



CANADA

Debates of the Senate

1st SESSION

•

38th PARLIAMENT

•

VOLUME 142

•

NUMBER 96

OFFICIAL REPORT
(HANSARD)

Thursday, November 3, 2005



THE HONOURABLE DANIEL HAYS
SPEAKER

CONTENTS

(Daily index of proceedings appears at back of this issue).

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

Published by the Senate
Available from PWGSC – Publishing and Depository Services, Ottawa, Ontario K1A 0S5.
Also available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Thursday, November 3, 2005

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

Prayers.

[Translation]

ROYAL ASSENT

NOTICE

The Hon. the Speaker informed the Senate that the following communication had been received:

RIDEAU HALL

November 3, 2005

Mr. Speaker,

I have the honour to inform you that the Right Honourable Michaëlle Jean, Governor General of Canada, will proceed to the Senate Chamber today, the 3rd day of November, 2005, at 3:45 p.m., for the purpose of giving Royal Assent to certain bills of law.

Yours sincerely,

Barbara Uteck
Secretary to the Governor General

The Honourable
The Speaker of the Senate
Ottawa

[English]

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, at this point, I would request leave for the Senate photographer to take photos of the Royal Assent ceremony from the south gallery. Is leave granted?

Hon. Hugh Segal: Honourable senators, I want to make sure that every senator will be given a chance to have one of those photographs in his or her office, at whatever the cost.

The Hon. the Speaker: I hesitate to give such an assurance, Senator Segal. Will the honourable senator accept my best efforts?

Senator Segal: I would be delighted to accept your best efforts, Your Honour.

The Hon. the Speaker: I will repeat, honourable senators, as some did not hear my comment. I am making a request on behalf of the Senate photographer for leave that he be permitted to take

photographs from the south gallery during the Royal Assent ceremony that will occur later today. I have noted Senator Segal's request. Is leave granted?

Hon. Senators: Agreed.

SENATORS' STATEMENTS

TRIBUTES

THE HONOURABLE LANDON PEARSON

The Hon. the Speaker: Honourable senators, I begin by advising that I have received, pursuant to rule 22(10), a request that time be provided for the purpose of paying tribute on the retirement of the Honourable Senator Landon Pearson. I would remind honourable senators that the time for tributes is 15 minutes; each senator will be allowed three minutes to speak, and no senator may speak more than once.

Hon. Jack Austin (Leader of the Government): Honourable senators, may I begin by saying that Senator Pearson is one of our colleagues who has given lustre to the Senate by becoming one of us.

Before the Honourable Landon Pearson was summoned to the Senate in 1994, she had earned a reputation for social justice that few achieve. This reputation is the result of having dedicated her life's work to creating an international awareness of the inherent nature of children's rights.

As the "Senator for Children," she has worked to provide a voice for children at all levels — local, federal and international. She is equally appreciated as the children's senator for providing opportunities to include children in decisions that directly affect them.

Senator Pearson has been recognized as a human rights advocate in her own right and, additionally, as half — perhaps the better half — of one of Canada's pre-eminent partnerships. Her husband, Geoffrey, has had a distinguished career serving our country abroad, including the post of Ambassador to the Soviet Union; and domestically on matters of foreign affairs, for which he was invested as an Officer of the Order of Canada.

Senator Pearson has been a leading participant at countless meetings addressing the rights of children. Her work has earned wide acclaim in international arenas, and she was nominated one of nine Canadians as part of the 1,000 Women for the 2005 Nobel Prize.

Her lifelong advocacy work was recognized in 1996 with her designation as the first Advisor on Children's Rights to the Minister of Foreign Affairs, for which she headed a collaborative initiative that comprised 17 federal departments. In 1998, she co-chaired "Out from the Shadows: International Summit of Sexually Exploited Youth."

In 1999, the Right Honourable Jean Chrétien asked Senator Pearson to become his personal representative to the United Nations General Assembly Special Session on Children. Senator Pearson implemented an inspired decision to select young Canadians as delegation members of the First Substantive Session of the Preparatory Committee, a Canadian initiative that other countries have now adopted.

She served as co-chair of the Parliamentary Special Joint Committee on Child Custody and Access that produced *For the Sake of Children*, a report which interpreted the consequences of family breakdown from a new perspective, that of the children themselves.

• (1340)

She has also served as Deputy Chair of the Standing Senate Committee on Human Rights, which today will table an important interim report on Canada's international obligations in respect of the rights and freedoms of children. We look forward to her comments on that report this afternoon.

Senator Pearson has said that when one door closes another opens. She will continue her efforts in another venue, at Carleton University, with the establishment of a resource centre on childhood and children's rights. We wish her every success in an extraordinary career dedicated to improving the welfare of our next generation. Good luck, Senator Pearson.

Hon. A. Raynell Andreychuk: Honourable senators, I, too, rise to pay tribute to Senator Pearson but before I do, I would note that Geoffrey Pearson is in the gallery today. I met Geoffrey Pearson before I met Landon. Having worked with Landon for some 11 years, I thought I would set the record straight. While I found Geoffrey Pearson utterly charming with his acid wit and one-liners, it has taken 11 years, but I can assure this chamber that Landon is a match for Geoffrey.

As honourable senators know, 11 years has gone by quickly, but Senator Pearson's committed and dedicated career to children is much longer. Senator Pearson's passion is constant; it is persistent; and it is dogged. Her compassion and passion for children began, I strongly suspect, at birth. She is well-grounded in knowing who she is and her capabilities, and that speaks volumes about the right path that children must be set upon. To meet Landon's children is a work-in-progress of which Landon and Geoffrey should be rightly proud. Their children, and the "girl child" as Landon Pearson would say, are a tribute to this partnership that is so strong. Landon often speaks of it.

Senator Pearson's dedication to children is well-known, but why she has that dedication is not known. After working with her for some years on the Standing Senate Committee on Legal and Constitutional Affairs and then on the Standing Senate Committee on Human Rights where she was the deputy chair, I finally had the nerve to ask her why she has such dedication to children. She answered by saying that they are not much different from adults. In fact, I think that is her approach. She sees children as individuals. She treats children as individuals. She has time to listen to them, and she incorporates their point of view. Too often advocates speak on behalf of children. Having worked with Senator Pearson over the years, in my opinion children speak through Senator Pearson.

Senator Pearson's dedication to children's rights shows in her family, in her community and in her country. I was pleased that Landon's merits and strengths were recognized, not only by her own government and her own party but also by the former Prime Minister, the Right Honourable Brian Mulroney, when he named her to be part of the Canadian delegation to the United Nations World Summit for Children held in 1990.

At that time, it was the largest ever gathering of world leaders, where Canada played an essential role in building support for the Convention on the Rights of the Child, which was ratified by Mr. Mulroney.

The Hon. the Speaker: I regret to inform the Honourable Senator Andreychuk that her three minutes have expired.

Hon. Sharon Carstairs: Honourable senators, September 15, 1994, was a banner day for at least three of us in this chamber when then Prime Minister Jean Chrétien named three women, Landon Pearson, Lise Bacon and me, to the Senate of Canada. I knew the enormous political experience the former Deputy Premier of Quebec would bring to this chamber. However, I knew little of Landon Pearson, other than she had written *Children of the Glasnost: Growing Up Soviet*, which I loved, and that she was the daughter-in-law of our former Prime Minister, Lester "Mike" Pearson, and the wife of a distinguished diplomat, Geoffrey Pearson.

It did not take me long to learn what all of us in this place have learned: that here was a woman who was a most distinguished Canadian in her own right. Her passionate concern for children and their well-being, not only in Canada but also worldwide, resulted in significant accomplishments for these children. She has served as an inspiration to all of us. She has shown us that dedication to an issue in this chamber can have positive results. War-affected children, physically and sexually abused children, children as victims of pornography, and Aboriginal children have all benefited as a result of being subjected to the clear lenses of Landon Pearson. She is not someone who can rest easy when there is work to be done. She simply digs in and gets it done.

It has been a singular honour to know her and to have been touched by her and her causes. Rest assured, Landon, although you will soon leave this place, you will not be forgotten. More importantly, because I know it is of greater concern to you, your issues will not be forgotten, if for no other reason than you will remain physically close to us and continue your good work in Ottawa. We know that our phone lines will burn if we neglect those issues. However, I hope that you will be able to work a little less, enjoy even more those special children known as your grandchildren, and spend a few more days with your feet up at the cottage. In my mind, the beatitude that best suits Landon is: Blessed are the pure of heart, for they shall see God. Landon sees the world through the eyes of a child and, like them, she is indeed pure of heart.

Hon. Joyce Fairbairn: Honourable senators, throughout history there are times when the stars and the planets are aligned to produce spectacular events. I would say that one of those occasions was the day Landon Pearson was summoned to the Senate on September 15, 1994. Before and since that date, it is fair

to say that she has had a rollicking life, which has propelled her and this country into the vanguard of creating a structure of support to protect, encourage and challenge our most precious gift: the children of Canada and of the world. Clearly, for Landon and her husband Geoffrey Pearson, a distinguished diplomat, this interest was based on personal experience as they created a wonderful family of five children, followed by 11 grandchildren; and I hear that one more will arrive at any minute.

In addition, our colleague, with her sharp eyes and ears, clear mind, big heart, and a university background in philosophy and education, watched and learned and became vigorously involved in the activities of diplomatic life with Geoffrey. In over 35 years they moved to Paris, twice; Mexico; India; and served two diplomatic postings in the former Soviet Union. During the latter posting, Geoffrey served as ambassador. With the vigorous example of a father-in-law like Lester B. Pearson, it is little wonder that our colleague sought out a cause that is not only one of the most troublesome throughout the world but also the key element in the future success of all nations — the health, education and safety of our children.

In years following, Landon has used all her experience and knowledge to move this difficult and often tragic cause in every forum available to her. When she took her oath of office as a senator 11 years ago, she made a clear, personal commitment that the rights of children would be the centre of her activity in this chamber, in Senate committees on Aboriginal Peoples and on Human Rights, in the Special Joint Committee on Child Custody and Access, in Liberal caucus meetings and at every conceivable opportunity with government and parliamentary groups and associations. With vigour and determination she has represented former Prime Minister Jean Chrétien at the United Nations Special Session on Children. She is an adviser to our Foreign Minister on the United Nations Committee on the Rights of the Child. She has become Canada's children's senator. I know that her work will continue at Carleton University and for the rest of her life.

I thank you, Landon, from the bottom of my heart for your gift and your commitment. I wish you, Geoffrey and your family many happy, lively years together.

• (1350)

Hon. Joan Fraser: Honourable senators, when I was summoned to this place, one of my cousins said to me, with eyes shining, "You will get to work with Landon Pearson." I found that rather daunting. It had not occurred to me that I might be associated with such an eminent person. Within a couple of days of my arrival here, Landon Pearson found a moment to seek me out and make me feel welcome, and to give me a few well-chosen words of excellent advice.

Since then, we have not worked together as much as I would have wished, but we have worked together a bit, to my great profit. Like all senators, I have benefited from simply watching Landon. She is a true inspiration. She has taught so many of us what it means to be a good and effective senator, what it means to be a decent human being. She sets the standard. It is a standard

that most of us will not attain, but we know, because of her, at what we should be aiming.

Others have spoken of Senator Pearson's many accomplishments. There is one more that I would like to mention. She has a fine pen. Those who have not read her book *Letters from Moscow*, written when her husband was ambassador there, should do so.

Landon, in addition to Carleton University, family and all those other things, my hope is that you will now publish a book about your experiences in the Senate. That would be a wonderful thing.

Hon. Landon Pearson: Thank you so much, honourable senators. I am humbled and moved. It has been a great privilege to be here, to have had the opportunity to serve Canadians in the Senate and to count you all as colleagues.

With your permission, honourable senators, later this afternoon I hope to speak about children, my favourite subject, but now I want to focus on thanking you. I want to thank all who have spoken and all who have written to me on my retirement. I want to thank the wonderful staff of the Senate, from the security personnel to the table officers, from the interpreters to the technical staff and the pages, all of whom make us feel so welcome and are so fundamental to the success of our work.

In particular, I would like to thank my very special assistant, Yolande Arseneault, who has been with me since the beginning and whose exceptional capacities have ensured that the work we have done together is more than the sum of its parts.

Yolande is in the gallery today, along with my husband, my son, my daughter-in-law and my granddaughter, Maija.

Thank you to all.

Hon. Senators: Hear, hear!

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, before proceeding to the remaining 15 minutes of Senators' Statements, I would also like to draw attention to the presence in our gallery of Senator Pearson's husband, Geoffrey Pearson, her son, Michael, and the other members of the family that she identified.

To each and every one of you, welcome to the Senate on this special occasion.

Hon. Senators: Hear, hear!

The Hon. the Speaker: As well I see in the gallery, and draw your attention to his presence, our former colleague the Honourable Douglas Roche.

Welcome back.

Hon. Senators: Hear, hear!

YEAR OF THE VETERAN

TRIBUTE TO REAR-ADMIRAL DESMOND WILLIAM "DEBBY" PIERS

Hon. J. Michael Forrestall: Senator Pearson, as the only person in this chamber who served under your father-in-law, I, too, wish to congratulate you on your contributions to Canadians over the years.

Honourable senators, I rise today to say a few words with respect to those who have fallen for our freedom and our country. I want to pay tribute to all veterans, particularly as we draw near the end of the Year of the Veteran. Many things have happened that will enable us to remember the contribution these men and women have made, but I remind honourable senators that there is much more to be done with respect to their health. I look forward to the leadership of Senator Meighen, Senator Day and others on the Subcommittee on Veterans Affairs. They have had a very active agenda on behalf of veterans over the past year.

I was saddened, as will be many others in the chamber, to learn today of the loss of Rear-Admiral Desmond William "Debby" Piers who passed away yesterday. He was one of Canada's most distinguished war heroes who, through the mercy of God, died peacefully Tuesday at South Shore Regional Hospital in Bridgewater, Nova Scotia, at the ripe age of 92.

Rear-Admiral Piers was a great man. He was a sailor from Halifax, where he was born on June 12, 1913. He entered the Royal Canadian Navy in the year and month of my birth, September 1932, as a cadet at the Royal Military College. He was only 28 when he commanded HMCS *Restigouche* and only 30 when, in 1944, he commanded HMCS *Algonquin*, for which two years ago he received from the French government and the people of France the Legion of Honour.

Rear-Admiral Piers was a sailor, a leader of men and an activist. He remained those things after he retired from the navy. He became Agent General in the United Kingdom and Europe from 1977 to 1979 and continued voluntarily taking up areas of responsibility throughout his native province and with the Canadian military.

His passing brings to mind some of the veterans we honour today and do not single out nearly as often as we do our soldiers. I speak of Rear-Admiral Piers' passing because he represented the navy, the senior service of our distinguished country. His loss will be regretted, but his life, rest assured, will be celebrated.

• (1400)

REMEMBRANCE DAY

Hon. Noël A. Kinsella (Leader of the Opposition): Honourable senators, Remembrance Day, November 11, 2005, will take place prior to our return to this chamber. Therefore, on behalf of the official opposition in the Senate, I wish to pay tribute to the men and women of the Canadian Forces who have fallen during times of war and conflict in the struggle against tyranny and evil.

In a special way, we will remember the more than 100,000 Canadians who went overseas to fight on behalf of their country but never returned home. They were mostly young, often in their teens, and each one was someone's child, friend or

neighbour. The ultimate sacrifice of these Canadians meant that they were never given the opportunity to accomplish all of their goals or to watch their families grow and change. Their lives, instead, have been given new meaning, through their death, and for this we owe them our everlasting gratitude.

This Remembrance Day, honourable senators, as is the case every year, Canadians will gather at cenotaphs in each province and territory to pay homage to the fallen. Those who gather may reflect upon all that might have been if these young people had been graced with a full life. We will never know how the personal and professional contributions of the fallen might have changed our country in ways both big and small.

The New Testament tells us that there is no greater love than this — to lay down one's life for another. On Remembrance Day, we honour the thousands of Canadians throughout our history who have laid down their lives in defiance of brutality and oppression so that we might live in the peace that we enjoy today. They did not fall in vain.

[Translation]

THE HONOURABLE LANDON PEARSON

TRIBUTE ON RETIREMENT

Hon. Pierre De Bané: Honourable senators, I want to pay tribute to our colleague, the Honourable Senator Landon Pearson, who is turning 75 on November 16.

[English]

As we all know, 75 is the age at which we must all leave this place. In the case of Senator Pearson, I know that it will not be the end of her interest in the cause to which she has committed her public life — that is, the rights of children.

[Translation]

When Senator Pearson was appointed to the Senate in 1994, she was already a very well-known defender of children's rights. In 1974, she helped set up a preventive program for children's mental health for the Ottawa school board.

In 1979, she made a significant contribution as vice-president of the Canadian Commission for the International Year of the Child and as editor of the commission's report. Many of the recommendations in the report were subsequently implemented.

In 1990, she published a book called *Children of Glasnost*, on the lives of children in the Soviet Union.

[English]

After Landon Pearson was named to this place, she built on her reputation and became known as the senator for children's rights. She became an adviser to the Minister of Foreign Affairs on children's rights. In 2001, she was named the personal representative of the Prime Minister of our country to the Special Session on Children of the United Nations General Assembly.

[Translation]

In 1998, she co-chaired the International Summit of Sexually Exploited Youth, which brought together 54 youth delegates from Canada, the United States and Latin America. She also chaired a federal committee against the commercial sexual exploitation of children and youth.

In Parliament, Senator Pearson co-chaired the Special Joint Committee on Child Custody and Access. She recently co-chaired the Standing Senate Committee on Human Rights, which has just released a report on Canada's international obligations to the rights and freedoms of children. What an appropriate way to round out her Senate career.

[English]

This is only a fraction of the many endeavours Senator Pearson has undertaken on behalf of children here in Parliament and with many charities, academic institutions and non-governmental organizations.

The Hon. the Speaker: Senator De Bané, I regret to inform you that your time has expired.

MINISTER RESPONSIBLE FOR DEMOCRATIC RENEWAL

INVOLVEMENT IN GOVERNMENT PRESS CONFERENCES ON COMMISSION OF INQUIRY INTO THE SPONSORSHIP PROGRAM AND ADVERTISING ACTIVITIES

Hon. Marjory LeBreton: Honourable senators, when Prime Minister Martin unveiled his newest acquisition, on May 17, in front of a media that could not contain their cynical laughter when the Prime Minister said that it had nothing to do with the looming confidence vote, the accompanying press release announcing Belinda Stronach's appointment to the cabinet said:

In addition, Ms. Stronach will assume responsibilities for democratic renewal and will help guide the implementation of the recommendations that flow from the Gomery Commission's final report.

On Monday night, with their advance copy of the Gomery report, the Prime Minister met with Transport Minister Jean Lapierre, Treasury Board President Reg Alcock, Public Works Minister Scott Brison, Deputy Prime Minister Anne McLellan, Justice Minister Irwin Cotler, Tony Valeri, the government leader in the other place; and Senator Austin, the government leader in this place; to map out the government's spin. Belinda Stronach was conspicuous by her absence.

Mr. Lapierre, Mr. Alcock and Mr. Brison all stepped up to the microphones immediately after the report was tabled to dutifully deliver the said spin lines, but again Ms. Stronach was nowhere to be seen. In addition, Ms. Stronach was not one of the ministers who escorted the Prime Minister to his press conference.

Honourable senators, is it not peculiar that Belinda Stronach, who was supposed to be responsible for this file, was not in the loop on Monday night and was not part of the government's

response in the hours following the release of the report? As one who once believed that Ms. Stronach had something to contribute to the political process, I now find myself thinking that it must be difficult for her to come to the realization that her service to the Liberal Party has been fully exploited and she has been cast aside.

As a long-time advocate of more women in politics, this is indeed a setback. As well, the Prime Minister's "belittling of Belinda" performance at the recent Parliamentary Press Gallery dinner sadly underscores the point.

COMMISSION OF INQUIRY INTO THE SPONSORSHIP PROGRAM AND ADVERTISING ACTIVITIES

REFLECTION ON POLITICIANS

Hon. Consiglio Di Nino: Honourable senators, I wish, first, to associate myself with the comments made about Senator Pearson by everyone, and I extend my warmest wishes to her.

Honourable senators, November 1 was a dark day for the Parliament of Canada. Justice John Gomery confirmed in no uncertain terms our worst fears about the abuse of power and high-level disregard of fundamental principles of accountability, honesty, integrity and responsibility.

To be called a thief on national television must be the lowest point for a politician. While I was not personally called a thief, for I am not — and neither was any one of you, for you are not — to many Canadians, we were all implicated in the deeds described in Justice Gomery's report. The Liberal Party may have been named, but we are, in the minds of Canadians, all guilty. Our reputations have been tarnished.

Over the next few weeks, I hope that we will engage in debate about the contents of the Gomery report and about how to avoid the recurrence of the litany of unacceptable actions of too many, in and out of Parliament, all of whom should have known better.

Honourable senators, I wish to put on the record my disappointment at Parliament not being more vigilant in its responsibility to safeguard the public interest. Let me cite a few examples: We should be able to investigate people who perpetrate the acts described by Justice Gomery; however, because of laws passed in Parliament, we cannot. We must review these laws. We are now debating Bill C-11, the Public Servants Disclosure Protection Act. We must ask ourselves if changes need to be made in light of the Gomery report. The conspiracy of silence, with one courageous exception, is unacceptable.

In his report on the election last year, the Chief Electoral Officer asked for power to investigate wrongdoing going back 10 years so that he could uncover abuses such as those that characterized the sponsorship program even if the story does not surface until years later. We need to give him this power.

Honourable senators, this is not the first time a scandal has rocked Parliament and I doubt it will be the last. If we do not correct the problems uncovered by the Gomery inquiry, then we must share responsibility for future abuses and scandals.

[Senator De Bané]

[Translation]

THE HONOURABLE LANDON PEARSON

TRIBUTE ON RETIREMENT

Hon. Rose-Marie Losier-Cool: Honourable senators, today I want to pay a very personal tribute to a colleague whom we all greatly admire and who is one of my mentors.

When I arrived in the Senate in March 1995, the Honourable Senator Pearson introduced me to the women's caucus, a forum where we discuss issues near and dear to us. In passing, Senator Pearson is still the deputy chair of this caucus.

• (1410)

She introduced me to the Cairo Consensus, achieved at the 1994 International Conference on Population and Development. She put me on a path that led me to the Canada-Africa Parliamentary Association and the Canadian Association of Parliamentarians on Population and Development, which I co-founded in 1998 with Jean Augustine.

The senator for children's rights has always amazed me. In all the years I have known her, both here and elsewhere, I have appreciated her endless knowledge, her tenacity and her iron hand in a velvet glove. I am thinking, in particular, of her diplomacy and firmness as co-chair of the Special Joint Committee on Child Custody and Access, whose work I have followed with great interest.

I am forever grateful to her for helping and teaching me so much. I will never forget how nice it was to savour a Scotch together occasionally at the end of the day. I feel privileged to have known Senator Pearson. If she ever decides to invite me to a birthday party with her grandchildren, it would give me great pleasure to introduce her to my little Clara-Rose.

[English]

ROUTINE PROCEEDINGS

STUDY ON INTERNATIONAL OBLIGATIONS
REGARDING CHILDREN'S RIGHTS AND FREEDOMSINTERIM REPORT OF HUMAN RIGHTS
COMMITTEE TABLED

Hon. A. Raynell Andreychuk: Honourable senators, I have the honour to table an interim report on the study by the Standing Senate Committee on Human Rights on Canada's international obligations in regard to the rights and freedoms of children, entitled: *Who's in Charge Here? Effective implementation of Canada's international obligations with respect to the rights of children.*

On motion of Senator Andreychuk, report placed on Orders of the Day for consideration later this day.

[Translation]

CANADA-JAPAN INTER-PARLIAMENTARY GROUP

MEETING OF INTER-PARLIAMENTARIANS FOR
SOCIAL SERVICE, SECOND GENERAL ASSEMBLY,
AUGUST 24-28, 2005—REPORT TABLED

Hon. Marie-P. Poulin: Honourable senators, pursuant to rule 23(6), I have the honour to table, in both official languages, the report of the Canadian delegation of the Canada-Japan Inter-Parliamentary Group, respecting its participation in the second general assembly of the Inter-Parliamentarians for Social Service Association, held in Seoul, Korea, from August 24 to 28, 2005.

[English]

THE SENATE

NOTICE OF MOTION TO EXTEND GREETINGS AND
BEST WISHES TO MEMBERS OF ARMED FORCES

Hon. Consiglio Di Nino: Honourable senators, I give notice that on Tuesday, November 15, 2005, I will move:

That the Senate extend greetings and best wishes to the members of the Canadian Forces for their invaluable contribution to international peace and security;

That the Senate offer praise in particular to the brave group of men and women serving in Afghanistan, a dangerous and difficult mission, but one which is improving the lives of millions of Afghans and directly contributing to the safety and security of all Canadians; and

That a message be sent to the House of Commons requesting the House to unite with the Senate for the above purpose.

ACCOUNTABILITY OF GOVERNMENT

NOTICE OF INQUIRY

Hon. Consiglio Di Nino: Honourable senators, I give notice that on Tuesday, November 15, 2005, I shall call the attention of the Senate to:

1. the need to restore accountability to government;
2. the requirement for competency in government and the recent failings in this area of the current government;
3. the importance of governing with integrity and with a high standard of ethics;
4. the vital functions of both oversight and transparency in ensuring that the government operates efficiently and effectively in the best interests of the nation; and

5. the issues raised by the first Gomery report entitled "Who is Responsible?" and the measures that need to be taken and safeguards put in place so that no one will ever again have reason to write about events in our country, as Mr. Justice Gomery has just written:

The public trust in our system of government was subverted and betrayed, and Canadians were outraged, not only because public funds were wasted and misappropriated, but also because no one was held responsible or punished for misconduct.

QUESTION PERIOD

PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

ALLEGED EXPOSURE OF TERRORIST CELL

Hon. J. Michael Forrestall: Honourable senators, it has been reported that an Al-Qaeda-related cell, the Salafist Group for Call and Combat, GSPC as it is known in the press, has now been busted in Toronto. This cell centred on bomb making and on a particular bomb maker. Thank God for the national press or we would know very little about the war on terror being waged by Canada.

Can the Leader of the Government in the Senate shed any light on this cell, its activities, and on the apprehension of its members? Why were Canadians not told? I keep asking for a system that advises Canadians that is reliable, trustworthy and does not mean that we have to wait until ten o'clock at night to hear from the broadcasting centre of Canada: Mansbridge and *The National* news.

• (1420)

Hon. Jack Austin (Leader of the Government): Honourable senators, I have no information to provide in answer to the question asked by Senator Forrestall with respect to the exposure of an alleged terrorist cell. However, I shall, of course, as usual, make inquiries and see what I can provide to Senator Forrestall in due course.

Senator Forrestall: The minister now has a couple of weeks in which to do that.

CITIZENSHIP AND IMMIGRATION

STATUS OF PEOPLE WITH TIES TO TERRORIST ORGANIZATIONS

Hon. J. Michael Forrestall: Honourable senators, this question has been in the back of my mind for several years now. The government has taken such a lacklustre approach, but an approach nevertheless, to expelling and transferring war criminals or suspected war criminals out of Canada for prosecution. Why is it that we allow people with known ties to terrorist organizations to retain their citizenship or refugee status to stay in Canada? Why is there a difference?

Hon. Jack Austin (Leader of the Government): Honourable senators, I do not at all agree that there is a lacklustre approach. This government is being vigilant. Senator Forrestall's previous question indicates that the responsible agencies are acting effectively.

With respect to so-called known ties, that is an assumption. We have judicial process in this country. Allegations have to be proven before legal action is taken against a Canadian citizen or someone with the right of residence in Canada.

INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

WATER QUALITY ON RESERVES

Hon. Gerry St. Germain: Honourable senators, in this question I wish to pay tribute to Senator Pearson and her work on children's rights and issues of that nature. I raise this today because yesterday representatives of the Boys & Girls Clubs of Canada were here in Ottawa, and they are concerned about our loss. What was interesting in this whole process is that it brings to mind that Senator Pearson's appointment was a non-partisan one; she was appointed for her good work on children's issues. The question I am about to ask should be treated in the same non-partisan way because it concerns our Aboriginal peoples.

As this chamber has heard, there are many other Aboriginal communities that live with unsafe water supplies. They have done so for years. About 100 First Nations communities are currently under boil-water advisories. Just one of those communities is in B.C., Senator Austin. I refer to a First Nation band on the northeast coast of Vancouver Island that has been using bottled water for eight years because salt water has contaminated their wells.

How much longer does the federal government expect that the people on that reserve and others living in the same situation will have to wait before they can turn on their taps to get safe drinking water, like most of the rest of us? Is there really a long-term plan to end this hideous third-world situation?

Hon. Jack Austin (Leader of the Government): Honourable senators, this government has applied itself to the water-quality issue on Aboriginal reserves, as I have said in answer to previous questions on this topic. The government had allocated \$1.6 billion to improving water quality over five years and has indicated that the program may be accelerated.

I cannot answer a question with respect to the reserve to which Senator St. Germain refers; however, I shall pursue the information.

Senator St. Germain: Honourable senators, I do not think that throwing money at the situation will do any good. There is a first ministers' draft for a 10-year plan to lift Aboriginals from this situation. Apparently, a communiqué is now being drafted. I am not sure if the government leader is aware of it.

A cartoon that appeared a couple of days ago in one of the newspapers depicting an airplane dropping bags of money over a native community is indicative of what has happened.

Honourable senators, this is not a question about enough money being directed at this particular file; it is a question of implementation, delivery and supervision of the dollars that are applied.

The honourable minister will know that there are plans to put another \$5 billion toward this issue. We must change the structures of delivery and implementation. One native group after the other has come before our committee and told us this. When will the Government of Canada make the necessary changes?

From a partisanship point of view, it does not matter who has been in government. The delivery and the implementation just has not been there. The will to do something different has been there, but it is the delivery and the implementation, my friend, that we are failing on. If we continue to do what we have always done, we will always get what we always got with our Aboriginal peoples. We have to make some changes.

Senator Austin: Honourable senators, Senator St. Germain pursued this topic earlier this week. I responded with information regarding the round table process.

For the first time in Canadian history, the Government of Canada is bringing the premiers of the 10 provinces and three territories together with Aboriginal leaders to discuss the cross-cutting jurisdiction at the federal, provincial and municipal level that needs to be developed so that there can be a tri-level approach to deal with Aboriginal problems. This is one of the most complicated sets of issues. For example, with respect to education, the provinces have jurisdiction over the organization of the curriculum and service delivery. With respect to housing, there is a combination of regulations at the federal, provincial and municipal levels that has to be dealt with. With respect to health care, the federal government is responsible for providing health care programs but the provinces have much of the capital facilities and service capabilities.

All of these issues and more are being addressed in a process that began when Prime Minister Martin became Prime Minister. He has been the most aggressive of any federal leader in dealing with these issues.

It is very easy to be concerned, and I do not diminish that. I do not take second place to anyone in terms of concern with respect to the condition of the Aboriginal community. Nor do I take second place to anyone in terms of putting my personal time and effort into addressing Aboriginal issues.

I agree with one point that the Honourable Senator St. Germain makes, that is, the well-being of the Aboriginal peoples of this country should not be addressed through partisan, divisive and name-calling politics. The situation requires a concerted, national effort by all of us, to approach these problems and to ensure that there is the capacity to deal with them so that we may achieve our objective, which is clear, that there be no distinction or discrimination in the life condition of the Aboriginal people of this country.

Senator St. Germain: Honourable senators, I do not think in my question that I tried to diminish the minister's concerns or his sincerity regarding this whole process. If he interpreted it that way, he is absolutely wrong.

Perhaps I have been too combative in the past, which leads to the leader's reaction at the moment. On this issue, it is not a matter of being combative; it is a question of pleading with the government. The federal government has the lead role. On reserves, there is an obligation on the part of provincial governments to hook up services. The immediate problems are in the bailiwick of the federal government and the Department of Indian Affairs and Northern Development.

• (1430)

The Standing Senate Committee on Aboriginal Peoples prepared a report under the leadership of Senator Sibbeston. Several senators are part of the study. We have heard what is happening.

We asked about the round table process. In the opinion of some of the Aboriginal witnesses, that process is nothing more than just another meeting between that group of Aboriginals who generally come to Ottawa and politicians. As a matter of fact, a lot of our Aboriginal people think of them all as politicians.

That is why I am pleading that we look at the problem from a different perspective, so that we can not only put money towards it, but implement and deliver it.

[Translation]

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

MOTION TO AMEND RULE 32— SPEAKING IN THE SENATE

Hon. Madeleine Plamondon: Honourable senators, my question is for the Leader of the Government in the Senate or the chair of the relevant committee. I would like to go back to the issue of interpretation in Inuktitut.

I asked this question some time ago, and I was promised a reply. I would like to know if there has been a follow-up on this issue and when we can expect a translation facility to be provided for our two colleagues. Is it a matter of costs, of budget?

[English]

Hon. Jack Austin (Leader of the Government): Honourable senators, the matter stands before a Senate committee. I cannot speak to the work of that committee on this particular topic. Perhaps the question could be addressed to the chair of that committee.

Hon. David P. Smith: A subcommittee of the Standing Committee on Rules, Procedures and the Rights of Parliament has been struck. Senator Joyal and I represent this side, and Senator Di Nino represents the opposition side. At a working meeting yesterday, we reviewed a number of things. I believe we are scheduled to meet the Wednesday after we resume.

We are trying to canvass all of those people who might on occasion take advantage of not just being able to speak Inuktitut but any Canadian Aboriginal language. We will be meeting with the Aboriginal caucus when we have that report.

We will recommend a trial run at some point, even before Christmas, it is hoped. We are making progress, and there does seem to be unanimous consensus to move in this direction.

Senator Plamondon: What difficulties are you encountering?

Senator Smith: They are not difficulties precisely. Early on, there was a consensus that we could not limit it just to Inuktitut. Sitting behind Senator Plamondon is a senator who has some ability to speak Cree, and there are other members of this place who speak other Aboriginal languages. We have broadened it to include any Aboriginal language.

First, what we have to do is determine what requirements we would need in terms of having interpreters standing by. We cannot have people on a payroll whose services would not be needed too often.

We are trying to figure out how much notice we need, whether it is two days or three days. There are translators in Ottawa who do this type of work, and we are trying to canvass them. In addition to that, there is also the concept of the physical installation of an extra interpretation booth and the wiring, et cetera. We had a full report with respect to that from staff as well.

These are the things on our check list of what we are trying to finalize, including of course what the budget for it would be.

Senator Plamondon: The demand originated when a senator had difficulty speaking French or English. The other senators who would like Cree, for example, have already mastered one of the two main languages, French or English.

Sitting in front of me here is a senator who has not mastered either French or English. You should start your trial with one who would understand.

Senator Smith: That is what we hope to do. I might say that I have never had any trouble understanding any point the honourable senator to which you refer wishes to make to me. He makes them quite clearly and quite forcibly, and I never have a problem.

Quite apart from that, there is a principle involved. The initiative came from a couple of senators for whom Inuktitut is their mother language. If we are to do something in that direction, to be fair, we should have a category. The category that was agreed upon was any Canadian Aboriginal language.

Senator Plamondon: It is not because we cannot do everything that we do nothing.

Hon. Marjory LeBreton: I wish to have something clarified by Senator Smith. After he talked about yesterday's meeting, he said he was going to take the matter up with the Aboriginal caucus. I am not aware of any Aboriginal caucus of the Senate. Can the honourable senator explain his statement, please?

Senator Smith: That is a fair point. My reference to the Aboriginal caucus was a slip of the tongue.

I meant any members of the Senate who have identified themselves as those who would be using this service. We know who those persons are. The clerk, Mr. Armitage, is undertaking to speak to each of them to try to get an estimate of when they think they might use it, on a weekly basis or a monthly basis or once a year. We are trying to get a feel for what the demand would be for this service. It is hard to have intelligent discussions without giving them some scope.

We are trying to define that as soon as possible. When the subcommittee I referred to has a consensus ad hoc report, we will meet with all those senators who would have some interest in using this service.

Senator LeBreton: When you used the term "Aboriginal caucus," were you simply referring to members of the Senate who happen to be Aboriginal? There is not a body specifically called the "Aboriginal caucus."

Senator Smith: That is a fair characterization. I apologize for any confusion.

VETERANS AFFAIRS

COMPENSATION TO ABORIGINAL VETERANS FOR UNEQUAL BENEFITS PACKAGE

Hon. Lillian Eva Dyck: Honourable senators, my question is for the Leader of the Government in the Senate. I am addressing the issue of compensation for Canadians who have been treated unfairly by laws in the past.

On the one hand, there are the descendants of the Chinese Canadians who were subjected to the head tax and the Chinese Exclusion Act; on the other hand, there are Aboriginal veterans who received unfair compensation at the end of their military service. Today, I will direct my comments to the Aboriginal veterans.

Last week, a group of Aboriginal veterans flew to Belgium and France to pay their respects to their fallen comrades. While they were there, they conducted a spiritual ceremony to call back the spirits of their fallen comrades and take them back to Canada, to their home communities, along with their pipe carriers.

Attending some of the events were the Governor General, Michaëlle Jean, as well as the Minister of Veterans Affairs, both of whom paid tribute to the war efforts of our Aboriginal veterans. It has been stated apparently by some of the veterans that this tribute was long overdue, that although they are grateful for it, it was overdue.

I had the pleasure of meeting some of these veterans in the Toronto airport last week. I met Howard Anderson, who is from the Gordon First Nation in Saskatchewan — which is where I am from. We are related. I met Mr. George Horace from the Thunderchild First Nation near North Battleford.

• (1440)

I asked another gentleman, who is also an Aboriginal veteran, if they had received compensation yet for the unfair benefits compared to non-Aboriginal veterans and his answer to me was, no, they had not.

Since 2005 is the Year of the Veteran, surely the government should recognize the sacrifices made by, and the heroism exhibited by, our Aboriginal veterans, by compensating them fairly and in a timelier manner — that is to say, before any more of them reach the end of their lifespan and pass on. Why has the government not compensated Aboriginal veterans for the unequal and unfair benefits that they received?

Hon. Jack Austin (Leader of the Government): Honourable senators, the question that Senator Dyck puts to us touches the conscience of Canadians. It is a subject that the government has under active review, but it has taken a long time to come to the top of the agenda. Governments have come and gone since the Second World War and the Korean War, and this issue has not been properly addressed.

One step forward, as Senator Dyck recognizes, is the work of the Department of Veterans Affairs in making this special profile for Aboriginal veterans, which has taken place in the last few days. I spoke about Senator Gill representing the Senate and the Governor General also highlighting the role of Aboriginal people in the military during the Second World War and the Korean War.

I will make inquiries, honourable senators, as to the current state of the file. I know it is under consideration. Unfortunately, I am not in a position to give the honourable senator an answer today, but I will try to do so very quickly.

Senator Dyck: The leader says that the file is under active review. I would question whether it is under active review because it has been decades. Perhaps some things have been done as political appeasements, but to take action would be to actually compensate with the money.

Hon. A. Raynell Andreychuk: By way of a supplementary question, as honourable senators will recall, some 10 years ago the Aboriginal Affairs Committee in this Senate produced a report about Aboriginal veterans. One of the recommendations was to include Aboriginal veterans in all Remembrance Day services and all commemorations of the First and Second World Wars and the Korean conflict. While the leader has given tribute to the department, I think it would be helpful if he included and tracked what the standing Senate committee recommended. While the recommendation on commemorations was explicitly followed, and to good effect in the Aboriginal veterans community, the remaining recommendations are still outstanding and are in line with the issues that Senator Dyck has raised.

Senator Austin: Well said. The question was put to me in terms of the government, so I answered in terms of the government, but I am very happy to have Senator Andreychuk remind colleagues here of the work of the committee on which we both served.

Hon. Marcel Prud'homme: Honourable senators, while the government is reviewing matters, I would draw to your attention another report that created a lot of interest. I know, because I walked out of the hospital to attend that committee. In February 1998, our Subcommittee on Veterans Affairs was chaired by our very good friend Orville Phillips, who was then in the Senate. They partially addressed that question, which I am sure the leader's research will confirm. As a matter of fact, that is where I first met the Honourable Senator Chalifoux. She was a member of that subcommittee.

NATIONAL DEFENCE

GAGETOWN—TESTING OF AGENT ORANGE AND AGENT PURPLE

Hon. Norman K. Atkins: Honourable senators, in view of the evidence that is emerging with regard to the testing of Agent Orange in Camp Gagetown and the effect it has had not only on military personnel but on civilians in the area around Camp Gagetown, can the Leader of the Government tell me whether the government is considering any further research into the effects of dioxin, especially now when we know there are new technologies that might give us information that otherwise we have not had?

Hon. Jack Austin (Leader of the Government): Honourable senators, my information is that the government has under way a very aggressive program of trying to determine what took place and the consequences of the use of those herbicides at Canadian Forces Base Gagetown. It has employed independent third party experts to provide reports that will be made public.

FISHERIES AND OCEANS

NUNAVUT—CONSULTATION WITH STAKEHOLDERS ON NEW QUOTA

Hon. Willie Adams: Honourable senators, my question is to the Leader of the Government in the Senate. By way of background, right now we have a 4,000 tonne quota for the turbot fishery in Nunavut. I have received verbal concerns from Nunavut Tunngavik Incorporated and the Government of Nunavut regarding a letter from DFO to fisheries stakeholders. They are concerned that the actual Nunavut fisheries stakeholders have not been consulted on how the new 2,500 tonne quota will be allocated in Nunavut's OA turbot area. Could the minister tell me why Nunavut stakeholders, such as the Nunavut Wildlife Management Board, Baffin Fisheries Coalition, Qikiqtaaluk Corporation, Pangnirtung Fisheries, Cumberland Sound Fisheries and the community of Qikiktartjuaq, who are the real stakeholders, were not included in this list when they have invested so much in this developing industry? Makivik Corporation, according to the Nunavut Land Claims Agreement, automatically gets 5 per cent from quotas from OA and OB. Not one of those stakeholders from Nunavut received a letter from DFO, and they were sent out to the other stakeholders down in Newfoundland, Nova Scotia, P.E.I. New Brunswick and Quebec, as well as industry lobby groups. There should be some way to correct this situation so that the 2,500 tonnes go to Nunavut.

Hon. Jack Austin (Leader of the Government): Honourable senators, I will look into the issue with the hope that I can get back to Senator Adams very quickly.

• (1450)

I know that the letters were sent because it was part of a discussion I had with the Minister of Fisheries and Oceans, and I have heard separately that Nunavut Tunngavik Incorporated has said that its shareholders have not been consulted. The Nunavut fisheries stakeholders were not consulted on the new 2,500 tonne quota.

The best I can do at the moment is to find out what the situation is with respect to consultation, but I am told that the Nunavut Wildlife Management Board has undertaken to contact all of its stakeholders and then hold discussions with the Department of Fisheries and Oceans.

That is as much as I can report at the moment, but I will follow up.

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, I have the honour of presenting four delayed answers to oral questions raised in the Senate. The first is in response to an oral question raised on October 26, by Senator Tkachuk, concerning the Treasury Board Secretariat resources for departments to respond to access to information.

[Translation]

The second is in response to a question raised on October 27, 2005, by Senator Kinsella, concerning the proposed liquified natural gas terminals in Maine. The third is in response to question raised on October 26, 2005, by Senator Spivak, concerning Bombardier's building of a plant in Mexico.

[English]

The fourth is in response to questions posed by Senator Murray on October 20, regarding the Mackenzie Valley Pipeline, progress of negotiations.

TREASURY BOARD

RESOURCES FOR DEPARTMENTS TO RESPOND TO ACCESS TO INFORMATION REQUESTS

(Response to question raised by Hon. David Tkachuk on October 26, 2005)

The Government is implementing a new funding and oversight mechanism for Agents of Parliament this fall. The Office of the Information Commissioner is included in the two-year pilot project.

The pilot project is intended to reflect the degree of independence of Agents of Parliament, the role of Parliament in budget and oversight matters, and the responsibility of the Government for the sound stewardship of public resources.

Parliamentary control and supervision of expenditure of public money would be strengthened by a new provision for a Parliamentary Oversight Panel to assess the Estimates of Agents of Parliament, including related financial and management performance. The Panel would aim to promote economy, efficiency and effectiveness in the funding and oversight of Agents of Parliament.

The Government's approach takes into consideration and is broadly consistent with the recommendations of the Standing Senate Committee on National Finance as well as recommendations of the Standing Committee on Public Accounts and the Standing Committee on Access to Information, Privacy and Ethics.

It is important to note that the allocation of resources within institutions is the responsibility of the head of each institution. Treasury Board Secretariat regularly receives input from departmental/agency ATIP offices on the status of their resources and provides advice on methods of improving efficiency and making effective use of these resources.

The Treasury Board Secretariat will continue to provide training and support to ATIP offices throughout government so that they may effectively respond to ATIP requests.

CANADA-UNITED STATES RELATIONS

MAINE—PROPOSED LIQUEFIED NATURAL GAS TERMINALS

(Response to question raised by Hon. Noël A. Kinsella on October 27, 2005)

The Government of Canada is planning to undertake a comprehensive risk assessment study to best be able to respond to the current LNG proposals.

Based on the finding of this study and the review of any application for an LNG terminal, the Government will consider making a submission to the United States approval process to address any concerns related to navigation safety and pollution prevention.

INDUSTRY

BOMBARDIER—BUILDING OF PLANT IN MEXICO

(Response to question raised by Hon. Mira Spivak on October 26, 2005)

Aerospace is a global industry in which all players are seeking ways to cut costs. Bombardier is a private company and must make those business decisions it feels are necessary in order to remain competitive.

The company's decision does not change the fact that Canada has one of the world's largest aerospace industries, and among the most skilled aerospace workforce.

The Government will be releasing a national strategy for the aerospace and defence industry in the near future. This strategy, which has included broad consultations with industry, labour, research institutions and the provinces, among others, outlines how Canada needs to move up the aerospace supply chain, and how the government will support the growth of this important sector of the economy.

We continue to be in regular contact with Bombardier, and are monitoring the situation closely.

NATURAL RESOURCES

MACKENZIE VALLEY PIPELINE— PROGRESS OF NEGOTIATIONS

(Response to questions raised by Hon. Lowell Murray on October 20, 2005)

1. On September 15, 2005, the Mackenzie Gas Project Proponents wrote to the National Energy Board to indicate that they required additional time to continue to advance further key matters, such as access and benefits and fiscal arrangements, prior to the start of hearings. The Proponents will advise the National Energy Board in November 2005 of their willingness to proceed to public hearings.

If the Proponents agree to move forward to the next phase at that time, it is anticipated that coordinated environmental assessment and regulatory public hearings will commence in early 2006.

With this in mind, the Government of Canada has already implemented a number of measures to help advance the Mackenzie Gas Project, including:

- A commitment of up to \$500 million to mitigate the socio-economic impacts of the planning and construction of the pipeline project on aboriginal communities;
- An agreement worth \$31.5 million with the Deh Cho First Nations which, among other things, will allow them to participate in the review process and explore economic opportunities related to the project; and
- Investments to facilitate a timely regulatory and environment response to the project.

These initiatives, as well as the ongoing work that is being undertaken by the Government of Canada, and other governments and organizations, reflect the commitment of all parties to facilitate progress on the Mackenzie Gas Project.

2. The Mackenzie Gas Project is a private commercial endeavour. The time lines for project advancement are the responsibility of the Proponents. The pace and scheduling of regulatory and commercial activities is also dictated by the Proponents. Governments have reviewed the regulatory

framework and have developed a Cooperation Plan to ensure that the project is reviewed in a timely matter. At this time, regulatory authorities are preparing for detailed regulatory hearings.

When the proponents made their announcement in April 2005 to re-profile activities, they presented a “list of outstanding issues” to the Government of Canada. The Government of Canada has made significant progress in a number of areas on this list and continues to work towards the resolution of the remaining issues within its purview such as the fiscal regime that will apply to the project.

On September 15, 2005, the Mackenzie Gas Project proponents announced that they were encouraged by the progress that had been achieved to date and indicated that they would be making a decision on whether or not to proceed to regulatory hearings. The Proponents have stated they will advise the National Energy Board in November 2005 of their willingness to proceed to public hearings.

3. Government engagement to date is based on the belief that the project can bring significant benefits to Canadians, in particular Northerners and aboriginal people.

As a responsible steward of taxpayers’ money, the Government of Canada has an obligation to ensure that public funds are spent in the best interests of all Canadians. The Government of Canada will not provide direct subsidies to support the construction of the Mackenzie Gas Pipeline Project. The Government, however, is willing to consider alternatives that will help move the project forward in a manner that is in the best interests of the people of Canada.

[Translation]

SPIRIT DRINKS TRADE BILL

MESSAGE FROM COMMONS

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons returning Bill S-38, respecting the implementation of international trade commitments by Canada regarding spirit drinks of foreign countries, and acquainting the Senate that they have passed this bill without amendment.

[English]

NATIONAL PHILANTHROPY DAY BILL

FIRST READING

Leave having been given to revert to Introduction and First Reading of Senate Public Bills:

Hon. Jeremiah S. Grafstein: Honourable senators, I have the honour to present Bill S-46, respecting a National Philanthropy Day.

Bill read first time.

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

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

ORDERS OF THE DAY

BUSINESS OF THE SENATE

COMMITTEES AUTHORIZED TO MEET DURING ADJOURNMENT OF THE SENATE

Hon. Bill Rompkey (Deputy Leader of the Government), pursuant to notice of November 2, 2004, moved:

That, pursuant to rule 95(3), during the period Monday, November 14 to Monday, November 21, 2005 inclusive, the committees of the Senate be authorized to meet even though the Senate may then be adjourned for a period exceeding a week.

Motion agreed to.

Senator Rompkey: Honourable senators, I wonder if I could have leave to call forward the human rights report submitted earlier today by Senator Andreychuk, so that both she and Senator Pearson can speak to it this afternoon. We are looking forward to hearing them.

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

Hon. Senators: Agreed.

STUDY ON INTERNATIONAL OBLIGATIONS REGARDING CHILDREN'S RIGHTS AND FREEDOMS

INTERIM REPORT OF HUMAN RIGHTS COMMITTEE—DEBATE ADJOURNED

The Senate proceeded to consideration of the nineteenth report (interim) of the Standing Senate Committee on Human Rights, entitled: *Who's in Charge Here? Effective Implementation of Canada's International Obligations with Respect to the Rights of Children*, tabled in the Senate earlier this day.

Hon. A. Raynell Andreychuk: Honourable senators, in November 2004, when the Standing Senate Committee on Human Rights embarked on its study of Canada's international obligations in relation to the rights and freedoms of children, its goal was to examine how Canada could maximize the impact and application of the United Nations Convention on the Rights of the Child on behalf of Canadian children.

As yet, there have been very few comprehensive studies of this issue, and little parliamentary attention. In response to this need,

our committee examined whether Canadian policy and legislation reflect the provisions of the international human rights instruments and whether this country is in compliance with its international obligations.

We also looked at the role of Parliament within this framework. Our committee sought to answer the following questions: Is Canada implementing the Convention on the Rights of the Child in domestic law and policy and, if so, how? Are Canadian society and the federal government responding to the needs of today's children? Ultimately, we approached this project as a case study, reflecting the broader implications of ensuring that domestic legislation complies with Canada's international human rights obligations and in keeping with the broader mandate that began with this committee's first report, *Promises to Keep: Implementing Canada's Human Rights Obligations*.

At this time, honourable senators, I want to go on record to indicate that our clerk, our researchers and all the staff involved, including pages, translators and others committed to this study, were keenly, personally involved in children's rights, from the many comments that they made to us during this study.

I want to pay tribute again to Senator Pearson. If it was not for her tenacity and willingness to put her own ego aside to allow all of us to have a chance to say what we wanted to say on the issue of rights and to find a way of pushing us constantly forward to the target of doing more for children, I do not believe this report would have come to fruition today. Her understanding and advocacy in the NGO community should be commended. Time and again, the information provided by her contacts allowed us to substantiate many of the questions that were raised.

Senator Pearson's 20 to 30 years of hard work are paying off. We thank her for her dedication and continued involvement with Carleton University and the centre that is being named after her. We congratulate her on her continuing good work there.

I also want to note that ours was a unique committee in that members had a special expertise in children. Often we find two or three senators who come together with a similar interest and direction. To my delight, every senator had a different perspective and expertise, and they gave willingly of that expertise and direction. I believe it will find its way into the final report.

During this study, our committee heard from government and academic witnesses, as well as those representing children's rights advocacy organizations across Canada, with respect to Canada's implementation of the convention. We were also blessed to have children come forward and put forth their perspectives, and we intend to continue that direct contact.

• (1500)

We supplemented the evidence and recommendations of our witnesses with two fact-finding missions. We gathered information from various UN and international organizations in Geneva, including the Committee on the Rights of the Child. We were given examples of how the convention operates in such like-minded states as Sweden, Norway and the United Kingdom. We also heard from young people in Atlantic Canada and abroad as to their perspectives on the Convention on the Rights of the Child and its impact on their lives.

In June 2005, our committee began the first in a series of hearings across Canada to gain a much needed perspective from provincial government officials, provincial ombudsmen, non-profit service organizations and children. Beginning in Atlantic Canada — St. John's, Fredericton, Charlottetown and Halifax — we met with officials to discuss current provincial laws, how these laws are being implemented, various concerns surrounding children's rights, awareness of the convention and children's rights, and how children are affected by laws and policies at the municipal, provincial and federal levels.

In the course of our study, our committee became increasingly convinced that, both in theory and in practice, children's rights in this country are not understood or assured. Indeed, we noted a lack of awareness in government and among children and the general public about the convention and the rights enshrined in it as one of the hallmarks of our study.

In government, even among those dedicated to protecting children's rights, knowledge of the convention is spotty at best. However, as was repeatedly emphasized by witnesses both in Canada and elsewhere, children are citizens with rights and must be recognized so as to foster a culture of respect and of rights and responsibilities in this country. As it stands, children are often talked about but rarely listened to when legislation or institutional public policy is being made. Yet, if we care about children, we must ensure their rights so that they can learn how to balance these rights with their responsibilities, fostering future citizenship and involvement.

The first step in this direction is recognition of the rights-based approach as a valid underlying philosophy. In order to focus on the particular vulnerabilities of children and to ensure the fulfilled and meaningful maturation of their rights, the rights-based perspective contained in the Convention on the Rights of the Child must be clarified in Canada and elsewhere. Children today are persons with rights of their own that the state in which they live must fully respect and protect.

The Honourable Senator Pearson, our deputy chair, will address these rights more fully, I am sure, in her upcoming remarks. Consequently, I will focus my comments on the more general issue of the implementation of the Convention on the Rights of the Child and other international human rights treaties in Canada.

One fact made clear to our committee throughout its hearings was that the primary obstacle to effective protection of children's rights in Canada is implementation of the convention. As our committee began to discover during its hearings leading up to our report, *Promises to Keep: Implementing Canada's Human Rights Obligations*, Canada's current ratification and incorporation process for international human rights treaties is inefficient and ineffective. Neither conclusive nor transparent, the mechanisms currently in place only occasionally lead to real compliance. No body has ultimate responsibility for ensuring that international human rights conventions are effectively implemented in Canada.

Our hearings surrounding the Convention on the Rights of the Child have demonstrated that a democratic deficit exists, and that the public at large, as well as the most affected stakeholders, are often unaware of relevant treaties and the rights contained in them.

In Canada, international human rights treaties are rarely incorporated directly into Canadian law, but are indirectly implemented by ensuring that pre-existing legislation is in conformity with the obligations accepted in a particular convention. The difficulty with this is that the government negotiates the treaties, signs the treaties and comments as the exclusive voice on conformity in Canada. Other actors are asking for a say.

Parliament plays no role in ratification; thus international human rights treaties that are not directly incorporated into domestic legislation bypass the parliamentary process. In accordance with this policy-based approach to international human rights, the federal government currently deems the Convention on the Rights of the Child to be implemented in Canada by means of the Canadian Charter of Rights and Freedoms, federal and provincial human rights legislation, and other federal and provincial legislation pertaining to matters addressed in the convention. In essence, the government relies on pre-existing laws, using existing mechanisms and applying the convention through them, rather than relying on specific legislation to ensure that children's rights recognized under the convention are respected across the board.

Witnesses appearing before our committee expressed a number of concerns in response to this approach to implementing international human rights treaties. They expressed uncertainty as to whether this unwillingness to directly incorporate international human rights treaties can be truly termed explicit compliance, and urged us to find ways to expressly implement the terms of the convention.

These concerns led our committee to ask whether pointing to the Charter and various human rights and other legislation is sufficient to ensure compliance with the convention, given the specific nature of the rights pertaining to children laid out within it. Without ensuring that the explicit language used in the convention is replicated in Canada's laws, how can we be sure that children's rights are actually enforceable, or that Canada is in full compliance with the convention?

Ultimately, Canada has an obligation to make best efforts to implement international treaties domestically, no matter what jurisdictional hurdles are entrenched in the Constitution.

Witnesses also expressed concern with respect to the democratic deficit and the complexity of the reporting and follow-up process with the United Nations Committee on the Rights of the Child. What is lacking is real political involvement in the process, either at the ministerial or parliamentary level. It was pointed out that effectively addressing such issues lies at the heart of a functioning democracy.

This democratic deficit — which is only increased by the lack of transparency inherent in the current system, either through awareness raising or public input — led our committee to the conclusion that Canada's current reporting process and follow-up mechanisms, in terms of the Convention on the Rights of the Child and with respect to other conventions, was wholly inadequate.

Months of testimony, complemented by the observations, criticism and recommendations of the United Nations Committee on the Rights of the Child, have convinced us of the inadequacy of Canada's approach to implementing the Convention on the Rights of the Child and, by extension, other international human rights treaties more generally.

Based on what we heard, our committee has developed a number of proposals for change. These deal with both mechanisms to transform how Canada ratifies and incorporates its international human rights obligations, and specific mechanisms to ensure enhanced implementation of the Convention on the Rights of the Child. Through these recommendations, we seek to ensure an enhanced level of accountability to children and all citizens, and to work to transform Canada's international human rights obligations into meaningful law, policy and practice.

Our committee has come to the realization that there can be no full compliance, and, consequently, no real and comprehensive protection of children's rights without effective implementation. Responding to concerns expressed throughout our hearings, through this interim report we have attempted to address the gulf between the rights rhetoric and the reality of children's lives. We cannot turn back time to suggest improved means of approaching the Convention on the Rights of the Child. However, we can suggest a process that we could put in place to transform the country's approach to international human rights treaties in the future.

In reviewing the Convention on the Rights of the Child, our committee analyzed the international human rights treaty process, and has reached the conclusion that Canada has fallen behind other countries in meeting today's democratic expectation, and that a new negotiating and implementing process is desirable. This interim report also recommends various means for making our goals with regard to full respect for children's rights an effective reality within the federal government through Parliament, and, on an independent level, identifying the need for consultation, education and child participation.

• (1510)

Our first broad recommendation is that the federal government develop a more effective means for incorporating and implementing its international human rights obligations both before and after ratification of an international instrument. As is the current practice in Australia, this process could involve the dissemination of an explanatory report setting out the goals and consequences of the treaty in question, and encourage an enhanced consultation process with all stakeholders. We emphasize that ratification of any international human rights instrument should be accompanied by enabling legislation in which the federal government considers itself legally bound by its

international human rights commitments. This could take the form of tabling the treaty in Parliament, accompanied by a declaration that the federal government has reviewed all relevant legislation, an assurance to Parliament that Canada's laws are in compliance with the treaty obligations, and a formal statement that the federal government agrees to comply with the treaty. Our committee suggests a speedier and more consultative reporting process to United Nations human rights committees —

The Hon. the Speaker *pro tempore*: I regret to inform the honourable senator that her time has expired.

Senator Andreychuk: Honourable senators, I would ask leave to continue.

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

Hon. Senators: Agreed.

Senator Andreychuk: Thank you, honourable senators. In that speedier and more consultative process, the committee recommends that Canada's reports, the UN committee's concluding observations and the government's follow-up report be tabled in Parliament and referred to Parliamentary committees for examination. Further recommendations specifically target children's rights and the creation of a child's commissioner, as well as a process whereby federal departments would implement the rights of the child more effectively. I leave this part of the report for Senator Pearson's comments.

Through these recommendations, it is the intention of the committee to elicit a response from the community and from the federal and provincial governments before a final stance is taken by the committee. It is the committee's hope that its conclusions supporting real compliance with the Convention on the Rights of the Child can be expressed, understood and replicated across Canada.

The results of this preliminary interim report will be enhanced by our continuing study of specific issues of children's rights and Canada's obligations, focusing on such issues as medically fragile children, disabled children, Aboriginal children, migrant children, minority children, sexually exploited children, children in conflict and those caught in the child welfare and youth criminal justice systems. In continuing our in-depth examination of these issues, we will attempt to respond to concerns that we have heard expressed across Canada and elsewhere so as to ensure respect for and effective implementation of specific articles of the convention to benefit all children.

Only when Canada truly lives up to its promises of compliance can this country be assured of living up to its international human rights obligations. I believe that only by bolstering the effectiveness and accountability of its ratification process can Canada truly claim to be a leader in the human rights field. A reputation that extends beyond our own borders but does not apply at home is not one worth having. Honourable senators, we look forward to your responses.

Hon. Landon Pearson: Honourable senators, thank you for the opportunity to speak on this, my last sitting day in the Senate, and to speak on a subject that all of you know means so much to me.

When I took my oath of office 11 years ago, on October 25, 1994, I made a personal commitment to continue speaking out on behalf of children, as I had been doing for so many years. I then set myself two goals: the first was to become known as the senator for children, advancing children's interests in legislation and policy wherever possible; and the second was to become known as the children's senator, opening up the political and legislative process so that children, as defined by the United Nations Convention on the Rights of the Child as "every human being under the age of 18," could participate in decisions that affect them. How successful I have been on both counts is for others to say.

Hon. Senators: Hear, hear!

Senator Pearson: However, I do know that these goals happily coalesce for me in the terms of reference of the Standing Senate Committee on Human Rights when the committee undertook to study the rights and freedoms of children. It is with great pleasure that I rise today to speak to our interim report, *Who's in Charge Here? Effective implementation of Canada's international obligations with respect to the rights of children*.

Before I begin, I should like to express my appreciation for the chairmanship of Senator Raynell Andreychuk. Her experience as a family court judge, diplomat and senator, combined with her deep commitment to human rights and remarkable energy, made her unusually well qualified to guide our deliberations. Our work has been greatly enriched by the knowledge and wisdom of Senator Sharon Carstairs, another steering committee member, and by that of all other senators on the committee, each one of whom demonstrated a special understanding of children and their issues, as Senator Andreychuk said. We were admirably served by the Clerk of the Committee, Line Gravel; and our researcher from the Library of Parliament, Laura Barnett, who was ably assisted by Kim Chao.

Senator Andreychuk described how we went about this study, but allow me to reinforce her comments about the unusually high quality of our witnesses and the clarity and constructive force that they brought to their presentations, which they had prepared with such care. Collectively, they laid bare the weaknesses of our state system to address the issues affecting the rights and freedoms of children that they were bringing to our attention. As we listened to them, it became increasingly clear that our government, however well-intentioned the individuals within, lacks the necessary mechanisms to implement the commitments Canada made when it ratified the Convention on the Rights of the Child in 1991. As a committee, we thought long and hard about how to improve the system so that it might become more effective as well as more efficient. This is what our interim report is all about: Who's in charge here? Well, who, indeed?

Senator Andreychuk has spoken to our general recommendations. I will speak to another two. Recommendation 4 reads:

An interdepartmental implementation working group for children's rights shall be established in order to coordinate activities, policies, and laws for children's rights issues.

The creation of an interdepartmental working group to be placed within the Department of Justice emerges from the testimony of several witnesses which was based on the successful experience of other like-minded countries and, let me be honest, based on my own frustrations as I struggled to move children's issues through ministerial silos. Professor Joanna Harrington, Faculty of Law at the University of Alberta, summed up both the problem and its possible solution quite well when she said:

Canada's treaty obligations in the field of human rights need to be mainstream so as to generate a greater understanding and acceptance of the legal character of these obligations. To assist with this mainstreaming, the responsibility for reporting on the implementation of Canada's human rights obligations should fall on the Department of Justice and not the Department of Canadian Heritage. The Department of Justice could also be made responsible for ensuring that all proposed legislation complies with Canada's obligations with respect to the rights and freedoms of children. A children's assessment should be required for all government bills, the result of which should be made publicly available after a bill's first reading giving notice of any area of concern and an opportunity for further scrutiny within a democratic process. ...and we agree about a greater role for Parliament.

Parliamentary committees could also serve a greater monitoring role, particularly if the scrutiny of the concluding observations made by the committee on the rights of the child were placed on the parliamentary calendar on a regular basis, thus drawing public attention to both the content of the report and, more importantly, Canada's response and intended actions.

Of course all honourable senators understand that policies related to children cross many federal departments, so this working group based at the Department of Justice would include representatives from across government. They would also have to meet regularly. Of course, we understand that most programs related to children fall under provincial jurisdiction. However, we have a national children's agenda that was signed onto by all jurisdictions. As I have happily learned, when it comes to children, there is a real will to work together.

Recommendation 3 states:

Parliament shall enact legislation to establish an independent Children's Commissioner to monitor the implementation of the *Convention on the Rights of the Child*, and protection of children's rights in Canada. The Children's Commissioner shall report annually to Parliament.

• (1520)

It is important to remember that the rights of the child addressed in the convention fall into three categories: protection, provision and participation. While the interdepartmental mechanism I have just spoken about is a necessary condition for compliance with the convention, it is not sufficient. It would not have, nor could it have, a statutory obligation to listen to children. Once again, the voices of children would be left to the choice of adults. This is one of the main reasons the committee has recommended the need for a children's commissioner.

Now, let me make the case. I have argued for a children's commissioner for a very long time, since the International Year of the Child, in fact, when, as vice-chair of the Canadian Commission for the International Year of the Child, I travelled across the country with colleagues to hear from children themselves. We discovered then how few opportunities children felt they had to make their voices heard. That was in 1979. In 2005, we still have no institutionalized capacity to listen to what they have to say.

In 1982, Norway was the first country to establish an ombudsman for children, and since 1990, when the Convention on the Rights of the Child came into force, 65 other countries have done so. England is the latest, with a commissioner in place since last June.

The committee met with Dr. Al Aynsley-Green in London last October, and he told us with pride that he was only appointed after intense scrutiny by a panel of children. In fact, he said with a smile that he had to take an exam they prepared, which, as an experienced paediatrician, was one of the most difficult he had ever written.

Many other countries are currently preparing legislation for a similar office, including China, although whether their children's commissioner would be truly independent remains to be seen.

Furthermore, from the time it was established, the Committee on the Rights of the Child has recommended that all countries establish these independent mechanisms for monitoring children's rights and has twice asked Canada to do so in its concluding observations on our country reports.

The United Nations General Assembly Special Session on Children, in a document entitled "A World Fit for Children," which Canada, along with all the other countries present, adopted, called on every nation to establish an independent mechanism, an "independent ombudsman for children... or other institutions for the promotion and protection of the rights of the child."

Since I have been in the Senate, I have developed three successive proposals with respect to a children's commissioner which have garnered a great deal of support among people and organizations that work directly with children, including the child advocates from various provinces in which they now exist. The advocates see a great need for a commissioner at the national level with whom they could work, and so did virtually every other witness who appeared before our committee who was not a government official.

Now it is time for both Parliament and government to get on board. Children are citizens, but they have no official voice. They are the only segment of Canadian society that has no vote, which means someone else has to speak for them in the corridors of power, and that should be someone whose primary focus is children and those associated with children and their families and their communities. A children's commissioner would be directed to report every year to Parliament and to raise the consciousness throughout Canada with respect to the rights of children and to allow children themselves to tell their true stories to the nation.

Almost exactly 11 years ago, on November 17, 1994, I made my first statement in this chamber to draw the attention of senators to National Child Day in the Year of the Family. National Child Day was established by an act of Parliament in 1993 to celebrate children in Canada and to commemorate the unanimous adoption of the Convention on the Rights of the Child by the General Assembly of the United Nations on November 20, 1989.

In my speech that day, I said, "The child is a person; a small one, perhaps, and vulnerable, lacking knowledge and experience, but a person nonetheless; a subject, not the object, of rights."

I believe that statement even more strongly today. I recognize that government has made real progress with respect to children since 1994 in Canada and abroad with the child tax benefit, extended parental leave, CIDA's child protection policy and, most recently, the early childhood care and development agreements with the provinces and territories. Yet, so much remains to be done to achieve full realization of children's rights here in Canada, to say nothing of in the rest of the world, and children's voices remain muted.

If they could be heard, they would remind us, as the children did at the special session on children in 2002, that, "We, the children, are not the problem; we are the solution."

Let me urge you to adopt this report so that the government will, we hope, be impelled to begin to put into place what our committee, which is your committee, recommends. When it does, progress toward compliance with the Convention on the Rights of the Child will accelerate and we will move much closer, we hope, to a Canada, if not to a world, fit for children.

Hon. Senators: Hear, hear!

On motion of Senator Rompkey, debate adjourned.

EXCISE TAX ACT

BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Di Nino, seconded by the Honourable Senator Keon, for the second reading of Bill C-259, An Act to amend the Excise Tax Act (elimination of excise tax on jewellery).

—(*Honourable Senator Maheu*)

Hon. Shirley Maheu: Honourable senators, I rise in support of the elimination of the excise tax on jewellery. It is my intention, therefore, to vote in favour of Bill C-259.

Honourable senators, I believe that we should be proactive in this chamber by way of finally killing the last vestige of the once broadly-based basket of excise taxes from the First World War, namely, the tax on jewellery.

Canada should finally get out of the excise tax business forever. Probably every economist agrees that excise taxes kill jobs. This concept of tax collection has no place in the modern tax system. In fact, Canada is the only nation today in the industrial world that hangs on to this threat of tax planning, which is the ghost of tax policy implemented and imposed by governments in the environment of trying to pay for near ancient military conflict.

Unfortunately, this tax ghost from the First World War does much harm and absolutely no good. It is an archaic imposition that makes Canadian jewellery products more costly for Canadians. It serves to encourage international travellers to purchase jewellery when outside the country, without customs duties, and taking advantage of the \$750-exemption rule.

What can the tax bureaucrats be thinking about as they defend its longevity? It suggests ostrich-like policy making in the bureaucracy, particularly when the Auditor General reported nine years ago that, because of the difficulty in applying this tax in a modern framework of economic activity, the government was continuing to lose significant revenue by maintaining the excise tax. At the same time as the Auditor General's report, the House of Commons Finance Committee, under the chairmanship of the current Minister of International Trade, recommended that this tax be abolished. I find it patently contemptuous that the senior mandarins in the Department of Finance continue to shilly-shally on this issue by teasing and abusing everyone involved in the jewellery industry and Canadians in general by the nonsense of incremental reduction of this tax.

• (1530)

I believe this bill should go to committee as soon as possible, and, when it goes to committee, I would like to see someone ask the finance mandarins by what labyrinth or Neanderthal process they have come to the conclusion that a \$3 piece of jewellery is an object of luxury. Our kids use them on Halloween and, therefore, any Canadian purchasing such an object must be visited by the excise tax ghost. The mandarins at the Department of Finance should put Halloween aside and serve the interests of Canadians. Honourable senators must exorcise this last ghost of excise tax in Canada. Whatever we can conclude, we know that this jewellery tax serves no social policy objectives and it is inappropriate, regressive, arbitrary and just plain dumb.

Setting aside whether you believe in ghosts or not, when this legislation passed in the House of Commons on June 15 of this year, the vote count was overwhelmingly in favour, with two thirds of the members present. A total of 185 voted for the final elimination of the regressive excise tax laws of almost a century ago.

The arguments against maintaining the tax on jewellery are well known. I believe they are excellent arguments. In spite of this, there continues to be resistance in the bureaucracy to accelerate tax relief that will have a dramatic impact among the broadly-based facets of the jewellery section of our economy.

Is it not incredible, honourable senators, that excise taxes introduced to help pay for Canada's war effort 90 years ago have been removed, all of them over the years, except for the tax on

jewellery? This is clearly discriminatory. The concept of the excise tax has been to make consumers pay something to the government on the purchase of a so-called luxury item.

Today, the misguided senior officials at the Department of Finance seem to think that a \$3 piece of jewellery is a luxury item, while an \$800 to \$1,000 Louis Vuitton bag is not. The Louis Vuitton bag is not subject to an excise tax, and I do not believe that anyone is suggesting that it should be. That would certainly be turning the clock all the way back, in excise tax terms, to the First World War. How untenable the Department of Finance is; how very much out of touch it is.

We buy a wedding ring, we buy a \$15 pair of earrings, and we pay tax. We can go to the United States and buy diamonds for cheaper than we can buy them in Canada, even with the surcharge on the dollar.

Tax relief for the jewellery sector of our economy would positively enhance our Canadian domestic mining industry. It is not a stretch of anyone's imagination to determine that this would also have a positive impact on regional development. The manufacturing and trade GDP for 2005 in this industry is approaching \$100 million. It is reasonable to anticipate that this sector will continue to grow in significance. The jewellery industry has job creation prospects that are enormous. Currently, in the retail sector, spread from coast to coast, 65 per cent of jewellery firms have fewer than five employees; so much for small business. Why does the bureaucracy therefore champion such an outdated policy in a sector of the economy that has an impact throughout this nation?

Wholesale businesses would also be positively affected by the elimination of the tax. Currently, 50,000 Canadian people work in the jewellery industry. In addition to wholesaling and retailing, they are involved in diamond cutting, polishing and diamond exploration. Why should the results of their contribution to the economy not be on the same footing as those who make handbags, for example? The continuation of the jewellery tax is plainly and simply discriminatory, no matter how the bureaucrats want to slice it.

I urge my colleagues to finally discard early 20th century tax policy by quickly moving to support Bill C-259.

Hon. Lowell Murray: Honourable senators, I have been listening to this debate with great interest, including the speech we have just heard from our honourable friend, Senator Maheu. I was particularly struck by her reference to the economic impact of the diamond mining, exploration and manufacturing industry in this country. I am reminded of the fact that it has become an extremely important industry in the northern territories.

I want simply to place on the record for future consideration and reference the fact that not a nickel of the immense wealth that pours out of the industry in the North finds its way back directly to the territorial or Aboriginal governments in that part of our country. This is something that ought to be rectified.

I am taking advantage of the occasion of this debate to say that the territory, particularly the Government of the Northwest Territories, has been trying for 20 years or more to get a decent and equitable resource revenue-sharing agreement with Ottawa. It

is long past time for this to be done. With every day that goes by without such an agreement, the territories are losing an important potential source of revenue that would contribute immensely to self-government and the devolution of governmental responsibilities both to the territories and to Aboriginal governments in that part of our country.

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

EFFICACY OF GOVERNMENT IN IMPLEMENTING KYOTO PROTOCOL

INQUIRY—DEBATE SUSPENDED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Andreychuk calling the attention of the Senate to the failure of the government to address the issue of climate change in a meaningful, effective and timely way and, in particular, to the lack of early government action to attempt to reach the targets set in the Kyoto Protocol.—(*Honourable Senator McCoy*)

Hon. Elaine McCoy: Honourable senators, it gives me great pleasure to rise today in this debate, the first in which I have participated in this chamber.

Hon. Senators: Hear, hear!

Senator McCoy: Thank you, honourable senators.

There is so much to say about climate change. Fifteen minutes certainly is not sufficient; as such, I look forward to many other opportunities, as well. I am mindful, it being my first time to speak, that it is also traditional to speak in a little larger context. Hence, what I shall do is touch quickly, first, on the mandate of the Senate and, second, turn to the subject of climate change and most particularly in the context of the inquiry that is before us today.

Our constitution sets out clearly that the Senate's role is to represent regions and minorities. To that end, I am pleased to have been appointed to the upper chamber of the Parliament of Canada in 2005, the year of Alberta's one hundredth anniversary. In so doing, I hope to follow in the strong tradition of senators from that province.

I have known Senator Fairbairn and Senator Hays for many years and have come to respect them even more since I have been in this chamber. Although I did not know Senator Banks before I got here, I certainly knew his reputation, which is very high. Having observed his participation in this chamber, in its business, I can attest to that reputation being well deserved.

• (1540)

Before I leave everyone with the impression that there are only Liberal senators from Alberta, let me hasten to also acknowledge other wonderful forebears that I have the pleasure to follow. One, of course, was Ernest Manning, who was such a great statesman

and a Social Credit senator from Alberta; and also Doug Roche, Ron Ghitter and Walter Twinn, all of whom were Progressive Conservatives, although Doug Roche sat as an independent. Therefore, I am proud to take my place among these eminent Albertans and I am proud to sit as a Progressive Conservative senator for Alberta.

Looking forward to our province's second century causes me to reflect upon the future. In Alberta, many of us are asking rather deep questions as we take our place in this nation. One of those, and I believe a really significant question, is how should Alberta be contributing to our nation's future? How can we shape that future so that it benefits not only Albertans but also Canadians? How can we help Canada be at the leading edge of the 21st century so that it secures not only Albertans but all Canadians a prosperous 21st century?

In my opinion there is a simple, straightforward answer, and it is quite simply this: In Alberta we are now big enough, rich enough and mature enough to be nation builders. In speaking of being a nation builder, it may come as a surprise to some senators, but I wish to illustrate how we have done so in the last few years within the context of the climate change envelope.

Climate change is an example of how Alberta has been acting as a nation builder to secure a 21st century that is prosperous for all people across this great nation. I will tell my honourable friends about some of the things we did. I have personal experience of this because I was the catalyst in 1998 behind the first efforts that Alberta put forward.

Following the 1997 signing of the Kyoto Protocol, I was a member of the Alberta Economic Development Authority. We very clearly saw this as an issue of sustainability — not only as an environmental issue, not only as a social issue, but very clearly as an economic issue. Through the Economic Development Authority, we put a brief forward to the Government of Alberta, which immediately adopted it as their climate change strategy and action plan. That was in 1998, seven years ago.

In April, I co-chaired, along with the current Minister of Environment, the Honourable Guy Boutilier; Alberta's Climate Change Round Table. We pulled together 100 Albertans from all walks of life: Aboriginals, academics, municipal official, representatives of the agriculture and oil and gas sectors; we had people from every conceivable industry. We had 100 opinion leaders. We had youth members. We had everyone sit down for two days and come to a conclusion as to what we should do in terms of climate change.

We put together an action plan that had buy-in from all across the province. It was one that we had developed consensually, which is what we like to do in Alberta, and it was one that adopted the fundamental principle we are pro climate change that we must do something as an energy leader and an environmental leader not only for Canada but also for the world.

Part of that was to create Climate Change Central, of which I am now vice-chair. That is a public-private partnership. We invited the federal government to join us, and the Honourable Anne McLellan has been sitting with us on the board of Climate Change Central. We have managed to keep close ties as we have moved forward.

[Senator Murray]

We did not stop there, however. In October of 2002, the Government of Alberta put together an action plan with more specifics on what we would do to respond to climate change. In 2003, it passed the Climate Change and Emissions Management Act, which is the first climate change regulatory act in this country. The Alberta government also initiated specific climate change legislation, some of which was brought into force the following year.

In 2003, the Government of Alberta signed a \$200-million agreement for green power that will supply 90 per cent of the province's needs, most of it from wind energy and some of it from biomass. The Municipal Energy First Program was launched in that year, which gives interest-free loans to municipalities so that they can retrofit and have energy efficient buildings and fleets. In addition, Energy Solutions Alberta was established by Climate Change Alberta. A rebate program was put in place that would encourage the oil and gas industry to capture and inject carbon dioxide and therefore contribute to the overall effort.

In 2004, we became the first jurisdiction to require the registration of greenhouse gas emissions. That program has been in effect for over a year. There are mandatory measuring and reporting requirements for any facility emitting over 100,000 tonnes of greenhouse gases.

Also, we have had more influence than just in our own jurisdiction. Climate Change Central has been very active with the Government of Canada, and some of the ideas that we incorporated in our climate change plan have gone forward into Project Green; the provincial participation, for example, with an emphasis on intensity factors. Climate Change Central hosted two emissions trading simulations, which gave industry as well as NGOs and the governments of Alberta and Canada an opportunity to learn about that first-hand. Also, Climate Change Central was the first to suggest a technology innovation fund that would help contribute to the response to climate change over time.

Our influence continues, but other actors in Alberta are also doing wonderful things. The Metis Settlements General Council has passed a carbon storage policy. The City of Calgary is another example of a municipality adopting a climate change action plan. Calgary has already reduced its emissions factors below the level of 1990 emissions.

Honourable senators, as you can see, the Government of Alberta is very active. We are pro climate change. We have been engaged and continue to be engaged. Notwithstanding a rather unfortunate headline in *The Globe and Mail* yesterday as to Albertans being anti Kyoto, what we are doing, in a very responsible manner, is helping to build, in collaboration with the Government of Canada, a prosperous nation with a future.

To turn to the inquiry at hand, I was pleased to see and to hear Senator Andreychuk hearken back to Rio and the principles of sustainable development, because that is climate change. It is, quite likely, the most important issue we have on the sustainability front today because we are so fundamentally a carbon-based society.

I want honourable senators to think for a minute about what they did when getting up this morning and how many things they touched that are made from petroleum products. The first thing senators might have done was brush their teeth. Toothpaste contains petroleum-based products. A toothbrush is plastic. That is a petroleum-based product. Pyjamas are probably shipped here from Eastern Asia. Petroleum-based products get those delivered to the store where they were bought.

The wheat in a slice of toast is grown with fertilizer, and fertilizer is based on petroleum products.

The Hon. the Speaker: I am sorry to interrupt the Honourable Senator McCoy, but Her Excellency the Governor General has arrived. Our custom is to now adjourn to await her arrival. With the agreement of honourable senators, I will leave the chair. We will continue the session following Royal Assent.

Hon. Senators: Agreed.

Debate suspended.

The Senate adjourned during pleasure.

• (1600)

[Translation]

ROYAL ASSENT

Her Excellency the Governor General of Canada having come and being seated at the foot of the Throne, and the House of Commons having been summoned, and being come with their Speaker, Her Excellency the Governor General was pleased to give the Royal Assent to the following bills:

An Act to authorize the construction and maintenance of a bridge over the St. Lawrence River and a bridge over the Beauharnois Canal for the purpose of completing Highway 30 (*Bill S-31, Chapter 37, 2005*)

An Act to establish the Canada Border Services Agency (*Bill C-26, Chapter 38, 2005*)

An Act respecting the implementation of international trade commitments by Canada regarding spirit drinks of foreign countries (*Bill S-38, Chapter 39, 2005*)

The House of Commons withdrew.

Her Excellency the Governor General was pleased to retire.

The sitting was resumed.

[English]

EFFICACY OF GOVERNMENT IN IMPLEMENTING KYOTO PROTOCOL

INQUIRY

On the Order:

Resuming debate on the inquiry of the Honourable Senator Andreychuk calling the attention of the Senate to the failure of the government to address the issue of climate change in a meaningful, effective and timely way and, in particular, to the lack of early government action to attempt to reach the targets set in the Kyoto Protocol.—(*Honourable Senator McCoy*)

Hon. Elaine McCoy: Honourable senators, I was saying a few moments ago that carbon is very much woven into the fabric of our society. Therefore, anything that we do in order to address the climate change issue must be done with care and caution.

This brings me to my final point. When I was first here in this august chamber, I was graciously hosted by the Speaker of the Senate, as were all of you. Carved into the lintel above the door to his chamber is a Latin phrase. I apologize to Latin scholars for my pronunciation. It said: *Sapere aude*. When I asked what it meant, I was told: "Dare to be prudent." If there is any one issue on which I believe we should dare to be prudent, it is our response to climate change.

Unfortunately, from the very beginning, Kyoto was not a prudent response. The targets that were set were arbitrary. They bore absolutely no relationship to anything scientific or anything that dealt with our industry mix or consumer demand. The impacts of that target were totally unknown. Another total unknown was the level of effort it would take to reach them.

Having said that, no one knew in 1997 what it would take to reach those targets. We can live with that. However, any attempt to rush in where fools would otherwise not is, in my view, a bad policy that has the disadvantage of disrupting the fabric of our society.

Unfortunately, for eight years, Kyoto has focussed our full attention on targets instead of on solutions. Alberta has been leading by talking to other provinces, industries, other municipalities, consumers and the Government of Canada in finding sustainable solutions. It is that to which we are committed, and that is how we are making our nation a better place.

In responding to this inquiry, I would say timing is the issue, not the targets or the implementation. We must be careful to get the timing right, get our responses right, and together ensure the prosperity of all Canadians.

• (1610)

If there is any way that we can continue our positive conversations on that line, and if there is any way that we can actually help that debate in this chamber as we become much more familiar with the issues of a very complex situation, then we will have done our job as senators. I look forward to participating with you in that.

The Hon. the Speaker *pro tempore*: If no other senator wishes to speak, the inquiry is considered debated.

INEQUITIES OF VETERANS INDEPENDENCE PROGRAM

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Callbeck calling the attention of the Senate to the present inequities of the Veterans Independence Program.—(*Honourable Senator Di Nino*)

Hon. Consiglio Di Nino: Honourable senators, I should like to add a few words in support of this inquiry. I applaud Senator Callbeck for initiating the inquiry. Her contribution to this debate shed light on the inequities of the Veterans Independence Program and her efforts to convince the Minister of Veterans Affairs to correct these inequities. Senator Callbeck is obviously a superb negotiator, for it seems the minister has corrected these deficiencies, at least in large part. To save time, I gladly refer you to Senator Callbeck's presentation in this chamber for all the details.

I also reviewed with interest the comments on this inquiry by Senators Meighen and Day. Both congratulate the ministry for listening and improving the program, but both are disappointed with the fact that the changes do not capture benefits for certain categories of spouses and caregivers. These are individuals who, for various reasons, did not take part in the original VIP program. This should be rectified. I know that Senator Callbeck also feels they should be allowed to participate. She will undoubtedly take their cause to the minister, and we wish her the same success as the original challenge. To her, I extend my support and cooperation on this issue.

The Hon. the Speaker *pro tempore*: I wish to advise the Chamber that if Senator Callbeck speaks now, it will have the effect of closing debate.

On motion of Senator Callbeck, debate adjourned.

BUSINESS OF THE SENATE

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, may I suggest that we stand certain items on the Order Paper? However, certain items on the Order Paper are now at Day 15 and, as such, the clock will have to be rewound.

Hon. Noël A. Kinsella (Leader of the Opposition): All orders may be stood.

Senator Rompkey: Are you saying that it is in order to stand everything?

Senator Kinsella: Yes.

Senator Rompkey: I want to call Motion No. 138, and then I would propose to stand all the other items on the Order Paper.

The Hon. the Speaker *pro tempore*: Is it agreed, honourable senators, that after Motion No. 138, we stand all the items on the Order paper?

Hon. Senators: Agreed.

NATIONAL SECURITY AND DEFENCE

COMMITTEE AUTHORIZED TO TABLE REPORTS DURING ADJOURNMENT OF THE SENATE

Hon. Colin Kenny, pursuant to notice of October 25, 2005, moved:

That the Standing Senate Committee on National Security and Defence be permitted, notwithstanding usual practices, to deposit any report with the Clerk of the Senate, if the Senate is not then sitting; and that the report be deemed to have been tabled in the chamber.

Motion agreed to.

ADJOURNMENT

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

Hon. Bill Rompkey (Deputy Leader of the Government), with leave of the Senate and notwithstanding rule 58(1)(h) moved:

That when the Senate adjourns today, it do stand adjourned until Tuesday, November 22, 2005, at 2 p.m.

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

Hon. Senators: Agreed.

Motion agreed to.

The Senate adjourned until Tuesday, November 22, 2005, at 2 p.m.

THE SENATE OF CANADA

PROGRESS OF LEGISLATION

*(indicates the status of a bill by showing the date on which each stage has been **completed**)*

(1st Session, 38th Parliament)

Thursday, November 3, 2005

*(*Where royal assent is signified by written declaration, the Act is deemed to be assented to on the day on which the two Houses of Parliament have been notified of the declaration.)*

GOVERNMENT BILLS (SENATE)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-10	A second Act to harmonize federal law with the civil law of the Province of Quebec and to amend certain Acts in order to ensure that each language version takes into account the common law and the civil law	04/10/19	04/10/26	Legal and Constitutional Affairs	04/11/25	0 observations	04/12/02	04/12/15	25/04
S-17	An Act 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	04/10/28	04/11/17	Banking, Trade and Commerce	04/11/25	0	04/12/08	05/03/23*	8/05
S-18	An Act to amend the Statistics Act	04/11/02	05/02/02	Social Affairs, Science and Technology	05/03/07	0	05/04/20	05/06/29*	31/05
S-31	An Act to authorize the construction and maintenance of a bridge over the St. Lawrence River and a bridge over the Beauharnois Canal for the purpose of completing Highway 30	05/05/12	05/06/07	Transport and Communications	05/06/16	0	05/06/21	05/11/03	37/05
S-33	An Act to amend the Aeronautics Act and to make consequential amendments to other Acts	05/05/16	Bill withdrawn pursuant to Speaker's Ruling 05/06/14						
S-36	An Act to amend the Export and Import of Rough Diamonds Act	05/05/19	05/06/09	Energy, the Environment and Natural Resources	05/06/16	0	05/06/20		
S-37	An Act to amend the Criminal Code and the Cultural Property Export and Import Act	05/05/19	05/06/15	Foreign Affairs	05/06/29	0	05/07/18		
S-38	An Act respecting the implementation of international trade commitments by Canada regarding spirit drinks of foreign countries	05/05/31	05/06/15	Agriculture and Forestry	05/06/23	3	05/07/18	05/11/03	39/05
S-39	An Act to amend the National Defence Act, the Criminal Code, the Sex Offender Information Registration Act and the Criminal Records Act	05/06/07	05/06/15	Legal and Constitutional Affairs					

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-40	An Act to amend the Hazardous Materials Information Review Act	05/06/09	05/06/30	Social Affairs, Science and Technology	05/09/29	0	05/10/20		

**GOVERNMENT BILLS
(HOUSE OF COMMONS)**

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-2	An Act to amend the Criminal Code (protection of children and other vulnerable persons) and the Canada Evidence Act	05/06/14	05/06/20	Legal and Constitutional Affairs	05/07/18	0 observations	05/07/19	05/07/20*	32/05
C-3	An Act to amend the Canada Shipping Act, the Canada Shipping Act, 2001, the Canada National Marine Conservation Areas Act and the Oceans Act	05/03/21	05/04/14	Transport and Communications	05/06/09	0 observations	05/06/22	05/06/23*	29/05
C-4	An Act to implement the Convention on International Interests in Mobile Equipment and the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment	04/11/16	04/12/09	Transport and Communications	05/02/15	0	05/02/22	05/02/24*	3/05
C-5	An Act to provide financial assistance for post-secondary education savings	04/12/07	04/12/08	Banking, Trade and Commerce	04/12/09	0 observations	04/12/13	04/12/15	26/04
C-6	An Act to establish the Department of Public Safety and Emergency Preparedness and to amend or repeal certain Acts	04/11/18	04/12/07	National Security and Defence	05/02/22	0	05/03/21	05/03/23*	10/05
C-7	An Act to amend the Department of Canadian Heritage Act and the Parks Canada Agency Act and to make related amendments to other Acts	04/11/30	04/12/09	Energy, the Environment and Natural Resources	05/02/10	0	05/02/16	05/02/24*	2/05
C-8	An Act to amend the Financial Administration Act, the Canada School of Public Service Act and the Official Languages Act	05/03/07	05/03/21	National Finance	05/04/14	0	05/04/19	05/04/21*	15/05
C-9	An Act to establish the Economic Development Agency of Canada for the Regions of Quebec	05/06/02	05/06/08	National Finance	05/06/16	0	05/06/21	05/06/23*	26/05
C-10	An Act to amend the Criminal Code (mental disorder) and to make consequential amendments to other Acts	05/02/08	05/02/22	Legal and Constitutional Affairs	05/05/12	0 observations	05/05/16	05/05/19*	22/05
C-11	An Act to establish a procedure for the disclosure of wrongdoings in the public sector, including the protection of persons who disclose the wrongdoings	05/10/18	05/10/27	National Finance					
C-12	An Act to prevent the introduction and spread of communicable diseases	05/02/10	05/03/09	Social Affairs, Science and Technology	05/04/12	2	05/04/14	05/05/13*	20/05
C-13	An Act to amend the Criminal Code, the DNA Identification Act and the National Defence Act	05/05/12	05/05/16	Legal and Constitutional Affairs	05/05/18	0	05/05/19	05/05/19*	25/05

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-14	An Act to give effect to a land claims and self-government agreement among the Tlicho, the Government of the Northwest Territories and the Government of Canada, to make related amendments to the Mackenzie Valley Resource Management Act and to make consequential amendments to other Acts	04/12/07	04/12/13	Aboriginal Peoples	05/02/10	0	05/02/10	05/02/15*	1/05
C-15	An Act to amend the Migratory Birds Convention Act, 1994 and the Canadian Environmental Protection Act, 1999	04/12/14	05/02/02	Energy, the Environment and Natural Resources	05/05/17	0 observations	05/05/18	05/05/19*	23/05
C-18	An Act to amend the Telefilm Canada Act and another Act	04/12/13	05/02/23	Transport and Communications	05/03/22	0 observations	05/03/23	05/03/23*	14/05
C-20	An Act to provide for real property taxation powers of first nations, to create a First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority and First Nations Statistical Institute and to make consequential amendments to other Acts	04/12/13	05/02/16	Aboriginal Peoples	05/03/10	0	05/03/21	05/03/23*	9/05
C-22	An Act to establish the Department of Social Development and to amend and repeal certain related Acts	05/06/09	05/06/21	Social Affairs, Science and Technology	05/07/18	0	05/07/20	05/07/20*	35/05
C-23	An Act to establish the Department of Human Resources and Skills Development and to amend and repeal certain related Acts	05/06/02	05/06/14	Social Affairs, Science and Technology	05/07/18	0	05/07/20	05/07/20*	34/05
C-24	An Act to amend the Federal-Provincial Fiscal Arrangements Act and to make consequential amendments to other Acts (fiscal equalization payments to the provinces and funding to the territories)	05/02/16	05/02/22	National Finance	05/03/08	0	05/03/09	05/03/10*	7/05
C-25	An Act governing the operation of remote sensing space systems	05/10/18	05/11/01	Foreign Affairs					
C-26	An Act to establish the Canada Border Services Agency	05/06/14	05/06/29	National Security and Defence	05/11/01	0 observations	05/11/02	05/11/03	38/05
C-28	An Act to amend the Food and Drugs Act	05/10/19	05/11/01	Social Affairs, Science and Technology					
C-29	An Act to amend the Patent Act	05/02/15	05/03/07	Banking, Trade and Commerce	05/04/12	2	05/04/14	05/05/05*	18/05
C-30	An Act to amend the Parliament of Canada Act and the Salaries Act and to make consequential amendments to other Acts	05/04/13	05/04/14	National Finance	05/04/21	0	05/04/21	05/04/21*	16/05
C-33	A second Act to implement certain provisions of the budget tabled in Parliament on March 23, 2004	05/03/07	05/04/20	National Finance	05/05/03	0	05/05/10	05/05/13*	19/05

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-34	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2005 (<i>Appropriation Act No. 2, 2004-2005</i>)	04/12/13	04/12/14	—	—	—	04/12/15	04/12/15	27/04
C-35	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2005 (<i>Appropriation Act No. 3, 2004-2005</i>)	04/12/13	04/12/14	—	—	—	04/12/15	04/12/15	28/04
C-36	An Act to change the boundaries of the Acadie—Bathurst and Miramichi electoral districts	04/12/13	05/02/01	Legal and Constitutional Affairs	05/02/22	0 observations	05/02/23	05/02/24*	6/05
C-37	An Act to amend the Telecommunications Act	05/10/25	05/11/02	Transport and Communications					
C-38	An Act respecting certain aspects of legal capacity for marriage for civil purposes	05/06/29	05/07/06	Legal and Constitutional Affairs	05/07/18	0	05/07/19	05/07/20*	33/05
C-39	An Act to amend the Federal-Provincial Fiscal Arrangements Act and to enact An Act respecting the provision of funding for diagnostic and medical equipment	05/02/22	05/03/08	Social Affairs, Science and Technology	05/03/10	0	05/03/22	05/03/23*	11/05
C-40	An Act to amend the Canada Grain Act and the Canada Transportation Act	05/05/12	05/05/16	Agriculture and Forestry	05/05/18	0	05/05/19	05/05/19*	24/05
C-41	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2005 (<i>Appropriation Act No. 4, 2004-2005</i>)	05/03/22	05/03/23	—	—	—	05/03/23	05/03/23*	12/05
C-42	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2006 (<i>Appropriation Act No. 1, 2005-2006</i>)	05/03/22	05/03/23	—	—	—	05/03/23	05/03/23*	13/05
C-43	An Act to implement certain provisions of the budget tabled in Parliament on February 23, 2005	05/06/16	05/06/21	National Finance	05/06/28	0	05/06/28	05/06/29*	30/05
C-45	An Act to provide services, assistance and compensation to or in respect of Canadian Forces members and veterans and to make amendments to certain Acts	05/05/10	05/05/10	National Finance	05/05/12	0	05/05/12	05/05/13*	21/05
C-48	An Act to authorize the Minister of Finance to make certain payments	05/06/28	05/07/06	National Finance	05/07/18	0 observations	05/07/20	05/07/20*	36/05
C-49	An Act to amend the Criminal Code (trafficking in persons)	05/10/18	05/11/01	Legal and Constitutional Affairs					
C-56	An Act to give effect to the Labrador Inuit Land Claims Agreement and the Labrador Inuit Tax Treatment Agreement	05/06/16	05/06/20	Aboriginal Peoples	05/06/21	0	05/06/22	05/06/23*	27/05

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-58	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2006 (<i>Appropriation Act No. 2, 2005-2006</i>)	05/06/15	05/06/21	—	—	—	05/06/22	05/06/23*	28/05

COMMONS PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-259	An Act to amend the Excise Tax Act (elimination of excise tax on jewellery)	05/06/16							
C-302	An Act to change the name of the electoral district of Kitchener—Wilmot—Wellesley—Woolwich	04/12/02	04/12/07	Legal and Constitutional Affairs	05/02/17	0 observations	05/02/22	05/02/24*	4/05
C-304	An Act to change the name of the electoral district of Battle River	04/12/02	04/12/07	Legal and Constitutional Affairs	05/02/17	0 observations	05/02/22	05/02/24*	5/05

SENATE PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-2	An Act to amend the Citizenship Act (Sen. Kinsella)	04/10/06	04/10/20	Social Affairs, Science and Technology	04/10/28	0	04/11/02	05/05/05*	17/05
S-3	An Act to amend the Official Languages Act (promotion of English and French) (Sen. Gauthier)	04/10/06	04/10/07	Official Languages	04/10/21	0	04/10/26		
S-4	An Act to amend the Marriage (Prohibited Degrees) Act and the Interpretation Act in order to affirm the meaning of marriage (Sen. Cools)	04/10/06	Dropped from Order Paper pursuant to Rule 27(3) 05/02/22						
S-5	An Act to repeal legislation that has not come into force within ten years of receiving royal assent (Sen. Banks)	04/10/07	04/10/26	Transport and Communications (withdrawn) 04/10/28 Legal and Constitutional Affairs					
S-6	An Act to amend the Canada Transportation Act (running rights for carriage of grain) (Sen. Banks)	04/10/07							
S-7	An Act to amend the Supreme Court Act (references by Governor in Council) (Sen. Cools)	04/10/07	Dropped from Order Paper pursuant to Rule 27(3) 05/02/22						
S-8	An Act to amend the Judges Act (Sen. Cools)	04/10/07	Dropped from Order Paper pursuant to Rule 27(3) 05/06/16						

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-9	An Act to amend the Copyright Act (Sen. Day)	04/10/07	04/10/20	Social Affairs, Science and Technology					
S-11	An Act to amend the Criminal Code (lottery schemes) (Sen. Lapointe)	04/10/19	04/10/26	Legal and Constitutional Affairs	05/04/12	2 observations	05/05/17		
S-12	An Act concerning personal watercraft in navigable waters (Sen. Spivak)	04/10/19	05/06/01	Energy, the Environment and Natural Resources	05/06/29	0			
S-13	An Act to amend the Constitution Act, 1867 and the Parliament of Canada Act (Speakership of the Senate) (Sen. Oliver)	04/10/19	04/11/17	Legal and Constitutional Affairs					
S-14	An Act to protect heritage lighthouses (Sen. Forrestall)	04/10/20	04/11/02	Social Affairs, Science and Technology	05/03/21	0	05/03/23		
S-15	An Act to prevent unsolicited messages on the Internet (Sen. Oliver)	04/10/20		Subject matter 05/02/10 Transport and Communications					
S-16	An Act providing for the Crown's recognition of self-governing First Nations of Canada (Sen. St. Germain, P.C.)	04/10/27		Subject matter 05/02/22 Aboriginal Peoples					
S-19	An Act to amend the Criminal Code (criminal interest rate) (Sen. Plamondon)	04/11/04	04/12/07	Banking, Trade and Commerce	05/06/23	1	05/06/28		
S-20	An Act to provide for increased transparency and objectivity in the selection of suitable individuals to be named to certain high public positions (Sen. Stratton)	04/11/30		Subject matter 05/02/02 Legal and Constitutional Affairs					
S-21	An Act to amend the criminal Code (protection of children) (Sen. Herveux-Payette, P.C.)	04/12/02	05/03/10	Legal and Constitutional Affairs					
S-22	An Act to amend the Canada Elections Act (mandatory voting) (Sen. Harb)	04/12/09	Dropped from Order Paper pursuant to Rule 27(3) 05/10/18						
S-23	An Act to amend the Royal Canadian Mounted Police Act (modernization of employment and labour relations) (Sen. Nolin)	05/02/01		Subject matter 05/07/18 Legal and Constitutional Affairs					
S-24	An Act to amend the Criminal Code (cruelty to animals) (Sen. Bryden)	05/02/03	05/03/10	Legal and Constitutional Affairs					
S-26	An Act to provide for a national cancer strategy (Sen. Forrestall)	05/02/16	05/06/01	Social Affairs, Science and Technology					
S-28	An Act to amend the Bankruptcy and Insolvency Act (student loan) (Sen. Moore)	05/03/23	05/06/01	Banking, Trade and Commerce					
S-29	An Act respecting a National Blood Donor Week (Sen. Mercer)	05/05/05	05/06/01	Social Affairs, Science and Technology					
S-30	An Act to amend the Bankruptcy and Insolvency Act (RRSP and RESP) (Sen. Biron)	05/05/10							

CONTENTS

Thursday, November 3, 2005

	PAGE
Royal Assent	
Notice.	
The Hon. the Speaker	2072
Business of the Senate	
Hon. Hugh Segal	2072

SENATORS' STATEMENTS

Tributes

The Honourable Landon Pearson.	
Hon. Jack Austin	2072
Hon. A. Raynell Andreychuk	2073
Hon. Sharon Carstairs	2073
Hon. Joyce Fairbairn	2073
Hon. Joan Fraser	2074
Hon. Landon Pearson.	2074

Visitors in the Gallery

The Hon. the Speaker.	2074
-------------------------------	------

Year of the Veteran

Tribute to Rear-Admiral Desmond William "Debby" Piers.	
Hon. J. Michael Forrestall	2075

Remembrance Day

Hon. Noël A. Kinsella	2075
---------------------------------	------

The Honourable Landon Pearson

Tribute on Retirement.	
Hon. Pierre De Bané	2075

Minister Responsible for Democratic Renewal

Involvement in Government Press Conferences on Commission of Inquiry into the Sponsorship Program and Advertising Activities.	
Hon. Marjory LeBreton	2076

Commission of Inquiry into the Sponsorship Program and Advertising Activities

Reflection on Politicians.	
Hon. Consiglio Di Nino	2076

The Honourable Landon Pearson

Tribute on Retirement.	
Hon. Rose-Marie Losier-Cool	2077

ROUTINE PROCEEDINGS

Study on International Obligations Regarding Children's Rights and Freedoms

Interim Report of Human Rights Committee Tabled.	
Hon. A. Raynell Andreychuk	2077

Canada-Japan Interparliamentary Group

Meeting of Inter-Parliamentarians for Social Service, Second General Assembly, August 24-28, 2005—Report Tabled.	
Hon. Marie-P. Poulin	2077

The Senate

Notice of Motion to Extend Greetings and Best Wishes to Members of Armed Forces.	
Hon. Consiglio Di Nino	2077

Accountability of Government

Notice of Inquiry.	
Hon. Consiglio Di Nino	2077

QUESTION PERIOD

Public Safety and Emergency Preparedness

Alleged Exposure of Terrorist Cell.	
Hon. J. Michael Forrestall	2078
Hon. Jack Austin	2078

Citizenship and Immigration

Status of People with Ties to Terrorist Organizations.	
Hon. J. Michael Forrestall	2078
Hon. Jack Austin	2078

Indian Affairs and Northern Development

Water Quality on Reserves.	
Hon. Gerry St. Germain	2078
Hon. Jack Austin	2078

Rules, Procedures and the Rights of Parliament

Motion to Amend Rule 32—Speaking in the Senate.	
Hon. Madeleine Plamondon	2079
Hon. Jack Austin	2079
Hon. David P. Smith	2079
Hon. Marjory LeBreton	2080

Veterans Affairs

Compensation to Aboriginal Veterans for Unequal Benefits Package.	
Hon. Lillian Eva Dyck	2080
Hon. Jack Austin	2081
Hon. A. Raynell Andreychuk	2081
Hon. Marcel Prud'homme.	2081

National Defence

Gagetown—Testing of Agent Orange and Agent Purple.	
Hon. Norman K. Atkins.	2081
Hon. Jack Austin	2081

Fisheries and Oceans

Nunavut—Consultation with Stakeholders on New Quota.	
Hon. Willie Adams.	2081
Hon. Jack Austin	2082

Delayed Answers to Oral Questions

Hon. Bill Rompkey	2082
-----------------------------	------

Treasury Board

Resources for Departments to Respond to Access to Information Requests.	
Question by Senator Tkachuk.	
Hon. Bill Rompkey	2082

Canada-United States Relations

Maine—Proposed Liquefied Natural Gas Terminals.	
Question by Senator Kinsella.	
Hon. Bill Rompkey	2082

Industry

Bombardier—Building of Plant in Mexico.	
Question by Senator Spivak.	
Hon. Bill Rompkey	2082

Natural Resources

Mackenzie Valley Pipeline—Progress of Negotiations.	
Question by Senator Murray.	
Hon. Bill Rompkey	2083

Spirit Drinks Trade Bill (Bill S-38)

Message from Commons.	
The Hon. the Speaker.	2083

	PAGE
National Philanthropy Day Bill (Bill S-46)	
First Reading.	
Hon. Jeremiah S. Grafstein	2083

ORDERS OF THE DAY

Business of the Senate

Committees Authorized to Meet During Adjournment of the Senate.	
Hon. Bill Rompkey	2084

Study on International Obligations Regarding Children's Rights and Freedoms

Interim Report of Human Rights Committee—Debate Adjourned.	
Hon. A. Raynell Andreychuk	2084
Hon. Landon Pearson.	2086

Excise Tax Act (Bill C-259)

Bill to Amend—Second Reading—Debate Continued.	
Hon. Shirley Maheu	2088
Hon. Lowell Murray	2089

	PAGE
Efficacy of Government in Implementing Kyoto Protocol	
Inquiry—Debate Suspended.	
Hon. Elaine McCoy	2090
Royal Assent	2091
Efficacy of Government in Implementing Kyoto Protocol	
Inquiry.	
Hon. Elaine McCoy	2092
Inequities of Veterans Independence Program	
Inquiry—Debate Continued.	
Hon. Consiglio Di Nino	2092
Business of the Senate	
Hon. Bill Rompkey	2092
Hon. Noël A. Kinsella	2092
National Security and Defence	
Committee Authorized to Table Reports During Adjournment of the Senate.	
Hon. Colin Kenny	2093
Adjournment	
Hon. Bill Rompkey	2093
Progress of Legislation	i



If undelivered, return COVER ONLY to:
Public Works and Government Services Canada
Publishing and Depository Services
Ottawa, Ontario K1A 0S5