fiscal affairs in order and they now deserve to reap the benefits.

The Speech from the Throne makes clear the decision of Canadians to maintain their fiscal prudence. Canadians do not want to finance their prosperity on the backs of future generations by going further into debt. On the basis of a balanced and growing national economy, Canadians want to tackle growing social issues, the solution to which will assure a healthy, educated and productive society.

The Liberal government of Prime Minister Paul Martin made clear its priorities throughout the election. They were: a growing economy without accumulating national debt; improvements to the national health care system, including the reduction of waiting times; a new child care package that would reach to pre-school early learning and support of children's educational and human needs throughout childhood — and we need to pay careful attention to the recent OECD comments on the deficiencies in the quality of education and care for children in Canada; a new deal for the cities and municipalities of Canada whose infrastructure and sustainable development have been retarded by the lack of necessary funds; a fresh start for the government and the Aboriginal nations of Canada, beginning with a commitment to a partnership in dialogue and focused on mutual development of health care, education and housing policies as well as financial, commercial and governance capacity building; and a new look at Canada in the global community. Where are our interests and what is our most effective role in international relations, defence policy and development strategies? How should we shape our relations with the United States, with Europe, Japan, China, India, Brazil, Russia and other nations? How can we best support the United Nations and assist in directing it to a more effective role in global affairs?

Honourable senators, these are but a few of the many issues that present themselves for attention. No Speech from the Throne can or should be a checklist of issues. However, we do expect from the Speech from the Throne the themes and directions of an evolving agenda for Canadians.

In the minority government situation in the other place, it is not the government alone that sets the agenda for Parliament. We have seen negotiations among the political parties in the House of Commons that have led them to amend wording in the Address in reply to the Speech from the Throne. The changes were agreed to unanimously by all members of the other place.

Senator Kinsella, on October 19, introduced the same amendments in the Senate and asks us to concur in the actions of the House of Commons so as to present to the Governor General a uniform parliamentary response.

Let us examine the proposed amendments. Do they contradict or carry us away from the themes and commitments in the Speech from the Throne? I think not.

The proposed amendments contain the following key points: a review of the Employment Insurance program to ensure that it remains well-suited to the needs of Canada's workforce; to review measures to reduce and improve tax fairness; to be unwavering in the application of fiscal discipline; to examine the needs and options for reform of our democratic institutions, including electoral reform; to rise above partisanship to address the public interest; an assurance that Parliament will have the opportunity to consider all public information pertaining to an agreement on ballistic missile defence and to have an opportunity to vote prior to a government decision; an assurance that measures brought forward to Parliament fully respect the provinces' areas of jurisdiction and that the financial pressures some call the fiscal imbalance be alleviated; and recommendations relating to the provision of independent fiscal forecasting for parliamentarians.

• (1540)

In my view, and in that of the government, these are constructive suggestions that do not derogate from the program of the government, but in some cases supplement that program and in others add to the program. Should this motion in amendment pass, the Senate will take constructive steps to analyze and better define these measures and others contained in the Speech from the Throne to better advise Her Excellency's advisers, to borrow the language of the motion in amendment.

I have no difficulty whatever in supporting the motion in amendment proposed by Senator Kinsella, seconded by Senator Stratton, and I encourage all honourable senators to do the same.

It is beyond the bounds of practicality to comment on all the many facets of the Speech from the Throne and its comprehensive program to advance Canadian society and the economy. There are, however, some features I want to comment on and with which I have had a particular association over many years past.

Forty-one years ago, I became Executive Assistant to the Minister of Northern Affairs and National Resources, the Honourable Arthur Laing, later Senator Arthur Laing. That was my introduction to the life on the margins of Canadian society that was the reality for most Aboriginal peoples in Canada. Huge changes have taken place since then in the identity and mutual acceptance of Aboriginal and non-Aboriginal Canadians. It has not been easy and it has not been enough. The physical and health circumstances of the Aboriginal peoples is far better but still not at acceptable standards. The social and cultural conflicts of this generation in adapting to urban life have been costly to Aboriginal citizens and their families.

The throne speech commits this government to renewed efforts to share Canada's prosperity with the Aboriginal people. This government said in the Speech from the Throne in February 2004, beginning the final session of the Thirty-seventh Parliament:

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

We also said that our objective was:

To see Aboriginal Canadians participating fully in national life, on the basis of historic rights and agreements — with greater economic self-reliance, a better quality of life.

Only a few months after this government took office, the Prime Minister and more than half the cabinet met in Ottawa on April 19, 2004, in a round table discussion with national and regional Aboriginal leaders. Many senators and members of the other House attended as discussion participants. By agreement with Aboriginal leaders, several areas were identified as critical to policy and program development. These were: health, education, skills development and training, economic opportunities, housing, achieving results, being accountable and negotiations. Since then, sectoral meetings have been held on education, on skills training and on health.

A sectoral meeting on negotiations will be held in January to examine and develop a framework for addressing Aboriginal and treaty rights consistent with section 35 of the Constitution Act, 1982. Critical to the success of this project is an agreement on the reconciliation of Aboriginal and treaty rights with the sovereignty of the Crown and the rights of other Canadians. That this dialogue is taking place in a renewed atmosphere of trust is a major advance on the past experience of both the Aboriginal and non-Aboriginal communities.

Another sectoral session will take place in January 2005 on accountability. At the round table meeting in April 2004, it was agreed to work together to develop an Aboriginal report card. This will involve an agreed-upon set of outcomes which, over time, would be publicly reported. It will focus both on the federal government's accountability to the Aboriginal communities as well as the Aboriginal leaders' accountability to their own communities and to the Canadian public.

In February 2004, the Speech from the Throne committed the government to work with First Nations to establish an independent centre for First Nations government. The centre is planned to promote dialogue that will lead to the design by First Nations of modern approaches to public government. Through study of methods of governance, the First Nations will develop suitable and practical steps to implement their inherent right to self-government. Funding has been provided to establish and operate this centre.

As is well known, the government has established the Cabinet Committee on Aboriginal Affairs chaired by the Prime Minister. I am pleased to be a member. The purpose of the cabinet committee staffed by the Privy Council Office is to keep a constant focus by the government on the issues and on the implementation of the government's commitments.

The challenges facing Aboriginal Canadians are great, but they are not their challenges alone. They are the challenges of all Canadians. Without addressing the needs of Aboriginal Canadians, we will have failed to ensure that an important part of the Canadian community enjoys the quality of life we want for all of us.

Frankly, I believe the Senate of Canada is well equipped to address these and other issues relating to Aboriginal society. I expect we will become fully engaged in advancing the well-being of the Aboriginal peoples.

My own province of British Columbia now has more than 4 million inhabitants. *The Vancouver Sun*, in a feature story by Douglas Todd in the Saturday, October 4, 2004 edition, reported on a four-day brainstorming session by a diverse group of British Columbians focused on our future opportunities, challenges and directions. The question under consideration was: What should British Columbia look like 30 years from now?

There were no surprises in the wish list: the need for a resilient economy; the need to invest strategically for long-term wealth; a protected national environment; and fair distribution of both public and private growth. They also talked about the importance of architecture and urban design in liveable spaces and in transportation. They talked about a shared culture, special to the people of the province and even examined the mythologies that lie beneath our conscious nature. Clearly, we British Columbians have a deep commitment to our space and place.

Our B.C. society is a work in process. It is an amalgam of diverse Aboriginal peoples, diverse European peoples and diverse Asian peoples. B.C. is a place of convergence, and who knows where that will lead us.

The chief concern of the dialogue group was that the B.C. economy was still too centred on resource exploitation and needed to be much more based on the knowledge economy. For that to be realized, education was the top priority. British Columbia must be a place of educational excellence from pre-school to post-doctoral research. It must be a place for bold thinking and outreach into the world, and it must remain a beautiful home.

[Senator Austin]

In the 1990s, British Columbia experienced a serious retraction in economic growth, resulting in have-not status under the federal equalization formula. In part, this was due to our reliance on the natural resource economy, which experienced a severe and prolonged low in the commodity cycle. Between 1997 and 2002, annual average personal disposable income was \$17,725. This was below the national average of \$18,611 and well below the Alberta average of \$20,866. The Alberta figure is always significant, as so many British Columbians are aware of the performance of our neighbouring province and judge our own progress by Alberta's standards. However, I am pleased to state that with the revival of the commodity cycle and other factors, the British Columbia economy is moving up. GDP growth for 2004 is projected at 3 per cent and forecast to grow in 2005 at 3.5 per cent. Confidence in the B.C. economy is now at its highest level in six years.

Our top industry is forestry, which provides 25 per cent of the provincial GDP and economic activity. Forestry also comprises half of all B.C. exports and generates over \$1 billion in provincial government revenue. Six hundred mills in 150 communities across B.C. provide 250,000 jobs. The United States market takes 65 per cent of B.C.'s lumber production and Japan buys an additional 15 per cent. It is for this reason that the softwood lumber dispute with the United States is of such importance to British Columbia.

Given the dependence of the British Columbia economy on the United States market, the long dispute with the lumber industry in the United States over their trade protectionism and claims of harm to their industry goes on and on and continues to damage B.C. interests and Canada-United States trade relations. The present trade dispute reaches back to 1983 and has been almost continuous in harassing the Canadian lumber industry, of which B.C. is the largest producer, manufacturing 50 per cent of lumber exports to the United States.

• (1550)

Canadians were naïve, perhaps, in believing that the free trade agreement of 1988 or the North American Free Trade Agreement of 1994 would assure free trade in lumber to the United States, whose domestic trade laws are calculated to provide trade barriers at every step. The United States lumber industry has as its goal a managed trade system in which U.S. production has the primary supply role and Canadian production supplies the deficiencies. They would like to continue the quota arrangement of a past agreement and ignore their trade obligations under the WTO and NAFTA.

In the present situation, Canada has won all of the major arguments under both WTO and NAFTA. No major threat of injury to the U.S. lumber producers has been found, and Canadians are entitled to total relief from countervail and dumping duties. Some \$3.6 billion in duties have been paid to the United States customs authorities that should be refunded to Canada, but the United States authorities continue to use illegal

arguments to block payment, claiming wrongly that there can only be prospective relief and not retroactive relief. In addition, a U.S. domestic law called the Byrd Amendment, found to be contrary to WTO trade law, authorizes the distribution of those funds to the U.S. lumber industry.

All of this is in the face of a NAFTA panel composed of three Americans and two Canadians that concluded in late August that the combined U.S. duty of 27.2 per cent on Canadian lumber violates U.S. law because there is no proof of harm. The U.S. Department of Commerce has started yet another procedure, called an extraordinary challenge, to delay and, if possible, overturn the decision. The present litigation has cost the Canadian industry over \$250 million in legal and other fees.

A famous U.S. Congressman, Tip O'Neill, once said that in the United States all politics is local. The Congress has the cards in international trade issues but governs its decisions not on law or greater U.S. trade interests but on local politics. Thus, a group of U.S. senators has clearly allied itself with their lumber industry, no matter what, to ignore NAFTA and WTO rulings altogether.

In the early 20th century, Canada and the United States had many differences over boundary waters. The United States took a position of entitlement with which Canada had reluctantly to agree. Sir Wilfrid Laurier, in 1909, speaking in Parliament about the Boundary Waters Treaty of that year, made clear Canada's reluctant agreement but said that Canada would demand the same rights of action as conceded to the United States. Perhaps that should be the guiding principle in the development of Canada's interests in the North American economy. Politics in Canada can be local too.

Turning even farther south, our relationship with Mexico has more importance to Canadians than most of us realize. This year marks the sixtieth anniversary of our exchange of diplomatic recognition. The first Canadian Ambassador to Mexico was Hugh Keenleyside, an eminent Canadian diplomat and British Columbian.

This is also the tenth anniversary of NAFTA. We should note that the North American Free Trade Agreement has created the world's largest free trade area, which today represents about one third of the world's total GDP at about US \$11 trillion. By comparison, the European Union, after adding all its 10 new members, has a GDP of around US \$8 trillion.

Turning to Mexico itself, I want to mention that 2004 also marks the thirtieth anniversary of the bilateral Seasonal Agricultural Workers Program, which, in 2003, brought over 10,000 Mexican workers to Canadian farms. Both Canada and Mexico are highly satisfied with this program.

In terms of trade, Mexico is Canada's fourth largest partner after the United States, China and Japan. In 2003, our two-way trade exceeded US \$13 billion and should pass US \$15 billion this year, over three times the trade in 1994. More than 1,000 Canadian companies are in business in Mexico.

Senator Stratton: Thanks to NAFTA.

Senator Austin: Both Canada and Mexico see it to their mutual advantage to combine their strengths to collaborate in North America and to compete in the rest of the world. For that reason, the President of Mexico and the Prime Minister of Canada announced in Ottawa on October 25, 2004, a number of bilateral agreements to strengthen our operating relationship, particularly in issues relating to North American trade and investment, education and cultural exchange.

In Ottawa on Monday, October 25, 2004, President Vicente Fox of Mexico gave a well-received joint address to senators and members of the House of Commons. Just before the visit of President Fox and seven of his cabinet ministers to Ottawa, a group of some 40 Canadian and Mexican business executives met at a weekend retreat to discuss building stronger ties between our two countries. I want to recognize the leadership of Senator Trevor Eytton, along with that of Laurent Beaudoin of Bombardier and Thomas d'Aquino of the Canadian Council of Chief Executives in fostering this bilateral relationship. I am certain that Canadians will see these reinvigorated ties to Mexico prove valuable to Canada in the months to come.

Honourable senators, for a British Columbian, the economic rise of Asia is part of our daily reality. It may be no less significant than the Canada-United States relationship in the next quarter century. Since 1984, Asia's share of world trade has risen from about 17 per cent to nearly 30 per cent today, according to the Asia Pacific Foundation of Canada. Since 1984, nearly 1 million immigrants from that region have entered Canada, bringing us much closer to that region in cultural diversity, skills and family networks. The 2001 census recorded 2.9 million Canadians of self-declared Asian origin, nearly 10 per cent of our population. While Asian Canadians make up 35 per cent of the population of Vancouver, Toronto has an even larger stake in Asia with a larger Asian population than Vancouver, making up 27 per cent of the Metropolitan Toronto population, namely, over 1 million people.

Measured by purchasing power, China, Japan and India are the second, third and fourth largest economies in the world. On the basis of OECD numbers, China is the sixth largest world economy, ahead of Italy and Canada. At its present rate of growth, China will pass the U.K. and France by 2006. China's booming economy grew by 40 per cent in the last four years alone.

The story of Canada's declining role in what the *Financial Times* recently called "the economic event of our age, bringing two centuries of Euro-American domination to an end," can be summarized in some numbers contained in a speech made by Canada's international trade minister, the Honourable Jim Peterson, in Vancouver on Wednesday, October 13, 2004. He said that during the past four years, Japan's exports to China grew by 73 per cent, Australia's by 58 per cent and the U.S.'s by 52 per cent, while Canadian exports to China grew by only 17 per cent.

Canadian business risks falling permanently behind by its failure “to move aggressively to develop economic ties with India and China,” said Minister Peterson. He went on to say:

Falling behind, not being aggressive in emerging markets, has repercussions for Canadian prosperity that will be felt everywhere, in our hospitals, schools, workplaces and communities.

Governments from Prime Minister Trudeau, who opened the present era with recognition of China in October 1970, to Prime Minister Mulroney, who led a trade mission in 1986, to Prime Minister Chrétien, who made a point of opening opportunities for Canadian business by travelling with business executives and premiers to China several times and receiving senior Chinese leaders in Canada, all have done a great deal to focus Canadians on China and other parts of Asia. Top officials of Foreign Affairs Canada and International Trade Canada are posted all over Asia, trained to facilitate Canadian business activities. The Export Development Corporation has substantial lines of credit and investment insurance available to Canadian business.

Brand Canada is warmly welcomed all over Asia, so why are we the worst trade performer in the G7? Canada's share in Asian markets has fallen from 2 per cent in 1990 to 1 per cent in 2002. The greatest economic shift in two centuries is taking place, and Canadians are hardly a trace presence in the emergence of dramatically developing new wealth. Some think that our lack of business growth in Asia is a bi-product of NAFTA and our focus on North America. Perhaps the size of the U.S. economy and the decade-long growth which has taken place in North America has been a disincentive to diversify our participation in other markets. The result, however, over the next decade or two, will link us more firmly to the ups and downs of the U.S. marketplace alone.

• (1600)

We have a lot to think about, and think about it we must. The government has launched a tripartite study of Canada's future role in the world — foreign relations, trade relations and our defence and security role. What we are failing to achieve in the great markets of Asia must be among the top issues to be considered. China, with a population of 1.3 billion people, or 22 per cent of world's population, is today the world's fourth largest trader and is the fastest growing import market in the world.

However, the China story is larger than just its remarkable entry into the trading system. Today, China is a global financial power, a holder of nearly half a billion of U.S. treasury issues, which helps to stabilize the U.S. dollar — the world's currency — and smooth out market adjustments. China is also the world's largest recipient of foreign investment, receiving over US \$50 billion last year. China is the world's most competitive workshop and is a vital link in the global value chain that has emerged as global companies seek production efficiencies and strategic regional positioning to remain competitive worldwide.

Why China matters to Canada is obvious, but Canada is also important to China. We are a highly developed North American country. We are a possible partner in supporting their needs in

energy, minerals, agriculture, transportation, information and environmental technology, and many other sectors. We are seen as honest and reliable, not only in commerce but also in global issues such as security, multilateral organizations and their issues, and in human capacity building.

Prime Minister Paul Martin has engaged China's support for the G20 process, which is a consensus group on world economic issues, and also on the concept of an L20, being a group of world leaders who meet frequently on global issues. A forthcoming trip by Prime Minister Martin to China will build on Canada's interest in China, both in the bilateral and multilateral dimensions.

I want to turn, honourable senators, to broader issues in foreign policy. One of the critical issues of our time is the war in Iraq. Canadians were clear that they would not support the decision of the United States to enter Iraq. Would we have done so if the United Nations Security Council had authorized intervention in Iraq? One wonders whether the Iraq war would have garnered more public support if it had been approved by the Security Council. How threatening to world security are the Middle East regimes? In the present action in Iraq, is there any promise that it might put Iraq on the road to being a freer and more democratic state?

Even if we are not a major player in world peace and security, we have a role to play in peacemaking, peacekeeping and in capacity building in the world community. Canada retains its entitlement to its reputation as a peaceful, tolerant and caring society. We played key roles recently in the landmines treaty, in the establishment of the International Criminal Court and in the Kyoto agreement. As peacemakers we are in Afghanistan, and as peacekeepers we are in several countries. Our aid programs foster health care, education, safe water, small business start-ups and the development of governance in over 100 countries.

Many challenges to a stable and democratic world remain and we will have to face them in ways as yet unknown. First, there is the rise of global terrorism, which will yet cost many lives and much economic wealth. The dangers of the spread of nuclear weapons are present in countries such as North Korea and Iran. There is a breakdown in civil order in many parts of Africa, and the loss of life there is horrendous, as is the loss of life from AIDS and other diseases.

Where is there a resolution of the Israel-Palestine wars that go back perhaps 80 years and may well go on for another 80 years? Is Chechnya, along with the Caspian Sea nations, to be a major fault line embroiling Russia for years to come? Many questions can be asked about the future of the United Nations as a body able to act resolutely and effectively to deal with global issues that threaten the peace and security of people and nations.

Canada has and will continue to act in support of the United Nations in spite of all its perceived shortcomings, and Canada will continue to support the multilateral processes that are a part of world cooperation — the World Trade Organization and many regional groups such as the Asia-Pacific Economic Cooperation, which will meet in Chile later this month. NATO and the G8 group are also key forums for Canada's global presence.

Honourable senators are aware that the government will shortly table green papers on Canadian foreign policy, defence policy and foreign aid policy, both to review our present directions and to develop a consensus among Canadians as to our future participation. Our Standing Senate Committee on Foreign Affairs and our Standing Senate Committee on National Security and Defence can play key roles in the dialogue among Canadians and in advising the government.

Another of the key issues that challenges us immediately is global warming. Canadians are becoming aware of climate change and its impact on geography and wildlife. We see the Arctic Ocean more ice-free than ever before, and the ice cap is becoming thinner. Whales, seals and polar bears are affected in food foraging and in reproduction. Sea life never seen in Arctic waters is now making inroads, as are southern animals and insects. We have become aware of the Arctic as a gathering point for pollutants from around the globe, moved there by global wind systems; and southern Canada is generally warmer than it has been. In British Columbia and Alberta, the glaciers are melting rapidly. The retreat of our glaciers is recent and alarming.

I want to thank Senator Watt for his contribution to our debates in months past and for the notice he has given us of the changes being effected in Arctic Canada, his home area.

Rising temperatures are capable of great harm. A doubling of atmospheric concentrations of carbon dioxide could cost about 2.5 per cent of global GDP. A quarter of all economic damage would fall on the agriculture sector because of the change in land use. Rising temperatures will affect sea levels with damage to major communities built along the sea. Deforestation and ozone pollution are the results of climate change and they affect oxygen levels.

The problem with tackling the issue is that the costs associated with controlling climate change are almost immediate, but the major benefits are likely to be two or three generations away. The goal of the Kyoto Protocol is to freeze carbon emissions of rich countries at 5 per cent below their 1990 levels, while allowing poor countries, newly industrializing, to continue without restriction. Theoretical benefit calculations by the Centre for Global Development and the Institute for International Economics show that using a 1 per cent discount rate over 100 years would produce US \$166 trillion of benefits in 1990 dollars, but the theoretical model is just that, and the benefits accrue very little to the developed economies. This is the reason the United States has declined to follow the Kyoto agreement.

The challenge for Canada is to find the way, through new technologies and better practices, to make our contribution to an environmentally safer world for not only the next generation of Canadians but for all who inhabit this planet. As Prime Minister Paul Martin stated in his address to the House of Commons on October 6 last:

...we understand that our success and our quality of life are increasingly tied to our relationship with our environment. The decisions we make now have profound implications for the future.

I want to touch briefly on a few indicators in Canada's economic performance. In terms of the prosperity of Canadians, we have navigated through difficult times in the 1980s and 1990s into a period of relative economic stability and growth. Statistics Canada advised last week that growth in the 2004 GDP would probably come in at about 3.75 per cent rather than the Bank of Montreal's prediction of 3.25 per cent or the Bank of Canada's prediction of 3 per cent. Canada has seen six straight monthly advances, including 0.5 per cent in August and 0.2 per cent in July. The August 2004 gain can be compared also, showing it is an advance of 4.6 per cent over August 2003. Statistics Canada says that both the goods and services sectors contributed, with utilities, retail trade, entertainment, manufacturing, information and communications sectors showing the way.

• (1610)

The Export Development Corporation recently advised that Canada would continue to show moderate growth through 2005. The United States economy, to which Canada is closely tied, is reported to have grown at 3.7 per cent during the third quarter, that is, July, August, September. Consumer spending was the leader in keeping the U.S. economy advancing.

Projections are for a sustained economic performance in both Canada and the United States through 2005. Private economists in Canada advise that the Canadian economy is performing close to its capacity, which should show working Canadians some growth in real income as well as delivering encouraging employment numbers.

From time to time, we see articles in newspapers and magazines questioning why we cannot develop a better measuring standard for our progress than the gross domestic product. The GDP is an economist's way of measuring the performance of a variety of economic actions to draw a conclusion about overall economic activity in our society. A recent article in *Saturday Night* magazine by Sean Butler described the shortcomings of the GDP performance index. The key concern is that no account is taken by the GDP formula of whether growth is a positive advance for society or whether it is the result of the destruction of existing capital or resources where re-investment is required. As Sean Butler notes, destruction of the environment is often a positive development in the GDP index. He describes how spending that creates disease, kills people, destroys community viability, or leads to gambling, is statistically described as positive in economic terms. If there were 10 things we could hope to see in 2005, for me one would be an alternative universal index that measured economic growth in qualitative terms.

In referring to our federal system of government, one cannot help being reminded of an old story about the priority of matters. It seems that an important foundation offered a big prize to the authors of an essay that came closest to describing the essential nature of their society. They asked essayists to describe that nature by comparing it to the elephant. The Indians wrote, "The Elephant as a Transportation System." The French wrote, "The Elephant in Love." The Germans wrote, "The Elephant in War." The Americans wrote, "The Elephant as a Political Symbol." Finally, the Canadians submitted their essay, "The Elephant and Federal-Provincial Relations."

The topic has preoccupied us since Confederation. The struggle to define the powers of sections 91 and 92 of the British North America Act has been ongoing, whether judicial or political. The Rowell-Sirois commission of the middle of the last century, many dominion conferences, as well as numerous federal-provincial conferences, now called first ministers' conferences, have all addressed the myriad issues that come with managing this immense and complex country.

The Confederation papers suggest that the negotiators of 1867 sought a strong central government system, partly to be able to act in the face of the United States just emerging from a civil war and militarily powerful. There was also a wish to mirror the unitary system of Great Britain. Experience has demonstrated that Canada is too regionally composed to support that concept comfortably. For decades past and to come, we have sought, and will continue to seek, both equitable and pragmatic balances.

Virtually all provinces have joined our federal system with special arrangements to accommodate regional realities. What we have held firmly to as the keystone of our system is that every province will have the same constitutional and juridical authority, with variations only as agreed to at the time of entering this federation or as agreed to by the constitutional amending process.

We have made many different arrangements in program delivery, in administrative procedures and in fiscal transfers. These are the shockproofing factors in our constitutional life. To my mind, nothing has been changed by the September agreement on health care and the various obligations entered into with the provinces. The phrase "asymmetrical federalism" is not a new constitutional doctrine; it is a catchphrase for the normal course of federal-provincial business. The unity of the country is not threatened; it is enhanced.

I see it the same way with respect to trade missions led by whatever premier. Foreign policy and trade policy are the responsibility of the federal government. Under that umbrella, it can only be beneficial to Canadians to have efforts made by provincial and territorial leaders to enhance the economic growth of their provinces. There is no case in which that work has not had the presence and assistance of the Canadian government.

However, to all these comments, I agree that we must be watchful that the national unity of Canada is not impaired. It always falls on the Canadian government to ensure that its actions and those of other Canadian entities are, to quote Senator Joyal, "purposes that benefit all Canadians."

Let me turn to the Senate and make some concluding remarks on the role of the Senate today, both in the parliamentary system and as it is seen in the country. Any objective evaluation would recognize the Senate's contribution to important policy debate in Canada. Our committee work is repeatedly recognized as significant. In the past few years, the views of the Senate on health care, national security and defence, marijuana, the environment and energy, human rights, agriculture, fisheries

and oceans, and many other public policy areas, have become commonplace in national debates. Earlier reports on poverty, the media, official languages, children, and soil conservation are still noted.

In Parliament, we are recognized as well-informed and substantive in our meetings with ministers and other witnesses. We are seen as a voice for Canadians who are not heard in the lower house and as a champion of minorities. Think of the work done on Aboriginal issues and on legislation advancing self-government. We are looked to by the public service as a protector of fairness in employment relations. We do examine legislation with the care and thoroughness that has often not been given by the House of Commons. Sober second thought is a valuable process in Canadian governance.

In times past, the challenge of the Senate was based on arguments about our performance. I think this is no longer the case. The challenge today is not about what we do but more about how we came here. The prevailing political norms seek to establish a popular mandate for the appointment of senators. Obviously, an elected mandate would radically reform the relationship with the House of Commons and with the provinces. Is that what Canadians want to see?

Some provinces today seek to have the power to elevate Canadians to the Senate transferred to the provinces. They see the Senate as representing provincial government power, much as the German states have in their federal system. Where is the merit in giving the provinces control over the federal legislative power? The provinces with the greatest number of senators would have control put into their hands.

The prime minister of the day could also practise the constitutional power to appoint senators through an arm's-length screening process, much as is sought for the appointment of Supreme Court judges. Would that practice produce more effective appointments than today? It is hard to say.

Whatever the continuing debate about Senate appointments, the Prime Minister has made clear that changes to that process or other changes will only come about when the provinces are unanimous in their position on Senate reform. Only then will the negotiations on change begin. In the meantime, the Prime Minister will undertake appointments within the constitutional system long in place in Canada. Expressing a personal opinion, I hope he will do so sooner rather than later, and that appointments be considered not only for the government ranks but for across the floor as well.

Honourable senators, it remains only for me to thank you for giving me a courteous and patient hearing and to once again encourage you to support the motion for the Address in reply to the Speech from the Throne, together with the amendment proposed by Senator Kinsella.

Hon. Michael A. Meighen: Honourable senators, would the Leader of the Government in the Senate accept a question?

Senator Austin: Certainly.

Senator Meighen: Honourable senators, that was an excellent address. What struck me in particular was the government leader's flattering, and I think very accurate, reference to the public reaction to our committee work. In my own view, at least, our Senate committees are the best means to convince the Canadian public that we do an honest job for an honest wage.

That being the case, I wonder whether the government leader would support my view that, if we are to enhance that perception in the public, it is only appropriate that we seek more money for all our committees, provided of course that they present a convincing case for the work they seek to carry out.

At the present time, however, it is my view — and I wonder if it is a view held by the Leader of the Government in the Senate — that our committees do not have enough money to do the job that is so well received by the Canadian public.

• (1620)

Senator Austin: Honourable senators, I wish to give the honourable senator an unambiguous answer. I think we should have substantial additional financial capacity for our committee work.

Hon. Marjory LeBreton: Honourable senators, before I begin my reply to the Speech from the Throne, let me first congratulate both His Honour and the Leader of the Government in the Senate for continuing in the positions they held in the last Parliament. I particularly want to congratulate Senator Noël Kinsella on his assuming the role of the Leader of the Opposition. I also wish to congratulate Senator Stratton on his appointment as deputy leader and Senator Tkachuk, my seatmate, on assuming the role of caucus chair.

For all of those who have extended congratulations to me on assuming the role of opposition whip, I would first like to thank them, but also I would seriously ask for their support. We are a small but vigorous opposition, and in order to be effective we must be present in this chamber and at committee meetings.

Honourable senators, Canadians' levels of mistrust and cynicism are very high and increasing. Who can blame them? The media have a responsibility here as well. A recent column by Don Martin drew attention to this, as the lines have been crossed to an unprecedented level between the media and the government side. The last election campaign is a textbook case as to why the public has become so concerned. No government deserved to be defeated more. As one of our parliamentary colleagues stated:

Canada needs an alternative to this tired, corrupt, intellectually bankrupt government ... a government guided by polls, certainly not guided by principles.

I continue this quotation:

Canadians watch as the decrepit old Cabinet flies around in new jets while our proud professional Armed Forces fly around in old helicopters.

A billion dollars (for the Gun Registry) would have been better spent on health care or education or strengthening the RCMP.

We are all familiar with the public works scandal and the millions of dollars that were wasted, misdirected and misappropriated.

For ten years, we have had a visionless Federal Government more preoccupied with next week's polls than by the challenges and opportunities facing Canadians in the 21st century.

On the deficit, Paul Martin finished what we (the Conservatives) started, but takes all the credit for it. That is how shallow he really is.

Now, honourable senators, if you want a jolt on the cynicism side, I must tell you that those words I just quoted are those of the Minister of Public Works, Scott Brison, who made these comments in the year to year and a half before the election, and who, in the midst of reports that the Martin juggernaut would win over 200 seats, declared that he was suddenly drawn to the "exceptional attraction and bold ideas" of Prime Minister Paul Martin.

We wonder why Canadians are cynical and do not believe politicians!

Honourable senators, we on this side know that it is our job to hold this tired, arrogant Liberal government to account, even if Scott Brison does not.

To name a few issues, there should be no more wasteful spending sprees such as the sponsorship scandal that is presently unfolding before the Gomery commission. We must hold them to account for their abysmal treatment of our military. We must hold them to account when this government breaches its word to the Atlantic provinces on offshore royalties.

We will do that in the chamber and in committee as we supplement and complement the work being done by the official opposition in the other place.

Today, I want to particularly focus on one unfortunately small aspect of the Speech from the Throne — the "democratic deficit." It used to be a major theme for the Martin Liberals, especially in those days when Mr. Martin was feverishly working to take the leadership from your Mr. Chrétien, Senator Mercer. Erasing the democratic deficit has now been reduced to one measly sentence in the Speech from the Throne, a sentence at the end of the speech that talks about involving parliamentarians in the review of key appointments and reviewing options for reform of our democratic institutions — one passing reference, almost an afterthought, at the end of the speech. Wow! How far this issue has sunk since Mr. Martin's first major speech on this subject, given just over two years ago, on October 21, 2002.

In that speech — and I am sure honourable senators on the other side will well remember it — Mr. Martin pointed to a new renaissance era in Parliament, an era where the Prime Minister's Office would change its dictatorial ways and one in which private members or backbenchers in the House of Commons would have real influence on the policy-making process.

Let us recall some of the famous phrases from that speech.

On the matter of public consultation, Mr. Martin stated:

Surely, our fundamental point of departure must be that better decisions emerge from the widest degree of public participation.

On the role of MPs, Mr. Martin said:

Under our system of representative government, there should be a direct line that runs from the people to their representatives — their Members of Parliament — and through them to the executive. The problem is —

stated Mr. Martin —

— that over time that line has become obscured.

I think most would agree that under Mr. Martin's leadership it has been erased completely.

Mr. Martin, speaking in serious tones, dealt with the growing cynicism of Canadians toward government and promised a cure. One would be hard pressed to forget the famous anti-establishment line, when Mr. Martin said:

We have permitted a culture to arise that has been some 30 years in the making. One that can best be summarized by the one question that everyone in Ottawa believes has become the key to getting things done: Who do you know in the PMO?

Martinites were ecstatic and the media lickspittles could not get enough. Martin would bring in a whole new style of governing. The juggernaut was consuming us all! Dreams of 215-plus seats danced in their heads.

How the song has changed! The reality is the opposite. One will only get action as long as he knows the Prime Minister or, perhaps, his communications director, Scott Reid.

Those who remember the speech will know that it ends with a commitment that committees be given real power over Order-in-Council appointments. Mr. Martin committed to a review by the relevant committee "before final confirmation," even mandatory review of Supreme Court appointments.

Well, that was then and this is now.

Mr. Martin's speech was pure fiction, the result of a fertile imagination or, perhaps more accurately, a serving of flim-flam meant to achieve a particular short-term result.

Danny Williams knows all about that, as Senator Kinsella has said.

We, as parliamentarians, bear witness to this stark reality as Mr. Martin assumed the role of Prime Minister.

Let us look at the government's record on the so-called democratic deficit. The Prime Minister's record clearly shows that he has no interest in addressing any democratic deficit. Even Jean Chrétien waited a year and half before he moved his first closure motion as prime minister, and managed to last five months before he rammed his first piece of legislation through the House using time allocation. This is really something, me giving credit to Mr. Chrétien!

The current Prime Minister waited six days — six days! — to use closure and followed up with the use of time allocation here in the Senate. Free votes? What free votes? Not for Liberal MPs, who were told that they would not be allowed to vote as they wished on funding for the gun registry, regardless of the concerns being raised.

Conservatives members have had free votes on a wide range of issues that have come before the House of Commons, and this goes back to when we were in government, capital punishment being a case in point.

It was a motion that was put forward by Conservative House Leader John Reynolds that led to the secret ballot election of committee chairs.

Conservative members have supported a wide range of democratic reform initiatives, such as appointing an independent ethics commissioner, giving committees the chance to pre-review government appointments, and appointing a parliamentary committee to oversee government spending — all proposals that Mr. Martin verbally supported and then voted against.

Remember how he was going to address cronyism? "No longer will the key to Ottawa be who you know," he said. The reality is that Mr. Martin has no difficulty with patronage positions for his friends and acquaintances. He appointed Allan Rock as ambassador to the United Nations. When he did that, I actually thought that Mr. Rock would at least have the decency to fill a few seats in the United Nations when Mr. Martin spoke there. The place was empty, as we know. Similarly, Mr. Martin has made offers of patronage positions to John Manley and Sheila Copps — that was then and this is now, of course — and reportedly to Claudette Bradshaw, but she would not budge. Liberal MP Sophia Leung agreed to accept a patronage position in return for her decision to step aside for David Emerson, and the rumours are that she will be appointed to the Senate. Add John Harvard to the list as Lieutenant Governor of Manitoba as he stepped aside for star candidate Winnipeg city mayor Glen Murray, and we know what happened to Glen Murray.

• (1630)

Perhaps the most glaring example of the Prime Minister's new motto, "promise one thing, do another," comes in relation to committees and their power to deal with appointments. We saw this in September when the Prime Minister cobbled together a group to review the Supreme Court appointments he had already made. What a difference from promises made two years ago, or even promises made during the election campaign.

Most recently, we have witnessed the appointment of Mr. Gordon Feeney as chair of the board of directors of Canada Post. This was done in direct contradiction of the Liberals' 2004 Action Plan on Democratic Reform and in direct contradiction of the guidelines established by Treasury Board President Reg Alcock. So much for cabinet solidarity.

There is nothing that this government will not promise one day and then do exactly the opposite the next. Soon it will be so good at contradicting itself that it will be able to do it on the same day that it makes its promise.

However, as the Liberals know, they face a new reality — a minority Parliament — where the real leadership is being provided by the Leader of the Official Opposition, as was demonstrated by the throne speech amendments dealing with the issues that really matter to Canadians. Committees in the other place now have an opposition majority — a majority which has been used to scrutinize the appointment of the chair of Canada Post. The good news is that our democratic deficit will now be addressed not by the hollow promises of the Prime Minister and the Liberal party, not by the Martin government hanging on by its fingernails, but by the official opposition.

Already changes have been made in the rules to give backbenchers more influence, and that is only the beginning. My colleagues and I here in the Senate are watching a new reality unfold. The reality is that only under the leadership of the official opposition will the democratic deficit be addressed.

We owe it to Canadians to rectify the situation. Certainly they have learned that government promises are not to be believed, no more so than on the democratic deficit.

Hon. Mobina S. B. Jaffer: Honourable senators, it is with great pleasure that I rise today to speak in response to the motion on the Speech from the Throne to open the Thirty-eighth Parliament of Canada. The Speech from the Throne covered a lot of ground. When Her Excellency came to address this chamber, she went through a number of issues and areas that are of great importance to all of us here and all the people of our great country.

I should like to focus on one specific part of the speech. I would draw the attention of my honourable colleagues to an area that is very close to my heart, and that is the section of the throne speech entitled "A Role of Pride and Influence in the World." This section deals with enhancing Canada's ability to respond to crises when needed and building on Canada's role in multilateral

institutions. I want to delve a little deeper into what this means and talk about what Canada is doing to reignite the debate on humanitarian intervention and the responsibility to protect.

Honourable senators, I have had the opportunity to visit areas where people are desperate for even the basics of life. I have seen and heard from women and girls who are under the constant threat of rape. I myself have also been a victim of an oppressive regime that robbed me of my most fundamental rights.

I know that the world needs more of the values that Canada stands for. Canada has helped me by giving me refuge in a time of need. It allowed me to live in a place where I could grow and flourish without sacrificing the important cultural traditions that make me who I am. Since I arrived in this country, I have seen how Canada can go forth effectively into the world and work with our allies and regional forces to make life better, safer and more secure for people across the world.

We are confronted with situations that are as politically complex and dangerous as they are urgent and serious. Often, these situations involve failed or failing states where ongoing conflict has seen multiple generations who know nothing but war and bloodshed.

I commend the government for the decision to increase the size of Canada's peacekeeping forces by 5,000 regular forces and 3,000 reserve forces. This means that Canada will be able to go where it is needed and continue to do the good work that we have seen in Afghanistan, Haiti and Bosnia.

All of the peacekeepers in the world will be of no use, however, if we do not do more to determine when it is appropriate to intervene for humanitarian reasons. The question of when to intervene is a difficult one because it often conflicts directly with the rights of sovereign states to the integrity of their borders.

This is where the international responsibility to protect becomes important. What is the responsibility to protect? The responsibility to protect is a concept that balances the principles of non-intervention in the territory of sovereign states with the responsibility of the international community to intervene in situations of massive human rights abuses, ethnic cleansing, genocide and internal conflict.

The responsibility to protect civilian populations lies first with the state itself. State sovereignty implies responsibility, and it is assumed that the primary responsibility of any sovereign nation is to provide security for its civilian populations. However, when the people of a state are suffering serious harm as a result of a humanitarian crisis and the state is either unable or unwilling to act to alleviate the situation, the principle of non-intervention in a sovereign state must yield to the international responsibility to protect.

The question, honourable senators, is not, does the international community have the right to intervene, but rather, is the state taking the responsibility to protect seriously.

In many situations, we find that sovereign powers have forsaken the responsibility to protect their civilian populations or even been the authors of their own misfortune. This is one of the reasons why Canada must strive to be engaged in the world and work to meet its responsibility globally.

As the Secretary General of the United Nations, Koffi Annan, has said:

Few would disagree that both the defence of humanity and the defence of sovereignty are principles which must be supported.

Alas, that does not tell us which should prevail when they are in conflict.

Humanitarian intervention is a sensitive issue ... fraught with political difficulty ... but surely no legal principle — not even sovereignty — can ever shield crimes against humanity.

The responsibility to protect as a concept was first put forward in the 2002 final report of the International Commission on Intervention and State Sovereignty. This commission was established by the Government of Canada and other Canadian supporters in 2000 to meet the Secretary General's challenge to examine the right of humanitarian intervention. In its final report, the commission argued that, in situations where states are unable or unwilling to protect their civilian population from mass atrocities, or where the state itself is the perpetrator, the international community has a responsibility to act.

This naturally leaves us with several questions, such as when a state is deemed to have failed in its responsibility and what sorts of international responses are appropriate in different circumstances. This is why the commission broke the responsibility to protect into three more specific responsibilities.

The first, and the most important, the responsibility to prevent, involves the responsibility to address the root causes of internal conflicts and other man-made crises that take place when a population is at risk.

The second, the responsibility to react, refers to the responsibility of the international community to intervene — whether by sanctions, diplomatically or militarily — in situations of compelling human need. Part of this principle is that international responsibility be exercised in the least obstructive possible way, while still addressing the situation at hand.

The third and last, the responsibility to rebuild, means ensuring that not only the consequences of any intervention are addressed but also that the root causes of any humanitarian disaster are addressed after an intervention takes place.

The commission was clear on the fact that military intervention should only be used in cases where the harm to human beings is occurring or imminently likely to occur. Examples of this kind of harm include large-scale loss of life or large-scale ethnic cleansing. Other tests must also be met when the international community

considers intervening in a sovereign state. We must be sure that we have the right intentions and that we are using the appropriate means, with the appropriate authority and a good chance of success.

• (1640)

The most appropriate forum in which to discuss this sort of intervention is the United Nations, and the appropriate authority for military intervention should be the exclusive province of the United Nations Security Council. The United Nations offers the best chance of assuring that the appropriate means of intervention are chosen and that the expertise of regional authorities can be engaged. The best solutions can only be achieved if all nations acknowledge the responsibility to protect and to commit to giving situations where humanitarian intervention may be warranted the quick and thoughtful considerations that they are due.

We have seen the consequences of failing to take the responsibility to protect seriously in Rwanda. To once again quote the Secretary General of the United Nations in his address on the tenth anniversary of the Rwandan genocide: "We must never forget our collective failure to protect at least 800,000 defenceless men, women and children who perished in Rwanda 10 years ago."

Honourable senators, such crimes cannot be reversed. Such failures cannot be repaired. The dead cannot be brought back to life.

What can we do? First, we must acknowledge our responsibility for not having done more to prevent or stop the genocide. Neither the United Nations Secretariat, nor the Security Council, nor the member states in general, nor the international media paid enough attention to the gathering signs of disaster. Still less did we take timely action. When we recall such events and ask why no one intervened, we should address the question not only to the United Nations but also to its member states. No one can claim ignorance. All who were playing a part in world affairs at the time should ask what more they could have done; how they would react the next time; and what they are doing now to make it less likely there will be a next time.

Honourable senators, what is Canada's role? The values of Canadians are such that they want to see a foreign policy in which the security of people is valued at least as highly as the security of states. We see the responsibility to protect as a responsibility not only to prevent humanitarian crisis from occurring but also to step in when necessary to ensure that the security of the people is protected, even when the state fails in that role. However, in situations where governments have failed to protect their citizens or have perpetrated abuses upon themselves, peacekeeping forces alone cannot always meet the challenges we face. For peacekeeping to be effective, there must be a peace to keep.

The Speech from the Throne called specific attention to the ongoing humanitarian crisis in Darfur in Western Sudan. As Canada's special envoy to Sudan, I have not only become familiar with the issues that surround this crisis but also intimately connected with the people who suffer in this crisis. When I went to the refugee camps in Darfur earlier this summer, I was inspired at

once by the people I met and saddened by the conditions in which they are forced to live. Though they suffered terribly without so much as the necessities of life, they still remained compassionate and strong. I was amazed that even with the adversity they faced, they still came to greet me and offer me what little they had as their guest.

The Darfuris conducted themselves with great dignity, even though they faced such tremendous adversities. These are the special people of Sudan. Like many people around the world, they are looking for someone to protect them and to restore their security. I have seen first-hand in Darfur that Canada can play an important role in bringing relief.

In Darfur, Canada has been able to help the African Union deploy security forces. Though the situation remains desperate, the presence of the African Union troops has begun to restore hope. This is a prime example of how the responsibility to protect can function, even in politically challenging circumstances. In Darfur, we have seen a state that has failed in its responsibility to protect its people. Now, with the help of Canada and other international partners, regional forces have been able to intervene to meet that responsibility. In the Prime Minister's reply to the Speech from the Throne, he went further into this concept. He said:

...we will speak out for reform of the United Nations. We will speak out for the establishment of guidelines to enable the international community to intervene more swiftly and effectively inside sovereign states that perpetrate or fail to stop massive human suffering....

It is the concept of responsibility to protect that we are bringing to the United Nations and to other multilateral institutions. Canada is working to reignite the debate on humanitarian intervention.

Honourable senators, this debate is essential. Without it, the world runs the risk of paralysis in the face of situations like the genocide in Rwanda just over 10 years ago. Canada has so much that it can bring to this debate. For example, we are helping in Africa by training a regional force to preserve peace in tenuous situations. Unless the basic conditions of human security are met, there can be no development and no prosperity. That is why it is so important to ensure that we not only work to prevent humanitarian crises like the one in Darfur but also to ensure that the world community has the essential tools to intervene when it is necessary to do so.

The responsibility to protect is an essential part of making the world into a place where people of all nations can count on their fellow human beings of all nationalities to step in and protect them when their security is threatened. The willingness to accept this responsibility and to take a leadership role is part of what makes Canada the best country in the world.

The Speech from the Throne has reaffirmed Canada's commitment to leadership in promoting the responsibility to protect so that it becomes the norm for humanitarian intervention

throughout the world. Canada has the ability, the credibility and the knowledge to play this role better than any other country in the world. If Canada will not take this role, honourable senators, who will?

Senator Meighen: Honourable senators, I should like to begin by congratulating our new leader on this side, Senator Noël Kinsella. I am sure that his wit and wisdom, combined with his intimate knowledge of the rules and practices of this place, will be of great help to him as he leads a band of merry but somewhat independent-thinking senators on this side.

I congratulate also the Speaker, Senator Dan Hays, on his reappointment. I congratulate the new deputy leader, Senator Terry Stratton, and our whip, Senator Marjory LeBreton. I congratulate as well my friends on the other side who are familiar faces. It is always nice to see a continued expression of confidence in their leadership.

Honourable senators, we face in this Parliament a situation that is somewhat unique. While a minority government is not particularly unique, being in one where the government cannot be propped up by the opposition party having the fewest number of seats is somewhat new and different. It has already led us into a new dynamic wherein the Speech from the Throne has been the subject of not one but two amendments, which set forth an ambitious agenda, but one that was set by the official opposition in the other place.

Perhaps we could have done without the high drama surrounding the subamendment dealing with the fiscal imbalance. Its unanimous adoption in the other place, after some minor wording changes, has set the tone as to how this Parliament may operate on consensus, with, on occasion, the government actually listening to the opposition and addressing issues, identified by the opposition, that face our society.

With that as a preamble, I want to isolate two parts of the Speech from the Throne for short comment: the section at the beginning dealing with what is termed our "strong economy" and the part at the end of the throne speech entitled "A Role of Pride and Influence in the World."

The items listed for action under the heading "A Strong Economy" do not represent the kind of bold, new economic initiative Canadians would and should expect from their government. The last two major economic initiatives introduced in this country were the free trade agreement and the Goods and Services Tax, both of which, I remind honourable senators, were going to be repealed as soon as the Chrétien government took over in the autumn of 1993.

• (1650)

Here we are, 11 years later and almost 15 years from the introduction of those two measures, waiting for the next bold, innovative, economic proposal from this government. There is certainly nothing of that kind in this Speech from the Throne.

Five points are set out in the economic strategy: investing in people, strengthening our capacity to generate and apply new ideas, providing “smart” government or reducing red tape, a commitment to regional and sectoral development, and, finally, a commitment to promote trade and investment. Frankly, none of this is very new. A great deal of it requires the government to interfere in the marketplace. In other words, Liberals picking winners and, therefore, necessarily losers as government seeks to set the economic agenda rather than largely leaving it to business and industry.

[Translation]

In recent years, we have questioned the government’s integrity and open-mindedness with respect to our economy. Once again, the government has substantially underestimated Canada’s budget surplus. Although the Conservative Party’s budget forecasts during the recent election campaign were laughed at, our estimates have been confirmed by an increase in the surplus from \$1.9 billion to at least \$9.1 billion.

[English]

While I realize that the government likes to brag about its large surpluses, I believe those surpluses are symptomatic of a greater malaise in the government’s financial plans for the future. This large surplus demonstrates a lack of imagination in tackling the real problems facing Canadians and underscores that this is a government with few, if any, priorities — priorities to which these resources could be directed. The surplus illustrates a government content to take taxpayers’ money, simply, it would seem, for the joy of receiving but not of giving, not giving back in the form of either debt reduction, tax decreases or even improved social programs.

When one combines this lack of positive direction in the Department of Finance with the fact that Canada has once again slipped in the global competitiveness ranking of world economies, I believe we all have cause for concern.

We have been drifting, honourable senators, without new economic policy directions for the past 10 years. In relation to competitiveness, as we all know, we are now fifteenth among the world economies, down from tenth last year and sixth in 1998. We also lag behind our major trading partners as the productivity gap widens and businesses fail to invest in better processes for manufacturing or production. Increased productivity is the key to increasing our standard of living. A competitive marketplace increases productivity.

Roger Martin, Dean of the University of Toronto’s Rothman School of Management and Chair of the University of Toronto’s Institute for Competitiveness and Prosperity, has said:

In order to make progress, there is simply going to have to be more attention paid to the competitiveness of the country, rather than, say, fixing the health care system.

If we do not address the issues of competitiveness, the tax dollars will not be there to support the health care and other social programs.

[Senator Meighen]

[Translation]

The Liberal Party would like Canadians to believe that the choice is black or white, that we cannot be competitive on world markets and at the same time have a universal health care system. Honourable senators, I think it is possible to have both. But what differentiates the Conservatives from the Liberals is that we know that Canada must have a competitive economic environment that encourages the development of business and industry, in order to enjoy the health care system Canadians expect.

A healthy and sound economic policy must be implemented so that social policies — health care, for instance — can improve. The revenue generated by flourishing and competitive companies will in turn generate the funding needed for these social programs.

[English]

Professor Martin suggests that our business leaders need to become more competitive through the development of unique products and processes, competing more on adding value to products and services in areas such as design and servicing, such as engineering or high-tech design.

To illustrate how technologically complex manufacturing has become, I am told that Gilby’s gin distillery in Lethbridge, where they also make the only North American version of Smirnoff’s vodka — this will not be of interest to you, Senator Tkachuk, but to others — operates with only two employees on the floor, both incredibly talented computer engineers.

Manufacturing is now home to a highly skilled workforce. This is what is needed if Canada is to improve its position on the competitiveness index, resulting in an improvement in the standard of living of all Canadians.

It is not enough for this government to pat itself on the back for running so-called unexpected budgetary surpluses. It should look closely at the fact that we are not making our presence felt in the global economy. It is time for government to revisit the corporate tax regime in place in Canada. If we are not competitive, our economy will begin to decline. The lack of foresight today will have major consequences in the longer term.

The second part of this Speech from the Throne comes, as I said earlier, under the heading “A Role of Pride and Influence in the World.” This part of the Speech from the Throne was dealt with extensively by Senator Forrestall last week, and I wish to identify myself with his remarks. As honourable senators may remember, this is the part of the speech where the government congratulates itself on its investments in the military, characterizing them as “earning our way in the world.” This, I believe, is a particularly disingenuous statement, since there is no question but that under this government our place in the world has diminished.

The period of time since the reading of this speech has been one of tragedy for our Armed Forces. Rightly or wrongly, the death of Lieutenant Saunders has once again focused the attention of Canadians on the deplorable state of our military. From the cancellation of the helicopter acquisition contract upon assuming

government in 1993 through to today, this government has viewed the defence budget as nothing more than a cash cow, to be milked for program spending, putting Canada's strategic interests aside and placing the women and men of our Armed Forces in harm's way with less-than-adequate equipment.

With a so-called unplanned surplus on its books and a similar surplus projected for next year, it is time for the government to heed the chorus of calls for a serious investment in our Armed Forces. We need a military that is modern, well equipped and combat capable to protect our own sovereignty and to enhance our place in the world. Canadians are now engaged in this issue. The continual underfunding of the military has at long last been connected in the public mind to the current deplorable state of our Armed Forces equipment. It is now up to the government to show — dare I use the word — “leadership” and demonstrate to all Canadians that it truly values the contribution to freedom of our women and men in uniform by putting our taxpayers' money where the government's mouth is. This is not only my view, honourable senators, but it is the view of a great many others. I will quote just one:

We must spend more than the \$13.3 billion we do know, refit warships, aircraft and armour, and boost our military beyond the 60,000 mark, and our effective army strength past 15,000.

On funding on personnel levels, I quote further:

Parliamentary committees have urged a base budget in the \$18 billion-plus range, just to offset past cuts and to support current missions. We could easily spend \$24 billion a year and field 80,000 personnel, and still lag far behind most of our North Atlantic Treaty Organization allies in relative spending terms. When inflation is taken into account, we spend less today than a decade ago.

Finally, my sage source concludes:

Can Ottawa spend smarter? Yes, definitely. But we must also spend more. So far, Martin has shrunk from doing that. Yet Canada's relations with the U.S., the UN and key allies hang in the balance. Ultimately, so does our sovereignty.

• (1700)

It may be of some surprise to some honourable senators to learn that all of these quotations supporting our Armed Forces and increased military spending come from an editorial last Sunday in the *Toronto Star*, hardly a militaristic journal and hardly a harsh critic of the Liberal government.

Honourable senators, we are either a mature nation taking our place and assuming our responsibility on the world stage, or we are not. It is no answer to claim that the government will increase our regular forces by 5,000 troops and our reserves by 3,000. Increasing the operating budget to deal with increases in personnel only exaggerates and aggravates the existing problem if the capital budget itself is not sizably increased at the same time. Putting another 8,000 Canadians in harm's way without adequate equipment is foolish in the extreme.

On the subject of budgets, while I am for improved efficiencies in spending, it is beyond belief, at least to me, that our Armed Forces should be expected to turn back part of their budget to the government. Surely, some exemption to the Armed Forces from this general clawback is not too much to ask. After all, it is the budget of the Armed Forces that has been routinely raped and pillaged by this government for more than 10 years.

While we now have the attention of the Canadian public focused on the plight of our army, navy and air force, it is time for the government to pursue its long promised defence review. I was under the impression, and I think many honourable senators were as well, that it was to commence as soon as Parliament reconvened. Now, no one seems to know when or if it will be tabled.

Canadians, I believe, want to play a meaningful role in the global community. One of the prices of playing that role is to have a military equipped to defend one's homeland and to help allies where necessary. At present, we can do neither satisfactorily.

I look forward, honourable senators, to being part of the work of the Standing Senate Committee on National Security and Defence as we pursue our review of defence policy. I particularly look forward to participating with all honourable senators in this Parliament, a Parliament in which the government will ignore the views of the opposition at its peril.

Hon. Norman K. Atkins: Honourable senators, as I rise today to take part in the throne speech debate, I too would like to begin by congratulating the new Leader of the Opposition, Senator Noël Kinsella, the deputy leader, Senator Terry Stratton, and the new whip, Senator Marjory LeBreton. All of them bring with them a wealth of experience, which I am sure will be put to very good use.

I would be remiss if I did not mention Senator Lynch-Staunton, who, in my opinion, provided outstanding leadership and guidance for over 10 years as the Leader of the Opposition. He had a clear understanding of the issues that faced the chamber, and he spoke eloquently on many occasions on matters that were important to all Canadians. It was my pleasure, as chairman of caucus, to have served with him throughout those years.

I would also like to congratulate the Prime Minister in his wisdom to reappoint Senator Hays as Speaker.

Hon. Senators: Hear, hear!

Senator Atkins: Honourable senators, when I listened to the Speech from the Throne, I was interested in what I had heard. In fact, I was pleased with some of the content and direction. However, as I read the text, I was struck by the fact that not much has changed since the last speech, or, in fact, many such speeches since 1993. The areas of concern for me and, I believe, for Canadians are still the same. There are still many generalities but not much substance, resulting in a plan that amounts to a new coat of paint in many areas, and in some areas, just the same old promises.

The government must set priorities, and I believe the areas that need immediate attention are the ones that are paramount in the minds of Canadians.

One issue that is paramount in my mind is the protection of the integrity of our parliamentary institutions. The other issues are the state of our economy, including taxes and jobs, social programs, in particular, health care in the country, education and student debt, foreign and defence policy, the military and the environment.

The municipalities are no doubt relieved by the announcement that they will receive a share in the gas tax. However, there is no information on how that sharing will take place. Municipalities need a time frame and deadlines for the receipt of that share in order to plan. As we all know, this government balanced the budget on the backs of the provinces, downloading so many responsibilities in the last 10 years while cutting funding, knowing that infrastructure is fast crumbling within our cities and that a need to put a plan in place was crucial.

What started out as a federal cities program is now a municipalities program. All of them face problems; however, the priority problems might be quite different in some smaller towns, cities and rural municipalities than they are in the vast urban centres such as Toronto, Montreal and Vancouver. Has the federal government thought this through? Is it possible to tailor federal policy to address these different problems in different ways? Should Ottawa even try to do so without the close involvement of the provinces? We all wait for answers to these questions from the Martin government.

Clearly, something is still wrong with the financial, economic taxation structure within the country when most of the provinces are running deficits in facing their fiscal responsibilities, this while the federal government once again announces that it is running a huge surplus.

Unfortunately, this minority government still has no immediate solutions to problems that have been ignored or underfunded for years. Each Speech from the Throne has a recurring theme which promises money already committed over an expanse of years.

Honourable senators, our Fathers of Confederation knew what they were doing when they adopted the Westminster system and instituted the roles of each branch of Parliament — Queen, Senate and the Commons — within it. Those roles were clearly defined and have worked for a very long time. They deserve far more credit than they get. This government needs to protect and uphold our parliamentary institutions. We should not be attacking the validity of our courts by acquiescing to demands, encroaching on the authority of appointments to the courts or the decision-making process within that system.

The role of Governor General is a very important one. Our head of state represents a parliamentary tradition that goes back many centuries. In this country, the office is above the political fray and should be protected from political interference.

Those who would weaken government by attacking our parliamentary institutions should be careful. We have seen and continue to see a barrage of attacks on our parliamentary institutions. In many instances, these are instigated by provinces that use their complaints in a bid to manipulate the federal government. One primary tactic is to attack the Senate and call for it to be abolished or elected, if the government does not agree with their ideology or ideas.

“Senate bashing” has become a popular sport when provinces do not get their way with the federal government. This government needs to protect the integrity of the bicameral system. To date, no one has engaged the provinces in an open debate on their position regarding the Senate. It has always been a one-way fight. The provinces demand power at the expense of the federal government. The reality for the provinces is that they cannot open the debate on the Senate without a full-fledged constitutional debate that also involves our whole system of government, including their own powers and the powers of the House of Commons.

• (1710)

Furthermore, there needs to be a clear understanding that the Senate, in any form of an elected body, would likely exert far more authority, which is its constitutional right, than it has previously done. If senators are elected to represent a region, they will demand the right to exercise the freedom to represent their constituents. Premiers may want to examine their relevance if a senator is representing a wide constituency. Elected senators could well be seen as more representative.

The problems have been made worse because this government has repeatedly failed to recognize the equal status of the Senate of Canada by allowing the passage of legislation that excludes the upper chamber from the review process. That was clear in the debate on the Clarity Bill. That is not the hallmark of a responsible government. It allows for the concentration of power in the hands of the executive. Time and again in the last 10 years this has occurred in legislation that has passed the House of Commons. The role of the upper chamber is designed to slow things down and allow thorough consideration and examination of legislation. The Senate does exactly that if allowed to complete its job, and at a relatively low cost.

The government should utilize the Senate to the maximum. This could be accomplished in part by using the Committee of the Whole to examine specific issues that would be more significant in terms of debate. Senate committees should be better funded to allow them more time to study specific issues in depth. The Senate could be better utilized by engaging in more inquiries and committee studies rather than government-sponsored commissions. The experience and expertise within the Senate could be used to much better advantage of the taxpayers' dollars and would ultimately not be subjected to spending millions for political expedience.

The government has made it very clear that it is proud of its debt-reduction strategy and has also made it clear that it will not fall back into a deficit position. While this is laudable, it raises the question of how they plan to stimulate the economy and attract

new business. Governments do not create revenue. We need small business and corporations to generate revenue and to create jobs, which in turn funds our social programs. Without money in their pockets, Canadians cannot purchase the goods and services needed to stimulate growth.

The government's commitment to some of our social programs within this country is indeed a step in the right direction, but we need to have a better understanding of how the government plans to fund them all or they will remain empty promises.

Child care programs, increased health care and programs for our senior citizens are all necessary, but how will the government fund them? These programs will require a stable, long-term commitment that cannot fluctuate along with the ever-changing economic picture. On most, if not all, of these programs Ottawa expects, and will expect, provinces to share the costs. This will be difficult for some and almost impossible for others if the federal government continues to deny the existence of a fiscal imbalance. Provincial spending responsibilities, including those related to joint programs, are increasing faster than provincial revenues. The reverse is true for federal spending responsibilities and revenues.

The government cannot maintain its massive surplus program, which appears paramount, and commit to only a strategy for social programs if this surplus is in jeopardy. The money for social programs must be long-term and sustainable regardless of economic pressures, and it must be built into the fiscal plan. The government needs to set priorities and protect the social programs that Canadians have already clearly indicated they want sustained before embarking on other programs.

Canadians asked for a clear commitment to health care from this government, and the announcement of the 10-year plan to strengthen health care reached with the provinces and territories is a major start in the right direction, provided it is implemented and funded.

This plan will provide a level of funding that will give each province a chance to address some of the health care problems within their jurisdiction. However, there is not enough accountability in the new agreement. There needs to be more built-in mechanisms for reporting where the monies are being allocated to allow the federal government to ascertain whether the Canada Health Act is being upheld and the objectives of the accord realized.

While the agreement has called for a study of the pharmacare program, the government ignores the fact that nothing will be done in the near future, in fact, not before 2006. In the meantime, Canadians are suffering because they must pay enormous prescription drug costs to maintain their health. This is a clear diversion from the catastrophic drug program promised by the government and, in fact, defers any decision until after the study is completed in 2006. How long after that will it be before Canadians, in particular low-income and fixed-income Canadians, can hope to get relief from prescription drug costs?

The government announced its commitment to promoting better health care for Canadians. The government needs to give incentives to Canadians for the promotion of their own health. One method for doing this would be to include a tax incentive for enrolling in health-based programs such as medically approved weight management, gym memberships and children's sports camps. It plans to address the issue of the lack of doctors, nurses and other health care professionals by speeding up the assessment and integration of persons who have received their medical backgrounds and training abroad. There is no program outlined to work with our educational facilities, making them more accessible and attractive to our students. This would result in us generating more Canadian graduates.

Investing in health care is very important, but unfortunately our investment in education has suffered as a consequence. Once again the Speech from the Throne has failed to respond to the needs of post-secondary students. Students are still facing crippling debt loads and some young people are essentially denied access to post-secondary education in this country because of the lack of available funds.

The program defined by young Canadians allowing investment in a learning bond is a beginning for the generation to come. However, it is no help in alleviating the bleak financial situation faced by young people trying to enter post-secondary schools now or who are in fact presently in the system.

I have previously suggested such ideas as tax deductibility of loan payments for students, a moratorium of two years upon graduation before payments are to be made, forgiveness of loans in return for community service and eliminating tax on bursaries and scholarships. Nothing has been done to address the crippling debt load faced by many of our young people.

Parliament, including the Senate, must be given the opportunity to examine and pronounce on the role our military plays. We need to develop an effective plan to merge our defence diplomacy and aid development efforts with the government agencies responsible. We must ensure that they are all focused on the same objective and working together for the same goals.

Our Canadian Forces, with limited resources, are very much focused on the war on terror, while our Department of Foreign Affairs is focused on issues like the missile defence system. There needs to be a coordinated security and foreign affairs policy with a single policy objective to minimize the resources we have to offer and to distinctly outline the role our military will play in the future.

To secure our borders, which is one of the main responsibilities of our government, we must work in conjunction with our neighbours and, indeed, the world at large, in the war on terror. Canadians have come to expect that this country will play a role in international affairs. As Senator Colin Kenny stated in a recent article, "Canadians have a vital interest in influencing world affairs in a way that will diminish international chaos."

• (1720)

Our foreign affairs policy is too vague, stating only that we will “assist failed or failing states in areas where links to both our national security and capacity to contribute are clear.” What will be the basis for making the decision to intervene or not? Canada does not exercise any serious influence over foreign policy beyond our borders. The last 10 years have seen Canada’s influence on the world stage diminish because our military resources are overburdened and we cannot make the commitments that are necessary.

This government, while it has committed to contributing to international security, has not outlined what that means. There is no clear designation of how precisely it will affect our military capabilities and, given the continued erosion of the military itself, that is a major factor.

This country needs a clear, concise outline to ensure national security and how it involves our military, and it must be a priority. We have been relegated to the role of advising the UN on rogue states or failing states because we have nothing to offer to resolve the issues.

Our military has been strangled by the inch.

We have been told repeatedly that the government is reviewing the situation to effect significant change. The reality is that the military has been in a constant state of underfunding for over a decade because the government continues to excuse inaction with the promise of a plan.

The Hon. the Speaker: Honourable senators, I have waited a little beyond Senator Atkins’ time to interrupt. However, I must now interrupt to say that the honourable senator’s time has expired.

Honourable senators, is leave granted for the honourable senator to continue?

Hon. Senators: Agreed.

Senator Atkins: We desperately need more troops and modern equipment, a situation which is rapidly escalating as our present military ages and retires. The troops cannot be trained and recruited quickly enough due to a lack of funds.

The continued lack of funding has forced the military to buy the best available within its limited budget, clearly not the best that is offered. Our forces deserve the best there is to offer for the task at hand.

This situation will not be alleviated until the government commits to an immediate plan to fund the military on a continued basis, until it reaches capacity and has ensured that its capital expenditures needs are fulfilled. Our military needs funding, not a reannouncement of funds previously committed or funds left over after the surplus has been protected.

The government has announced its commitment to the Kyoto accord despite the evidence that it will be very costly, and I believe they have taken the right course.

[Senator Atkins]

Canadians need to understand global warming is a reality and a serious challenge that the world is facing. In order to begin the task of cleaning up our environment, we must maintain our commitment through legislation and through investment. Canadians also need to understand that in order to protect the environment for generations to come it will take a serious and continued commitment for many years. Hopefully, the government will provide the leadership necessary to make that happen.

My hope is that in this minority Parliament the agenda may yet become focused on the real needs of Canadians. Health, education, a strong military equipped to protect our sovereignty and the environment are, for me, priorities that we must address. Hopefully, the influence of opposition parties will be brought to bear to ensure these priorities become the government’s priorities.

Honourable senators, Harry Truman, as President of the United States, had on his desk in the White House a sign that read, “The buck stops here.” I think it would be appropriate if the Prime Minister were to have a sign on his desk that reads, “Do what is right.”

Hon. Lowell Murray: Honourable senators, we are in the closing minutes of the last day of the Address in reply to the Speech from the Throne. Is it possible that I am to have the last word on this important document?

At any rate, let me congratulate the mover and seconder of the Address in reply to the Speech from the Throne, Senators Munson and Chaput, and thank them for having done us all proud in discharging a role that is so steeped in parliamentary history and tradition.

I also congratulate all those who have been appointed, notably Mr. Speaker, or elected, notably the Leader of the Opposition, to high office in this place. I join with those who have expressed their appreciation of the services of Senator Lynch-Staunton who almost, but not quite, set a modern record for longevity as opposition leader.

Honourable senators, permit me also to take this occasion to thank the government leadership in the Senate for their courtesy and consideration in nominating me to be a member of the National Finance Committee in the new session. Having chaired that committee during part of the Thirty-sixth Parliament and all of the Thirty-seventh Parliament, I look forward to participating in its work again.

[Translation]

As a result of the general election on June 28, the majority Liberal government was reduced to minority status. In such circumstances, the government’s first duty is to convene Parliament as soon as possible to seek a vote of confidence in the House of Commons. The current government postponed the opening of the new Parliament by three months, which is too long.

Before being given what I call a parliamentary mandate to govern, cabinet should not commit this country to major new initiatives or make important appointments, such as appointments to the Supreme Court of Canada. I know that bad precedents exist, but that does not change the basic principle.

[English]

What are we to make of the House of Commons since October 5 when the parties finally returned to Ottawa? The result of negotiations between the government and its opposition parties is that the throne speech — in other words, the government's program — has now been unanimously adopted, albeit with some anodyne amendments by the House of Commons. Here, I part company with my friends Senators LeBreton, Meighen and Austin who profess to see some virtue in this somewhat unprecedented process.

One amendment offers advice to the government on taxes. Another amendment asks for a vote on a ballistic missile defence, which the opposition could force anyway on an allotted day, if they chose to do so. Still another amendment asks the government to consider the "advisability" of initiating orders of reference with instructions on various subjects to three different standing committees of the House.

The Standing Orders of the Commons already permit committees to study and report on all matters coming within their mandates. Given the opposition majority on committees, they do not need any order of reference to study and report exactly what is contemplated in the amendment. In other words, the result of these elaborately and publicly negotiated amendments is that the government gave away nothing and neither the opposition nor the country gained anything.

The Leader of the Opposition in the Commons had it right in the early days of this session when he said that his job is to present a motion of non-confidence and let the Commons decide. Unfortunately, he was scared off this position by Liberal spin and media hype.

With regard to Mr. Harper's recent musings on whether Canada might adopt the Belgium federal and linguistic model, my innate compassion constrains me from piling on. He has already taken more than enough abuse for having launched his incautious trial balloon. Personally, my attitude is that if he wants to launch a debate on this alternative, let him do so. I believe that, at the end of such a debate, Canada would probably come to the same conclusion we did on several occasions in the past when the Belgium, or Swiss, or some other federal models were examined, namely, that those models could not be successfully transplanted to Canada.

Such a debate might also have a happy, if unintended, effect. It might persuade Mr. Harper and his colleagues that the official languages policy and programs we have had in place for some 35 years are necessary to the future of our country, that, all things considered, they work, and that they do not need radical change.

Some Hon. Senators: Hear, hear!

• (1730)

Senator Murray: At that point, the united right could join in the consensus that has developed, slowly and sometimes painfully, over those years, fragile as it occasionally is. As matters now stand, opposition to linguistic duality is in their DNA. So long as they have not overcome it, they will never be able to unite the country nor win an election.

I cannot leave this subject without observing that the Liberals have been as shameless as ever in trying to exploit Mr. Harper's somewhat academic speculation for their own partisan purposes and in trying to create the impression that the country is in imminent peril and in need of Liberal salvation. I am sure Mr. Harper has learned something from the experience. I would have even more empathy for him had he and Preston Manning Reformers not joined with such relish in the 1990s chorus denouncing the Mulroney government for being "in bed with the separatists" and describing the Meech Lake and Charlottetown accords as a "sellout to Quebec." If I had the temerity to offer him a scriptural reference appropriate to his present predicament, it would be, "Whatsoever a man soweth, that shall he also reap," or, as we say in the less godly vernacular, "What goes around, comes around."

The rhetorical excesses aimed at poor Mr. Harper's aborted kite-flying is surpassed only by the jeremiads of some Trudeau-Chrétien Liberals and some media commentators regarding the federal-provincial health agreement last month. "Changing Canada by Stealth," read one headline. "Balkanization," cried others. "A slippery slope," said some. "Who speaks for Canada?" they demand to know. Senator Austin alluded to this earlier in the debate.

Mr. Martin's one mistake was to refer to the "distinct society" of Quebec in congratulating himself and his fellow first ministers on this achievement. In my humble opinion, it has nothing to do with "distinct society"; however, it has everything to do with the exercise of the federal spending power in an area of provincial jurisdiction, which is why the agreement has received general support across party lines in Parliament.

The agreement in question involves increased federal funding and a commitment by all governments to certain principles, including those of the Canada Health Act, and to certain objectives that are spelled out. Quebec, for its part, supported the agreement and also arrived at a separate agreement with Ottawa in which it reiterated its commitment to the first ministers' objectives and to the five principles of the Canada Health Act. It goes on to say, among other things, that federal funding would be used to implement Quebec's plan for renewal of its health system, and other more specific undertakings.

Some of the critics seem to think that in the field of health, where the provinces are already constrained by the provisions of the Canada Health Act, the federal government should try to impose new conditions whenever it increases its funding. I believe that the commitments in the federal-provincial agreement are as detailed as they could or should be, recognizing, as the section on wait times and access says, "the different starting points, priorities and strategies across jurisdictions."

Almost six years ago, Prime Minister Chrétien and the premiers of nine provinces and the territories signed the Framework to Improve the Social Union for Canadians. How does last month's health agreement square with the framework agreement? When it comes to the use of the federal spending power, the framework agreement commits all governments to work collaboratively "to identify Canada-wide priorities and objectives." The agreement then says: "Each provincial and territorial government will determine the detailed program design and mix best suited to its own needs and circumstances to meet the agreed objectives."

Further, the framework agreement goes on to provide for real provincial flexibility in the spending of federal money on the agreed objectives, and for an accountability framework to be agreed upon by Ottawa and the provincial-territorial governments.

The federal-provincial health accord signed by all governments last month and the separate agreement between the federal and Quebec governments are, in my humble opinion, entirely consistent with the letter and the spirit of the framework agreement of February 1999.

Further, I would draw the attention of honourable senators — especially those across from me — to an interview given by the Honourable Marc Lalonde to CPAC on October 15 last. Mr. Lalonde, once a senior adviser to Prime Minister Pearson and later a minister who held senior portfolios, including health, in the Trudeau government, made the following points: first, that there are plenty of precedents for federal-provincial agreements such as the health agreement, including Canada-Quebec agreements on immigration, family allowances and manpower; second, that the best system of accountability is from a government to its own electors, not from government to government; third, that decisions on modalities — whether, for example, federal health money goes to hospitals or home care — are really for the provinces to make; and, fourth, apropos the recent controversy about asymmetrical federalism, "We should be watchful not to get stuck in a kind of ideological posturing."

Finally, let me refer to equalization. The Senate, particularly our National Finance Committee, has some history on this issue. We did a study and made some recommendations in 2002, and we were well down the road with a revisit of the issue before dissolution of the Thirty-seventh Parliament last spring.

Following a first ministers' meeting last week, the Martin government announced its "new framework" for equalization. The formula was sweetened for this year, when a decline in payments might have kicked in otherwise. Next year, the overall funding will be increased again, and after that there will be a growth rate of 3.5 per cent per year.

The government also announced its intention to appoint a panel of experts to report by the end of 2005 on a number of matters, notably including the allocation of the annual equalization allotment among provinces. However, instead of staying with the present allocation formula pending the panel's report, the government announced it will itself decide on the allocation for

2005-06. That decision was made and announced to the provinces last week. Half of the 2005-06 allocation will be based on a province's three-year average of its proportion of the total fund and half of the allocation is based on a three-year average of population.

There is no point mincing words, honourable senators. The federal government has manipulated the formula for next year to respond to pressures from British Columbia, which is determined to remain a recipient province for a while longer — and where a provincial election is due next year — and pressures from Quebec, which already receives almost 50 per cent of equalization funding. This stuff is potentially quite divisive, and I think the panel will have a hard time finding an allocation formula that is equitable and acceptable even to a majority of recipient provinces.

The expert panel is mandated to consider alternatives to the representative tax system now used and new measures of provincial fiscal capacity — macroeconomic variables, for example, and needs-based formulas. Our Senate committee looked at these and rejected them, at least for the present, but we certainly do not pretend that ours is the last word. However, I believe it is relevant to note that the provinces we heard from — and they were all recipient provinces — wanted to keep the equalization program whole. They wanted it strengthened. They did not want radical change.

It should also be noted that equalization as a proportion of GNP was about one third higher 15 to 20 years ago than it is now. Further, the year-over-year percentage growth in equalization payments has almost always been less than that of federal tax revenues. When in any brief period federal revenue growth fell behind growth in equalization payments, the government moved swiftly, and at the first opportunity, to tweak the formula in such a way as to reverse that relationship.

Finally, equalization has not succeeded in closing the gap in fiscal capacity across the country. Statistics published by New Brunswick several years ago, for example, showed that province with a post-equalization fiscal capacity that was 91 per cent of a ten-province standard, 87 per cent of Ontario's and 63 per cent of Alberta's.

• (1740)

There will be much opportunity for further debate on all this when the legislation is before us.

The Hon. the Speaker: No senator rising to speak, and the Senate being subject to, in effect, an order to put the question today, I will put the question.

The question is on the motion in amendment of the Honourable Senator Kinsella, seconded by Honourable Senator Stratton, that the following be added to the Address:

and we urge —

Hon. Senators: Dispense.

The Hon. the Speaker: Shall I dispense?

Hon. Senators: Agreed.

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

Some Hon. Senators: Agreed.

Senator Murray: May I record my abstention?

The Hon. the Speaker: Because I have not quite heard a decisive response, let me ask this — and then I will come to you, Senator Murray.

Would those honourable senators in favour of the motion in amendment please say “yea”?

Some Hon. Senators: Yea.

The Hon. the Speaker: Would those honourable senators opposed to the motion in amendment please say “nay”?

Some Hon. Senators: Nay.

The Hon. the Speaker: I believe the “yeas” have it.

Some Hon. Senators: On division.

The Hon. the Speaker: The motion in amendment passes, on division.

Honourable senators, we now move to the main motion, as amended. The question is now on the motion, as amended, of the Honourable Senator Munson, seconded by Honourable Senator Chaput —

Hon. Senators: Dispense.

The Hon. the Speaker: Shall I dispense, honourable senators?

Hon. Senators: Agreed.

The Hon. the Speaker: I will dispense. Is it your pleasure, honourable senators, to adopt the motion, as amended?

Hon. Senators: Agreed.

Motion, as amended, agreed to and Address in reply to the Speech from the Throne adopted.

On motion of the Honourable Senator Rompkey, ordered that the Address be engrossed and presented to Her Excellency the Governor General by the Honourable the Speaker.

BUSINESS OF THE SENATE

MOTION TO CHANGE COMMENCEMENT TIME ON WEDNESDAYS AND THURSDAYS AND TO EFFECT WEDNESDAY ADJOURNMENTS ADOPTED

Hon. Bill Rompkey (Deputy Leader of the Government), pursuant to notice of October 28, 2004, moved:

That, for the remainder of the current session,

(a) when the Senate sits on a Wednesday or a Thursday, it shall sit at 1:30 p.m. notwithstanding rule (5)(1)(a);

(b) when the Senate sits on a Wednesday, it stand adjourned at 4 p.m., unless it has been suspended for the purpose of taking a deferred vote or has earlier adjourned; and

(c) where a vote is deferred until 5:30 p.m. on a Wednesday, the Speaker shall interrupt the proceedings, immediately prior to any adjournment but no later than 4 p.m., to suspend the sitting until 5:30 p.m. for the taking of the deferred vote, and that committees be authorized to meet during the period that the sitting is suspended.

Motion agreed to.

CITIZENSHIP ACT

BILL TO AMEND—THIRD READING

Hon. Noël A. Kinsella (Leader of the Opposition) moved third reading of Bill S-2, to amend the Citizenship Act.

Motion agreed to and bill read third time and passed.

HERITAGE LIGHTHOUSE PROTECTION BILL

SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Forrestall, seconded by the Honourable Senator Eyton, for the second reading of Bill S-14, to protect heritage lighthouses.—(*Honourable Senator Forrestall*)

Hon. Catherine S. Callbeck: Honourable senators, it gives me a great deal of pleasure to lend my support to Bill S-14. I commend Senator Forrestall for bringing this proposed legislation forward. A predecessor to this bill has been introduced three times previously in this house; all three times, the bill had died at prorogation, the first time in the Senate and second and third times in the other place.

I will be speaking briefly today on this proposed legislation, as I have already spoken at least twice before on it.

Senator Forrestall has outlined how this bill will protect heritage lighthouses. I believe it is important that we commit to that goal. The preservation and protection of Canada's heritage lighthouses is a matter of national significance to all Canadians. As stated in the preamble of the bill:

...lighthouses have long graced Canada's rugged coastlines and majestic shores, providing and symbolizing direction, hope and safe harbour to generations of mariners;

...lighthouses form an integral part of Canada's identity, culture and heritage, and are of historic and aesthetic interest and significance to our communities and our nation.

For generations, along our rugged coastlines and peaceful shores, lighthouses have maintained their silent vigils of the sea. These sturdy structures, with their simple and majestic styles, are a vital fabric of our national identity, from sea to sea to sea. The protection and preservation of these distinctive structures means the protection and preservation of a vital part of Canadian history, heritage and culture.

From Cape Spear in Newfoundland, to Point Prim in Prince Edward Island, to Peggy's Cove in Nova Scotia, through coastal communities across Canada, to the Langara Point lighthouse in British Columbia, these lighthouses stand as proud and enduring testaments to a way of life. The preservation of these historic structures is a shared responsibility that belongs to all Canadians.

One of the shortfalls of the present system is that it provides little or no opportunity for public involvement. Across this country, there are many interested groups and citizens who want to take an active role in the protection of the lighthouses that are such an integral part of the lives of their communities. An increasing number of organizations has been established with the sole purpose of preserving and maintaining these sites. These organizations are invaluable partners in the effort to ensure the future integrity of the lighthouses and the history, heritage and culture associated with them.

This bill sets out ways in which the public has an opportunity to participate in the process of selecting and designating heritage lighthouses. The bill ensures public participation and support by enabling members of the public to propose the designation of lighthouses that they believe are deserving of protection.

There are 56 lighthouses in my own province of Prince Edward Island. Included among these distinctive structures is the Point Prim Lighthouse, the oldest in the province and the only brown brick lighthouse in Canada. Another is the lighthouse at Cape Bear, home to the Canadian Marconi station, which played such a significant role in wireless overseas communication.

On the island, as in any coastal community, lighthouses are an integral part of the landscape. They are part of our culture, our folklore, our songs and our stories. Increasingly they are playing an important role in the development of rural economies. The historic significance of these buildings to the communities of which they are so much a part is irreplaceable. It would be a great loss if heritage lighthouses were not saved. They are invaluable heritage resources and, once gone, so too are the opportunities they represent.

• (1750)

Bill S-14 will lead to the establishment of heritage standards for all designated lighthouses in Canada. It will help to facilitate new partnerships with local communities to give new life to these structures. This bill recognizes the cultural and historic significance of lighthouses and the importance of their place in the landscape as well as their potential as part of the revitalization of coastal communities. This proposed legislation will put a structure and process in place that will help to preserve these special buildings. Without the protection of this bill, we are in danger of losing forever a vital part of our past.

[Senator Callbeck]

The Hon. the Speaker: Honourable senators, I wish to inform the Senate that if the Honourable Senator Forrestall speaks now, his speech will have the effect of closing the debate on the motion for second reading of this bill.

Hon. J. Michael Forrestall: Honourable senators, I want to take a brief moment to express my appreciation to Senators Lapointe, Callbeck, Carney and the many others who have been supportive of this bill over the last few years.

When Senator Callbeck mentioned the Langara Point Lighthouse, a letter that is in my office came to my mind. If one wants to understand a piece of Canadian history, the role of the lighthouse nationally and internationally and, more importantly, if you want to identify a Canadian family and its members, you need only look at the current and last lighthouse keeper, his wife and his family to find an outstanding example of dedication, love of country, concern for mariners and concern about the automation of lighthouses.

I mention that because I want to see this bill pass to protect these lighthouses. As they move to automation, slowly I hope, I want their visibility preserved. We are entitled to that. Many of you have travelled throughout the country and have seen what many communities have done with our railway stations. It is always a pleasure to see what concern for these structures can produce.

With those few brief words, bearing in mind that there will be other opportunities to discuss the subject, I move that the matter be referred to the Standing Senate Committee on Social Affairs, Science and Technology.

The Hon. the Speaker: It was moved by the Honourable Senator Forrestall, seconded by the Honourable Senator Eyton, that this bill be read a second time now. Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

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

On motion of Senator Forrestall, bill referred to the Standing Senate Committee on Social Affairs, Science and Technology.

BUSINESS OF THE SENATE

Hon. Bill Rompkey (Deputy Leader of the Government): In light of the advancing hour of six o'clock, I believe that if His Honour were to poll the chamber there would be agreement to stand all other items on the *Order Paper and Notice Paper*, except Motion No. 42 standing in the name of Senator Stollery and to deal with that motion now.

The Hon. the Speaker: Is it agreed, honourable senators?

Hon. Senators: Agreed.

The Hon. the Speaker: It is agreed that all remaining items, with the exception of Motion No. 42, will stand on the *Order Paper and Notice Paper* in their place. After we deal with Senator Stollery's motion, we will go to the adjournment motion.

FOREIGN AFFAIRS

COMMITTEE AUTHORIZED TO STUDY 2003-04 PERFORMANCE REPORTS OF DEPARTMENTS OF FOREIGN AFFAIRS AND INTERNATIONAL TRADE AND THE CANADIAN INTERNATIONAL DEVELOPMENT AGENCY

Hon. Peter A. Stollery, pursuant to notice of October 28, 2004, moved:

That the Standing Senate Committee on Foreign Affairs be authorized to examine the Performance Reports for the period ending March 31, 2004 of: a) Foreign Affairs Canada; b) International Trade Canada; and c) Canadian International Development Agency, tabled in the Senate on October 28, 2004; and

That the Committee report to the Senate no later than March 31, 2005.

The Hon. the Speaker: It is moved by the Honourable Senator Stollery that the Standing Senate Committee on Foreign Affairs be authorized to —

Some Hon. Senators: Dispense.

The Hon. the Speaker: Shall I dispense, honourable senators?

Some Hon. Senators: Yes.

Hon. Terry Stratton (Deputy Leader of the Opposition): I have one question, if I may, for Senator Stollery. Is this a continuation of a previous study or is this a new study? Will there be a requirement for additional funds? What is the situation?

Senator Stollery: In response to the honourable senator, the committee has used this procedure before. It involves no funding and no budget is required. As some senators are aware, this allows us to look into the workings of the departments. We are waiting for Senator Di Nino before we decide how to proceed and what witnesses to call.

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

Some Hon. Senators: Question!

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

Motion agreed to.

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, before I turn to Senator Rompkey, Senator Morin has asked for the floor to request leave.

Hon. Yves Morin: Honourable senators I have a special request in respect of Motion No. 43, which recommends that the house calls upon the government to establish the first week of the month of November of each and every year, throughout Canada, as the national pain awareness week.

Honourable senators, the Canadian coalition against chronic pain —

The Hon. the Speaker: Allow me to interrupt, Senator Morin. Is it agreed, honourable senators, that we give leave to Senator Morin to speak to Motion No. 43?

Senator Morin: I will put the motion.

Senator Kinsella: We have to debate it.

The Hon. the Speaker: Senator Morin has asked for leave to put his motion.

Some Hon. Senators: It has to be debated.

Senator Lapointe: Agreed.

The Hon. the Speaker: Is it agreed, Senator Stratton?

Hon. Terry Stratton (Deputy Leader of the Opposition): Surely we want to debate this motion. Is it Senator Morin's intention to put the motion and then adjourn the debate?

Senator Morin: I will not speak to it, but I intend to put the motion. If it were voted on, that would be ideal.

The Hon. the Speaker: If I correctly understand the wishes of honourable senators, they would like to hear debate and deal with the motion. I understand the honourable senator's point, but I think that it is the disposition of this chamber that leave not be granted to revert.

Hon. Eymard G. Corbin: Will there be debate on this?

Some Hon. Senators: Yes.

The Hon. the Speaker: My interpretation is that leave will not be given to revert to Senator Morin's motion. He will have to move it at the next sitting of the Senate.

Senator Corbin: I was seeking information. I understood Senator Morin was to seek adoption of the motion today. I will not oppose his motion. I am inquiring whether anyone will speak to the motion today.

• (1800)

The Hon. the Speaker: Before we do anything more, honourable senators, I see it is six o'clock. Do we agree not to see the clock?

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, perhaps we could agree not to see the clock for a moment and also that there obviously is need for debate. Some people want to speak on the motion. Could Senator Morin put the motion off until tomorrow? It will be dealt with tomorrow for sure. If we do that, people who want to speak can do so then.

Senator Morin: I will be happy to defer this matter until tomorrow.

The Senate adjourned until Wednesday, November 3, 2004, at 1:30 p.m.

APPENDIX

Officers of the Senate

The Ministry

Senators

(Listed according to seniority, alphabetically and by provinces)

Committees of the Senate

THE SPEAKER

The Honourable Daniel P. Hays

THE LEADER OF THE GOVERNMENT

The Honourable Jack Austin, P.C.

THE LEADER OF THE OPPOSITION

The Honourable Noël A. Kinsella

OFFICERS OF THE SENATE**CLERK OF THE SENATE AND CLERK OF THE PARLIAMENTS**

Paul Bélisle

DEPUTY CLERK, PRINCIPAL CLERK, LEGISLATIVE SERVICES

Gary O'Brien

LAW CLERK AND PARLIAMENTARY COUNSEL

Mark Audcent

USHER OF THE BLACK ROD

Terrance J. Christopher

THE MINISTRY

According to Precedence

(November 2, 2004)

The Right Hon. Paul Martin	Prime Minister
The Hon. Jacob Austin	Leader of the Government in the Senate
The Hon. Jean-C. Lapierre	Minister of Transport
The Hon. Ralph E. Goodale	Minister of Finance
The Hon. Anne McLellan	Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness
The Hon. Lucienne Robillard	President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs
The Hon. Stéphane Dion	Minister of the Environment
The Hon. Pierre Stewart Pettigrew	Minister of Foreign Affairs
The Hon. Andy Scott	Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians
The Hon. James Scott Peterson	Minister of International Trade
The Hon. Andrew Mitchell	Minister of Agriculture and Agri-Food
The Hon. William Graham	Minister of National Defence
The Hon. Albina Guarnieri	Minister of Veterans Affairs
The Hon. Reginald B. Alcock	President of the Treasury Board and Minister responsible for the Canadian Wheat Board
The Hon. Geoff Regan	Minister of Fisheries and Oceans
The Hon. Tony Valeri	Leader of the Government in the House of Commons
The Hon. M. Aileen Carroll	Minister of International Cooperation
The Hon. Irwin Cotler	Minister of Justice and Attorney General of Canada
The Hon. Judy Sgro	Minister of Citizenship and Immigration
The Hon. Ruben John Efford	Minister of Natural Resources
The Hon. Liza Frulla	Minister of Canadian Heritage and Minister responsible for Status of Women
The Hon. Giuseppe (Joseph) Volpe	Minister of Human Resources and Skills Development
The Hon. Joseph Frank Fontana	Minister of Labour and Housing
The Hon. Scott Brison	Minister of Public Works and Government Services
The Hon. Ujjal Dosanjh	Minister of Health
The Hon. Ken Dryden	Minister of Social Development
The Hon. David Emerson	Minister of Industry
The Hon. Ethel Blondin-Andrew	Minister of State (Northern Development)
The Hon. Raymond Chan	Minister of State (Multiculturalism)
The Hon. Claudette Bradshaw	Minister of State (Human Resources Development)
The Hon. John McCallum	Minister of National Revenue
The Hon. Stephen Owen	Minister of Western Economic Diversification and Minister of State (Sport)
The Hon. Joseph McGuire	Minister of the Atlantic Canada Opportunities Agency
The Hon. Joseph Robert Comuzzi	Minister of State (Federal Economic Development Initiative for Northern Ontario)
The Hon. Mauril Bélanger	Deputy Leader of the Government in the House of Commons, Minister responsible for Official Languages, Minister responsible for Democratic Reform and Associate Minister of National Defence
The Hon. Carolyn Bennett	Minister of State (Public Health)
The Hon. Jacques Saada	Minister of the Economic Development Agency of Canada for the Regions of Quebec and Minister responsible for the Francophonie
The Hon. John Ferguson Godfrey	Minister of State (Infrastructure and Communities)
The Hon. Tony Ianno	Minister of State (Families and Caregivers)

SENATORS OF CANADA

ACCORDING TO SENIORITY

(November 2, 2004)

Senator	Designation	Post Office Address
THE HONOURABLE		
Herbert O. Sparrow	Saskatchewan	North Battleford, Sask.
Jack Austin, P.C.	Vancouver South	Vancouver, B.C.
Willie Adams	Nunavut	Rankin Inlet, Nunavut
Lowell Murray, P.C.	Pakenham	Ottawa, Ont.
C. William Doody	Harbour Main-Bell Island	St. John's, Nfld. & Lab.
Peter Alan Stollery	Bloor and Yonge	Toronto, Ont.
Peter Michael Pitfield, P.C.	Ottawa-Vanier	Ottawa, Ont.
Michael Kirby	South Shore	Halifax, N.S.
Jerahmiel S. Grafstein	Metro Toronto	Toronto, Ont.
Anne C. Cools	Toronto Centre-York	Toronto, Ont.
Charlie Watt	Inkerman	Kuujuaq, Que.
Daniel Phillip Hays, <i>Speaker</i>	Calgary	Calgary, Alta.
Joyce Fairbairn, P.C.	Lethbridge	Lethbridge, Alta.
Colin Kenny	Rideau	Ottawa, Ont.
Pierre De Bané, P.C.	De la Vallière	Montreal, Que.
Eymard Georges Corbin	Grand-Sault	Grand-Sault, N.B.
Norman K. Atkins	Markham	Toronto, Ont.
Ethel Cochrane	Newfoundland and Labrador	Port-au-Port, Nfld. & Lab.
Mira Spivak	Manitoba	Winnipeg, Man.
Pat Carney, P.C.	British Columbia	Vancouver, B.C.
Gerald J. Comeau	Nova Scotia	Saulnierville, N.S.
Consiglio Di Nino	Ontario	Downsview, Ont.
Donald H. Oliver	Nova Scotia	Halifax, N.S.
Noël A. Kinsella	Fredericton-York-Sunbury	Fredericton, N.B.
John Buchanan, P.C.	Nova Scotia	Halifax, N.S.
John Lynch-Staunton	Grandville	Georgeville, Que.
James Francis Kelleher, P.C.	Ontario	Sault Ste. Marie, Ont.
J. Trevor Eyton	Ontario	Caledon, Ont.
Wilbert Joseph Keon	Ottawa	Ottawa, Ont.
Michael Arthur Meighen	St. Marys	Toronto, Ont.
J. Michael Forrestall	Dartmouth and Eastern Shore	Dartmouth, N.S.
Janis G. Johnson	Winnipeg-Interlake	Gimli, Man.
A. Raynell Andreychuk	Regina	Regina, Sask.
Jean-Claude Rivest	Stadacona	Quebec, Que.
Terrance R. Stratton	Red River	St. Norbert, Man.
Marcel Prud'homme, P.C.	La Salle	Montreal, Que.
Leonard J. Gustafson	Saskatchewan	Macoun, Sask.
David Tkachuk	Saskatchewan	Saskatoon, Sask.
W. David Angus	Alma	Montreal, Que.
Pierre Claude Nolin	De Salaberry	Quebec, Que.
Marjory LeBreton	Ontario	Manotick, Ont.
Gerry St. Germain, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.

Senator	Designation	Post Office Address
Lise Bacon	De la Durantaye	Laval, Que.
Sharon Carstairs, P.C.	Manitoba	Victoria Beach, Man.
Landon Pearson	Ontario	Ottawa, Ont.
John G. Bryden	New Brunswick	Bayfield, N.B.
Rose-Marie Losier-Cool	Tracadie	Bathurst, N.B.
Céline Hervieux-Payette, P.C.	Bedford	Montreal, Que.
William H. Rompkey, P.C.	North West River, Labrador	North West River, Labrador, Nfld. & Lab.
Lorna Milne	Peel County	Brampton, Ont.
Marie-P. Poulin	Nord de l'Ontario/Northern Ontario	Ottawa, Ont.
Shirley Maheu	Rougemont	Saint-Laurent, Que.
Wilfred P. Moore	Stanhope St./Bluenose	Chester, N.S.
Lucie Pépin	Shawinigan	Montreal, Que.
Fernand Robichaud, P.C.	New Brunswick	Saint-Louis-de-Kent, N.B.
Catherine S. Callbeck	Prince Edward Island	Central Bedeque, P.E.I.
Marisa Ferretti Barth	Repentigny	Pierrefonds, Que.
Serge Joyal, P.C.	Kennebec	Montreal, Que.
Joan Cook	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Ross Fitzpatrick	Okanagan-Similkameen	Kelowna, B.C.
Francis William Mahovlich	Toronto	Toronto, Ont.
Joan Thorne Fraser	De Lorimier	Montreal, Que.
Aurélien Gill	Wellington	Mashteuiatsh, Pointe-Bleue, Que.
Vivienne Poy	Toronto	Toronto, Ont.
Ione Christensen	Yukon Territory	Whitehorse, Y.T.
George Furey	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Nick G. Sibbeston	Northwest Territories	Fort Simpson, N.W.T.
Isobel Finnerty	Ontario	Burlington, Ont.
Tommy Banks	Alberta	Edmonton, Alta.
Jane Cordy	Nova Scotia	Dartmouth, N.S.
Yves Morin	Lauson	Quebec, Que.
Elizabeth M. Hubley	Prince Edward Island	Kensington, P.E.I.
Laurier L. LaPierre	Ontario	Ottawa, Ont.
Viola Léger	Acadie/New Brunswick	Moncton, N.B.
Mobina S. B. Jaffer	British Columbia	North Vancouver, B.C.
Jean Lapointe	Saurel	Magog, Que.
Gerard A. Phalen	Nova Scotia	Glace Bay, N.S.
Joseph A. Day	Saint John-Kennebecasis	Hampton, N.B.
Michel Biron	Mille Isles	Nicolet, Que.
George S. Baker, P.C.	Newfoundland and Labrador	Gander, Nfld. & Lab.
Raymond Lavigne	Montarville	Verdun, Que.
David P. Smith, P.C.	Cobourg	Toronto, Ont.
Maria Chaput	Manitoba	Sainte-Anne, Man.
Pana Merchant	Saskatchewan	Regina, Sask.
Pierrette Ringuette	New Brunswick	Edmundston, N.B.
Percy Downe	Charlottetown	Charlottetown, P.E.I.
Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire, Que.
Mac Harb	Ontario	Ottawa, Ont.
Madeleine Plamondon	The Laurentides	Shawinigan, Que.
Marilyn Trenholme Counsell	New Brunswick	Sackville, N.B.
Terry M. Mercer	Northend Halifax	Caribou River, N.S.
Jim Munson	Ottawa/Rideau Canal	Ottawa, Ont.

SENATORS OF CANADA

ALPHABETICAL LIST

(November 2, 2004)

Senator	Designation	Post Office Address	Political Affiliation
THE HONOURABLE			
Adams, Willie	Nunavut	Rankin Inlet, Nunavut	Lib
Andreychuk, A. Raynell	Regina	Regina, Sask.	C
Angus, W. David	Alma	Montreal, Que.	C
Atkins, Norman K.	Markham	Toronto, Ont.	PC
Austin, Jack, P.C.	Vancouver South	Vancouver, B.C.	Lib
Bacon, Lise	De la Durantaye	Laval, Que.	Lib
Baker, George S., P.C.	Newfoundland and Labrador	Gander, Nfld. & Lab.	Lib
Banks, Tommy	Alberta	Edmonton, Alta.	Lib
Biron, Michel	Mille Isles	Nicolet, Que.	Lib
Bryden, John G.	New Brunswick	Bayfield, N.B.	Lib
Buchanan, John, P.C.	Halifax	Halifax, N.S.	C
Callbeck, Catherine S.	Prince Edward Island	Central Bedeque, P.E.I.	Lib
Carney, Pat, P.C.	British Columbia	Vancouver, B.C.	C
Carstairs, Sharon, P.C.	Manitoba	Victoria Beach, Man.	Lib
Chaput, Maria	Manitoba	Sainte-Anne, Man.	Lib
Christensen, Ione	Yukon Territory	Whitehorse, Y.T.	Lib
Cochrane, Ethel	Newfoundland and Labrador	Port-au-Port, Nfld. & Lab.	C
Comeau, Gerald J.	Nova Scotia	Saulnierville, N.S.	C
Cook, Joan	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Lib
Cools, Anne C.	Toronto Centre-York	Toronto, Ont.	C
Corbin, Eymard Georges	Grand-Sault	Grand-Sault, N.B.	Lib
Cordy, Jane	Nova Scotia	Dartmouth, N.S.	Lib
Day, Joseph A.	Saint John-Kennebecasis	Hampton, N.B.	Lib
De Bané, Pierre, P.C.	De la Vallière	Montreal, Que.	Lib
Di Nino, Consiglio	Ontario	Downsview, Ont.	C
Doody, C. William	Harbour Main-Bell Island	St. John's, Nfld. & Lab.	PC
Downe, Percy	Charlottetown	Charlottetown, P.E.I.	Lib
Eyton, J. Trevor	Ontario	Caledon, Ont.	C
Fairbairn, Joyce, P.C.	Lethbridge	Lethbridge, Alta.	Lib
Ferretti Barth, Marisa	Repentigny	Pierrefonds, Que.	Lib
Finnerty, Isobel	Ontario	Burlington, Ont.	Lib
Fitzpatrick, Ross	Okanagan-Similkameen	Kelowna, B.C.	Lib
Forrestall, J. Michael	Dartmouth and the Eastern Shore	Dartmouth, N.S.	C
Fraser, Joan Thorne	De Lorimier	Montreal, Que.	Lib
Furey, George	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Lib
Gill, Aurélien	Wellington	Mashteuiatsh, Pointe-Bleue, Que.	Lib
Grafstein, Jeremiah S.	Metro Toronto	Toronto, Ont.	Lib
Gustafson Leonard J.	Saskatchewan	Macoun, Sask.	C
Harb, Mac	Ontario	Ottawa, Ont.	Lib
Hays, Daniel Phillip, <i>Speaker</i>	Calgary	Calgary, Alta.	Lib
Hervieux-Payette, Céline, P.C.	Bedford	Montreal, Que.	Lib
Hubley, Elizabeth M.	Prince Edward Island	Kensington, P.E.I.	Lib
Jaffer, Mobina S. B.	British Columbia	North Vancouver, B.C.	Lib

Senator	Designation	Post Office Address	Political Affiliation
Johnson, Janis G.	Winnipeg-Interlake	Gimli, Man.	C
Joyal, Serge, P.C.	Kennebec	Montreal, Que.	Lib
Kelleher, James Francis, P.C.	Ontario	Sault Ste. Marie, Ont.	C
Kenny, Colin	Rideau	Ottawa, Ont.	Lib
Keon, Wilbert Joseph	Ottawa	Ottawa, Ont.	C
Kinsella, Noël A.	Fredericton-York-Sunbury	Fredericton, N.B.	C
Kirby, Michael	South Shore	Halifax, N.S.	Lib
LaPierre, Laurier L.	Ontario	Ottawa, Ont.	Lib
Lapointe, Jean	Saurel	Magog, Que.	Lib
Lavigne, Raymond	Montarville	Verdun, Que.	Lib
LeBreton, Marjory	Ontario	Manotick, Ont.	C
Léger, Viola	Acadie/New Brunswick	Moncton, N.B.	Lib
Losier-Cool, Rose-Marie	Tracadie	Bathurst, N.B.	Lib
Lynch-Staunton, John	Grandville	Georgeville, Que.	C
Maheu, Shirley	Rougemont	Saint-Laurent, Que.	Lib
Mahovlich, Francis William	Toronto	Toronto, Ont.	Lib
Massicotte, Paul J.	De Lanaudière	Mont-Saint-Hilaire, Que.	Lib
Meighen, Michael Arthur	St. Marys	Toronto, Ont.	C
Mercer, Terry M.	Northend Halifax	Caribou River, N.S.	Lib
Merchant, Pana	Saskatchewan	Regina, Sask.	Lib
Milne, Lorna	Peel County	Brampton, Ont.	Lib
Moore, Wilfred P.	Stanhope St./Bluenose	Chester, N.S.	Lib
Morin, Yves	Lauzon	Quebec, Que.	Lib
Munson, Jim	Ottawa/Rideau Canal	Ottawa, Ont.	Lib
Murray, Lowell, P.C.	Pakenham	Ottawa, Ont.	PC
Nolin, Pierre Claude	De Salaberry	Quebec, Que.	C
Oliver, Donald H.	Nova Scotia	Halifax, N.S.	C
Pearson, Landon	Ontario	Ottawa, Ontario	Lib
Pépin, Lucie	Shawinigan	Montreal, Que.	Lib
Phalen, Gerard A.	Nova Scotia	Glace Bay, N.S.	Lib
Pitfield, Peter Michael, P.C.	Ottawa-Vanier	Ottawa, Ont.	Ind
Plamondon, Madeleine	The Laurentides	Shawinigan, Que.	Ind
Poulin, Marie-P.	Nord de l'Ontario/Northern Ontario	Ottawa, Ont.	Lib
Poy, Vivienne	Toronto	Toronto, Ont.	Lib
Prud'homme, Marcel, P.C.	La Salle	Montreal, Que.	Ind
Ringuette, Pierrette	New Brunswick	Edmundston, N.B.	Lib
Rivest, Jean-Claude	Stadacona	Quebec, Que.	Ind
Robichaud, Fernand, P.C.	New Brunswick	Saint-Louis-de-Kent, N.B.	Lib
Rompkey, William H., P.C.	North West River, Labrador	North West River, Labrador, Nfld. & Lab.	Lib
St. Germain, Gerry, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.	C
Sibbeston, Nick G.	Northwest Territories	Fort Simpson, N.W.T.	Lib
Smith, David P., P.C.	Cobourg	Toronto, Ont.	Lib
Sparrow, Herbert O.	Saskatchewan	North Battleford, Sask.	Lib
Spivak, Mira	Manitoba	Winnipeg, Man.	Ind
Stollery, Peter Alan	Bloor and Yonge	Toronto, Ont.	Lib
Stratton, Terrance R.	Red River	St. Norbert, Man.	C
Tkachuk, David	Saskatchewan	Saskatoon, Sask.	C
Trenholme Counsell, Marilyn	New Brunswick	Sackville, N.B.	Lib
Watt, Charlie	Inkerman	Kuuujuaq, Que.	Lib

SENATORS OF CANADA
BY PROVINCE AND TERRITORY
 (November 2, 2004)

ONTARIO—24

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Lowell Murray, P.C.	Pakenham	Ottawa
2 Peter Alan Stollery	Bloor and Yonge	Toronto
3 Peter Michael Pitfield, P.C.	Ottawa-Vanier	Ottawa
4 Jerahmiel S. Grafstein	Metro Toronto	Toronto
5 Anne C. Cools	Toronto Centre-York	Toronto
6 Colin Kenny	Rideau	Ottawa
7 Norman K. Atkins	Markham	Toronto
8 Consiglio Di Nino	Ontario	Downsview
9 James Francis Kelleher, P.C.	Ontario	Sault Ste. Marie
10 John Trevor Eyton	Ontario	Caledon
11 Wilbert Joseph Keon	Ottawa	Ottawa
12 Michael Arthur Meighen	St. Marys	Toronto
13 Marjory LeBreton	Ontario	Manotick
14 Landon Pearson	Ontario	Ottawa
15 Lorna Milne	Peel County	Brampton
16 Marie-P. Poulin	Northern Ontario	Ottawa
17 Francis William Mahovlich	Toronto	Toronto
18 Vivienne Poy	Toronto	Toronto
19 Isobel Finnerty	Ontario	Burlington
20 Laurier L. LaPierre	Ontario	Ottawa
21 David P. Smith, P.C.	Cobourg	Toronto
22 Mac Harb	Ontario	Ottawa
23 Jim Munson	Ottawa/Rideau Canal	Ottawa
24

SENATORS BY PROVINCE AND TERRITORY

QUEBEC—24

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Charlie Watt	Inkerman	Kuujuaq
2 Pierre De Bané, P.C.	De la Vallière	Montreal
3 John Lynch-Staunton	Grandville	Georgeville
4 Jean-Claude Rivest	Stadacona	Quebec
5 Marcel Prud'homme, P.C.	La Salle	Montreal
6 W. David Angus	Alma	Montreal
7 Pierre Claude Nolin	De Salaberry	Quebec
8 Lise Bacon	De la Durantaye	Laval
9 Céline Hervieux-Payette, P.C.	Bedford	Montreal
10 Shirley Maheu	Rougemont	Ville de Saint-Laurent
11 Lucie Pépin	Shawinigan	Montreal
12 Marisa Ferretti Barth	Repentigny	Pierrefonds
13 Serge Joyal, P.C.	Kennebec	Montreal
14 Joan Thorne Fraser	De Lorimier	Montreal
15 Aurélien Gill	Wellington	Mashteuiatsh, Pointe-Bleue
16 Yves Morin	Lauzon	Quebec
17 Jean Lapointe	Saurel	Magog
18 Michel Biron	Milles Isles	Nicolet
19 Raymond Lavigne	Montarville	Verdun
20 Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire
21 Madeleine Plamondon	The Laurentides	Shawinigan
22		
23		
24		

SENATORS BY PROVINCE-MARITIME DIVISION

NOVA SCOTIA—10

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Michael Kirby	South Shore	Halifax
2 Gerald J. Comeau	Nova Scotia	Saulnierville
3 Donald H. Oliver	Nova Scotia	Halifax
4 John Buchanan, P.C.	Halifax	Halifax
5 J. Michael Forrestall	Dartmouth and the Eastern Shore	Dartmouth
6 Wilfred P. Moore	Stanhope St./Bluenose	Chester
7 Jane Cordy	Nova Scotia	Dartmouth
8 Gerard A. Phalen	Nova Scotia	Glace Bay
9 Terry M. Mercer	Northend Halifax	Caribou River
10		

NEW BRUNSWICK—10

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Eymard Georges Corbin	Grand-Sault	Grand-Sault
2 Noël A. Kinsella	Fredericton-York-Sunbury	Fredericton
3 John G. Bryden	New Brunswick	Bayfield
4 Rose-Marie Losier-Cool	Tracadie	Bathurst
5 Fernand Robichaud, P.C.	Saint-Louis-de-Kent	Saint-Louis-de-Kent
6 Viola Léger	Acadie/New Brunswick	Moncton
7 Joseph A. Day	Saint John-Kennebecasis, New Brunswick	Hampton
8 Pierrette Ringuette	New Brunswick	Edmundston
9 Marilyn Trenholme Counsell	New Brunswick	Sackville
10		

PRINCE EDWARD ISLAND—4

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Catherine S. Callbeck	Prince Edward Island	Central Bedeque
2 Elizabeth M. Hubley	Prince Edward Island	Kensington
3 Percy Downe	Charlottetown	Charlottetown
4		

SENATORS BY PROVINCE-WESTERN DIVISION

MANITOBA—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Mira Spivak	Manitoba	Winnipeg
2 Janis G. Johnson	Winnipeg-Interlake	Gimli
3 Terrance R. Stratton	Red River	St. Norbert
4 Sharon Carstairs, P.C.	Manitoba	Victoria Beach
5 Maria Chaput	Manitoba	Sainte-Anne
6		

BRITISH COLUMBIA—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Jack Austin, P.C.	Vancouver South	Vancouver
2 Pat Carney, P.C.	British Columbia	Vancouver
3 Gerry St. Germain, P.C.	Langley-Pemberton-Whistler	Maple Ridge
4 Ross Fitzpatrick	Okanagan-Similkameen	Kelowna
5 Mobina S.B. Jaffer	British Columbia	North Vancouver
6		

SASKATCHEWAN—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Herbert O. Sparrow	Saskatchewan	North Battleford
2 A. Raynell Andreychuk	Regina	Regina
3 Leonard J. Gustafson	Saskatchewan	Macoun
4 David Tkachuk	Saskatchewan	Saskatoon
5 Pana Merchant	Saskatchewan	Regina
6		

ALBERTA—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Daniel Phillip Hays, <i>Speaker</i>	Calgary	Calgary
2 Joyce Fairbairn, P.C.	Lethbridge	Lethbridge
3 Tommy Banks	Alberta	Edmonton
4		
5		
6		

SENATORS BY PROVINCE AND TERRITORY

NEWFOUNDLAND AND LABRADOR—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 C. William Doody	Harbour Main-Bell Island	St. John's
2 Ethel Cochrane	Newfoundland and Labrador	Port-au-Port
3 William H. Rompkey, P.C.	North West River, Labrador	North West River, Labrador
4 Joan Cook	Newfoundland and Labrador	St. John's
5 George Furey	Newfoundland and Labrador	St. John's
6 George S. Baker, P.C.	Newfoundland and Labrador	Gander

NORTHWEST TERRITORIES—1

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Nick G. Sibbeston	Northwest Territories	Fort Simpson

NUNAVUT—1

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Willie Adams	Nunavut	Rankin Inlet

YUKON TERRITORY—1

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Ione Christensen	Yukon Territory.	Whitehorse

ALPHABETICAL LIST OF STANDING, SPECIAL AND JOINT COMMITTEES

(As of November 2, 2004)

*Ex Officio Member

ABORIGINAL PEOPLES

Chair: Honourable Senator Sibbeston

Deputy Chair: Honourable Senator St. Germain

Honourable Senators:

Angus,	Fitzpatrick,	Léger,	St. Germain,
* Austin,	Gustafson,	Mercer,	Trenholme Counsell,
(or Rompkey)	* Kinsella,	Pearson,	Watt.
Buchanan,	(or Stratton)	Sibbeston,	
Christensen,			

Original Members as nominated by the Committee of Selection

*Angus, *Austin, (or Rompkey), Buchanan, Christensen, Fitzpatrick, Gustafson,
Kinsella (or Stratton), Léger, Mercer, Pearson, Sibbeston, St. Germain, Trenholme Counsell, Watt

AGRICULTURE AND FORESTRY

Chair: Honourable Senator Fairbairn

Deputy Chair: Honourable Senator Gustafson

Honourable Senators:

* Austin,	Gill,	* or Kinsella,	Oliver,
(or Rompkey)	Gustafson,	(or Stratton)	Ringuette,
Callbeck,	Hubley,	Mahovlich,	Sparrow,
Fairbairn,	Kelleher,	Mercer,	Tkachuk.

Original Members as nominated by the Committee of Selection

**Austin, (or Rompkey), Callbeck, Fairbairn, Gustafson, Harb, Hubley, Kelleher,
Kinsella (or Stratton), Mahovlich, Mercer, Oliver, Ringuette, Sparrow, Tkachuk.

BANKING, TRADE AND COMMERCE

Chair: Honourable Senator Grafstein

Deputy Chair: Honourable Senator Angus

Honourable Senators:

Angus,	Fitzpatrick,	* Kinsella,	Moore,
* Austin,	Grafstein,	(or Stratton)	Oliver,
(or Rompkey)	Harb,	Massicotte,	Plamondon,
Biron,	Hervieux-Payette,	Meighen,	Tkachuk.

Original Members as nominated by the Committee of Selection

*Angus, *Austin, (or Rompkey), Biron, Fitzpatrick, Grafstein, Harb, Hervieux-Payette, Kelleher,
Kinsella (or Stratton), Massicotte, Meighen, Moore, Plamondon, Tkachuk.

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

Chair: Honourable Senator Banks

Deputy Chair: Honourable Senator Cochrane

Honourable Senators:

Adams,	Banks,	Finnerty,	* Kinsella,
Angus,	Buchanan,	Gustafson,	(or Stratton)
* Austin,	Christensen,	Kenny,	Lavigne,
(or Rompkey)	Cochrane,		Milne,
			Spivak.

Original Members as nominated by the Committee of Selection

*Adams, Angus, *Austin, (or Rompkey), Banks, Buchanan, Christensen, Cochrane, Finnerty, Gill, Gustafson, *Kinsella (or Stratton), Lavigne, Milne, Spivak.*

FISHERIES AND OCEANS

Chair: Honourable Senator Comeau

Deputy Chair: Honourable Senator Hubley

Honourable Senators:

Adams,	Comeau,	* Kinsella,	Meighen,
* Austin,	Hubley,	(or Stratton)	Phalen,
(or Rompkey)	Johnson,	Mahovlich,	St. Germain,
			Watt.

Original Members as nominated by the Committee of Selection

*Adams, *Austin, (or Rompkey), Bryden, Comeau, Cook, Fitzpatrick, Hubley, Johnson, *Kinsella (or Stratton), Mahovlich, Meighen, Phalen, St. Germain, Watt.*

FOREIGN AFFAIRS

Chair: Honourable Senator Stollery

Deputy Chair: Honourable Senator Di Nino

Honourable Senators:

Andreychuk,	Corbin,	Eyton,	Mahovlich,
* Austin,	De Bané,	Grafstein,	Prud'homme,
(or Rompkey)	Di Nino,	* Kinsella,	Robichaud,
Carney,	Downe,	(or Stratton)	Stollery.

Original Members as nominated by the Committee of Selection

*Andreychuk, *Austin, (or Rompkey), Carney, Corbin, De Bané, Di Nino, Downe, Eyton, Grafstein, *Kinsella (or Stratton), Poy, Prud'homme, Robichaud, Stollery.*

HUMAN RIGHTS

Chair: Honourable Senator Andreychuk

Deputy Chair: Honourable Senator Pearson

Honourable Senators:

Andreychuk,	Carstairs,	Kinsella,	Losier-Cool,
* Austin,	Ferretti Barth,	(or Stratton),	Oliver,
(or Rompkey)	LaPierre,	LeBreton,	Pearson,
			Poy.

Original Members as nominated by the Committee of Selection

*Andreychuk, *Austin, (or Rompkey), Carstairs, Ferretti Barth, *Kinsella (or Stratton), LaPierre, LeBreton, Oliver, Pearson, Poulin, Poy.*

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

Chair: Honourable Senator Furey

Interim Deputy Chair: Honourable Senator Nolin

Honourable Senators:

* Austin,	De Bané,	Keon,	Nolin,
(or Rompkey)	Di Nino,	* Kinsella,	Poulin,
Bank,	Furey,	(or Stratton)	Smith,
Cook,	Jaffer,	Lynch-Staunton,	Stratton.
Day,	Kenny,	Massicotte,	

Original Members as nominated by the Committee of Selection

**Austin, (or Rompkey), Banks, Cook, Day, De Bané, Di Nino, Furey, Jaffer, Kenny, Keon, *Kinsella (or Stratton), Lynch-Staunton, Massicotte, Nolin, Poulin, Robichaud, Stratton.*

LEGAL AND CONSTITUTIONAL AFFAIRS

Chair: Honourable Senator Bacon

Deputy Chair: Honourable Senator Eyton

Honourable Senators:

Andreychuk,	Eyton,	Mercer,	Ringuette,
* Austin,	Joyal,	Milne,	Rivest,
(or Rompkey)	* Kinsella,	Nolin,	Sibbeston.
Bacon,	(or Stratton)	Pearson,	
Cools,			

Original Members as nominated by the Committee of Selection

*Andreychuk, *Austin, (or Rompkey), Bacon, Cools, Eyton, Joyal, *Kinsella (or Stratton), Mercer, Milne, Nolin, Pearson, Ringuette, Rivest, Sibbeston.*

LIBRARY OF PARLIAMENT (Joint)

Joint Chair:

Vice-Chair:

Honourable Senators:

Lapointe, LeBreton,	Poy,	Stratton,	Trenholme Counsell.
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*Original Members agreed to by Motion of the Senate
Lapointe, LeBreton, Poy, Stratton, Trenholme Counsell.*

NATIONAL FINANCE

Chair: Honourable Senator Oliver

Deputy Chair: Honourable Senator Day

Honourable Senators:

* Austin, (or Rompkey) Biron, Comeau,	Cools, Day, Ferretti Barth, Harb,	* Kinsella, (or Stratton) Mercer, Murray,	Oliver, Ringuette, Stratton.
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Original Members as nominated by the Committee of Selection
**Austin, (or Rompkey), Biron, Comeau, Cools, Day, Ferretti Barth, Finnerty, Harb,*
**Kinsella (or Stratton), Mahovlich, Murray, Oliver, Ringuette, Stratton.*

NATIONAL SECURITY AND DEFENCE

Chair: Honourable Senator Kenny

Deputy Chair: Honourable Senator Forrestall

Honourable Senators:

Atkins, * Austin, (or Rompkey) Forrestall,	Kenny, * Kinsella, (or Stratton)	Lynch-Staunton, Meighen, Moore,	Munson, Rompkey, Trenholme Counsell.
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Original Members as nominated by the Committee of Selection
*Atkins, *Austin, (or Rompkey), Banks, Cordy, Day, Forrestall, Kenny,*
**Kinsella (or Stratton), Lynch Staunton, Meighen, Munson.*

VETERANS AFFAIRS**(Subcommittee of National Security and Defence)****Chair: Honourable Senator Meighen****Deputy Chair: Honourable Senator Day****Honourable Senators:**

Atkins,	Day,	* Kinsella,	Meighen.
* Austin,	Forrestall,	(or Stratton)	
(or Rompkey)	Kenny,		

OFFICIAL LANGUAGES**Chair: Honourable Senator Corbin****Deputy Chair: Honourable Senator Buchanan****Honourable Senators:**

* Austin,	Chaput,	Jaffer,	Léger,
(or Rompkey)	Comeau,	* Kinsella,	St. Germain.
Buchanan,	Corbin,	(or Stratton)	

Original Members agreed to by Motion of the Senate

**Austin, (or Rompkey), Chaput, Comeau, Corbin, Jaffer, *Kinsella (or Stratton), Lavigne, Léger, Meighen, Merchant, St. Germain.*

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT**Chair: Honourable Senator Smith****Deputy Chair: Honourable Senator Lynch-Staunton****Honourable Senators:**

Andreychuk,	Di Nino,	* Kinsella,	Maheu,
* Austin,	Fraser,	(or Stratton)	Milne,
(or Rompkey)	Furey,	LeBreton,	Robichaud,
Chaput,	Jaffer,	Lynch-Staunton,	Smith.
Cools,	Joyal,		

Original Members as nominated by the Committee of Selection

*Andreychuk, *Austin, (or Rompkey), Chaput, Cools, Di Nino, Fraser, Furey, Jaffer, Joyal, *Kinsella (or Stratton), LeBreton, Lynch Staunton, Maheu, Milne, Poulin, Robichaud, Smith.*

SCRUTINY OF REGULATIONS (Joint)**Joint Chair: Honourable Bryden****Vice-Chair:****Honourable Senators:**

Baker,	Bryden,	Kelleher,	Moore,
Biron,	Hervieux-Payette,	Lynch-Staunton,	Nolin.

Original Members as agreed to by Motion of the Senate*Baker, Biron, Bryden, Hervieux-Payette, Kelleher, Lynch-Staunton, Moore, Nolin.***SELECTION****Chair: Honourable Senator Losier-Cool****Deputy Chair: Honourable Senator LeBreton****Honourable Senators:**

* Austin,	Carstairs,	* Kinsella,	Losier-Cool,
(or Rompkey)	Comeau,	(or Stratton)	Rompkey,
Bacon,	Fairbairn,	LeBreton,	Stratton,
			Tkachuk.

Original Members agreed to by Motion of the Senate

**Austin, (or Rompkey), Bacon, Carstairs, Comeau, Fairbairn,*
**Kinsella (or Stratton), LeBreton, Losier-Cool, Rompkey, Stratton, Tkachuk.*

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY**Chair: Honourable Senator Kirby****Deputy Chair: Honourable Senator Keon****Honourable Senators:**

* Austin,	Cook,	Johnson,	Kirby,
(or Rompkey)	Cordy,	Keon,	LeBreton,
Callbeck,	Fairbairn,	* Kinsella,	Morin,
Cochrane,	Gill,	(or Stratton)	Pépin.

Original Members as nominated by the Committee of Selection

**Austin, (or Rompkey), Callbeck, Cochrane, Cook, Cordy, Fairbairn, Gill, Johnson,*
*Keon, *Kinsella (or Stratton), Kirby, LeBreton, Morin, Pépin.*

TRANSPORT AND COMMUNICATIONS**Chair: Honourable Senator Fraser****Deputy Chair: Honourable Senator Tkachuk****Honourable Senators:**

* Austin, (or Rompkey)	Chaput, Eyton,	LaPierre, * Kinsella, (or Stratton)	Munson, Phalen,
Baker,	Fraser,	Merchant,	Tkachuk,
Carney,	Johnson,		Trenholme Counsell.

Original Members as nominated by the Committee of Selection

**Austin, (or Rompkey), Baker, Carney, Eyton, Fraser, Gill, Johnson,
Kinsella (or Stratton), LaPierre, Merchant, Munson, Phalen, Tkachuk, Trenholme Counsell.

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