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THE HONOURABLE NOËL A. KINSELLA
SPEAKER

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THE SENATE

Wednesday, March 28, 2007

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

Prayers.

SENATORS' STATEMENTS

NUNAVIK

LIVING CONDITIONS

Hon. Céline Hervieux-Payette (Leader of the Opposition): Honourable senators, I wish to draw your attention to the plight of our fellow citizens who live in the northern Quebec region of Nunavik.

A vast and beautiful territory located north of the 55th parallel, Nunavik stretches out over half a million square kilometres of tundra and taiga, of mountain ranges dotted with lakes and of coursing rivers. It is home to some 11,000 people, most of whom are Inuit, but whose numbers include members of the Cree and Naskapi nations.

Yet, amid all this splendour and wealth of landscape and Native culture, the people of Nunavik are isolated from the mainstream of Canada — isolated not only in terms of geography, but economically and politically as well.

No roads link Nunavik's 14 villages to each other or to the rest of the province, and the distance separating those villages from Montreal ranges from 1,500 kilometres to 2,500 kilometres. Air travel is the only reliable form of year-round transportation, but it is extremely expensive. Visitors who are here today and will meet with us tonight paid approximately \$5,000 to come to Ottawa.

Moreover, the people of Nunavik lack even such basic services as municipal aqueducts or sewage systems, and electricity is produced by diesel generators since the region is not on the province's power grid. This lack of infrastructure and isolation are significant barriers to economic development, and largely explain the high costs of food, building materials and other goods.

Nunavik households spend about 45 per cent of their income on groceries — a proportion observed mostly in the Third World — and 88 per cent of residents live in social housing due to the high building costs. As a result of rapid population growth, approximately 68 per cent of Nunavik's Inuit live in overcrowded conditions.

The costs of isolation and poor living conditions are high. In Nunavik, suicide is six times the rate it is in the rest of the province, and it remains the leading cause of death among the people of Nunavik. Add to this poverty, high unemployment and dropout rates, health problems, substance abuse and crime, and the picture becomes even darker.

Honourable senators, the residents of Nunavik are a proud and noble people struggling to maintain the integrity of their language, culture and traditional way of life amid the pressures of a rapidly changing world, and against a backdrop of hardship and isolation. However, I am convinced that, as Canadians and parliamentarians, we can and must do something. Let the spirit of the 2005 Kelowna accord guide us to help them bridge the distance and close the economic gap separating them from other Canadians.

In this regard, I commend the fine work done by my colleague, Senator Watt, to provide his people with the economic, social, fiscal and political tools they need to reach their full potential. I look forward to working with him on this issue and encourage all senators to lend him their support.

Hon. Charlie Watt: First, honourable senators, let me say that I am proud to be a member of this chamber.

Honourable senators, over the years, I have regularly raised my concerns about the extreme difficulties and economic disadvantages of our people in Nunavik. I have also tabled petitions from families on the high cost of living over the last two decades. I have tried to raise my voice each time that the government attempted to reduce program. Today, I need to raise my voice again, strongly pointing out that the quality of life has not improved; as a matter of fact, it has deteriorated.

Nunavik has a young population, and the birthrate is the highest in Quebec. If we do not react immediately, we will harm this nation from the youngest to the oldest.

As you know, the people from Nunavik need to harvest to put food on the table. Unfortunately, most of the people cannot afford to harvest because of the high cost of equipment. They are also confronted with government regulations on top of dealing with primary food, such as milk and bread.

• (1340)

Three weeks ago I went harvesting, hoping to bring caribou meat into the community. Unfortunately, nature was not on my side, and I came home with nothing.

Honourable senators, it is difficult and sometimes almost impossible for many to have a complete diet. Inuit in Nunavik live in overcrowded houses with two, three and sometimes even four families living in the same household.

There is a high level of drop out in our schools, the suicide rate is unacceptable and health and social problems are also increasing.

Honourable senators, there is a solution to every problem when there is political will. We will count on your support when I table legislative initiatives in the near future.

Today, we are visited by the mayors from Nunavik, and we hope to resolve the problems that they are confronted with on an everyday basis. Please listen carefully to what they have to say, for they are here to look for a solution.

(The honourable senator spoke in his native language.)

NATIONAL SECURITY AND DEFENCE

EIGHTH AND NINTH REPORTS—COMMENTS ON REPRESENTATION BY GOVERNMENT CAUCUS

Hon. David Tkachuk: Honourable senators, some of the contents of the eighth and ninth reports of the Standing Senate Committee on National Security and Defence presented in this chamber last week came as a surprise. Within the pages of the reports themselves, Senator Kenny stated:

Subsequently, the Conservative leadership in the Senate decided to remove all three of the senators from the committee, leaving the committee without Conservative representation. . . . The current government is apparently determined to show its displeasure at our independence.

Honourable senators, these statements are incorrect. First, the leadership did not remove the senators. The notices sent were clear. They said, substitution pending. Second, the issue in question was not the independence of the committee. It may come as a surprise to Senator Kenny, but all Senate committees exert their independence, including the three committees that I am proud to be a part of, outside of the Standing Senate Committee on National Security and Defence. He insults the other committees and their members by implying that his committee is the only one that does. No, the issue in dispute, as he well knows, is that the Liberals on the committee usurped the right of the Conservative Senate leadership to choose who among its members would serve in what capacity on that committee, a right he implicitly acknowledged at that meeting in an exchange with Senator Banks over the makeup of the steering committee.

In light of what happened, Senator Banks proposed that a fourth Conservative member be added to the steering committee. Senator Kenny replied:

With respect, I think it would be up to the Conservatives to decide who they wanted, if they wanted.

All such niceties, not to mention time honoured traditions, went out the window when it came to the selection of the deputy chair. This committee violated one of the most important and fundamental elements of our Parliament here, namely, that there be representation from both sides of the chamber, and that each side has a right to choose who will represent them. Taking advantage of the temporary absence of any Conservative senators, the opposition senators held an in-camera meeting in which they added an entire page to the report that failed to properly represent the actual events. I am appalled by this turn of events and astounded that the chairman did not see fit to mention, in his one-sided commentary, that the committee acted in this way. He owes this chamber an apology.

[Translation]

JEAN-ROBERT GAUTHIER FOUNDATION

ESSAY COMPETITION

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, it is my great pleasure to announce today that on Thursday, March 22, the Jean-Robert Gauthier Foundation awarded four scholarships to young Canadian university students from various regions across the country.

The 2006-07 Jean-Robert Gauthier Foundation literary essay competition invited all students attending French language or bilingual post-secondary institutions to write an essay that answered the following questions:

• (1345)

What values and interests do Canada's francophones have in common? How can a common francophone identity and national rallying point be created?

It was an extreme pleasure, as honorary chair, together with our former colleague, the Honourable Jean-Robert Gauthier, to welcome the four award winners of the fifth essay contest here on Parliament Hill.

I was highly impressed by the quality of the essays of the four contest winners. Pierre-André Doucet, an Acadian; Amélie Ferron-Craig, a Quebecer; Émilie Herdes, a Franco-Yukoner; and David Brown, a Franco-Albertan; each, in their own way, responded skilfully to the questions. I would like to share some excerpts with you.

Mr. Doucet wrote:

One rallying point of the francophone communities has to be the young people.

Ms. Ferron-Craig said:

Despite how fragmented the Canadian Francophonie is, francophones have maintained a number of common values and interests.

Ms. Herdes stated that:

The cohesiveness among the country's francophone communities is the result of their common values and interests, of a common struggle to make a language and culture survive over hundreds of years and thousands of kilometres.

Finally, Mr. Brown said:

Despite their superficial differences and 40 years of fragmented identity, francophones across Canada have common values and interests. . . . The creation of a national identity and rallying point in Canada will not only contribute to the success of francophone community initiatives, but through cooperation, will enrich the Canadian Francophonie by the cultural wealth of the different regions.

Honourable senators, I am certain that you will join with me in congratulating these young people on their thoughts and their informed ideas on linguistic duality and the Canadian Francophonie.

[English]

WORLD WOMEN'S CURLING CHAMPIONSHIP

CONGRATULATIONS TO CANADIAN CHAMPIONS

Hon. Leonard J. Gustafson: Honourable senators, I rise to extend congratulations to the Canadian team that has won the World Women's Curling championship.

Skip Kelly Scott, Sasha Carter, Renee Simons, Jeanna Schraeder, Michelle Allan and coach Gerry Richard won gold over Denmark by a score of 8 to 4 in the finals in Japan on Sunday.

Hailing from Kelowna, the Canadian team concluded the tournament with a nearly perfect record, posting just one loss, to Scotland, during the round robin. In doing so, Kelly Scott and Sasha Carter have become the only Canadian women to ever win both the World Junior Women's championship and the World Women's championship.

Canada has achieved its first world title since Nova Scotia's Colleen Jones won in 2004, and this country's fifth in the past decade.

Well done, Team Canada! Let us hope that this feat can be repeated when Vernon hosts the 2008 world championships next year.

[Translation]

L'ÉCOLE DES HAUTES ÉTUDES COMMERCIALES

ONE HUNDREDTH ANNIVERSARY

Hon. Michael Fortier (Minister of Public Works and Government Services): Honourable senators, I want to recognize the one hundredth anniversary of the École des hautes études commerciales. Celebrations for this event are going on now, most of them in Quebec, with one today in Ottawa.

I would like to point out, not only as minister responsible for Montreal, but also as a Montrealer, how proud Montrealers and I are of this institution, which is the oldest teaching institution of its kind in Canada. It started out with a handful of students, and today it has more than 60,000 graduates all over the world.

A number of the francophone entrepreneurs, both men and women, who built modern Quebec once studied at the HEC. We owe this institution a great deal for its participation in, support of and cooperation with the modern Quebec we know and brag about today.

• (1350)

Speaking of recognition, I would like to say that such prestigious publications as *Business Week* and *The Economist* have recognized the excellence of the École des hautes études commerciales in their recently released rankings.

[Senator Tardif]

I therefore pay tribute to this institution, just as Canada Post did two weeks ago when it unveiled a commemorative stamp in honour of the school. Congratulations, and long live HEC Montréal.

[English]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of representatives of all 14 communities of Nunavik, including 12 of the mayors and representatives of the two other mayors. With them is Ms. Ida Watt, spouse of our colleague the Honourable Charlie Watt.

Our visitors are the guests of the Honourable Senator Watt.

On behalf of all honourable senators, I welcome you to the Senate of Canada.

Hon. Senators: Hear, hear!

The Hon. the Speaker: Honourable senators, 50 years ago, in this chamber, Parliament passed the Canada Council Act to foster and promote the study, enjoyment and production of works in the arts, humanities and social sciences.

It is my pleasure to recognize today the presence in the gallery of 50 of Canada's most outstanding artists, including writers, visual artists, actors/directors and dancers/choreographers who are gathered in Ottawa this week to celebrate this important anniversary for the arts.

Among these guests, honourable senators, I take particular pleasure in welcoming back a former colleague, Jean-Louis Roux.

[Translation]

Arts and culture are the soul of a rich and vibrant society. They enable us to define ourselves as a society and to set ourselves apart as a people. We are therefore very pleased to have this opportunity to warmly salute all of our Canadian artists — the people who enable us to express ourselves and who inspire us.

[English]

I welcome these artists to the Senate of Canada.

Hon. Senators: Hear, hear!

ROUTINE PROCEEDINGS

NUNAVIK INUIT LAND CLAIMS AGREEMENT

TABLED

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, particularly in the presence of the visitors in our gallery today, it is an honour and gives me great pleasure to table, in both official languages, the Nunavik Inuit Land Claims Agreement.

[Translation]

CANADIAN HUMAN RIGHTS COMMISSION

2006 ANNUAL REPORT TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the 2006 annual report of the Canadian Human Rights Commission, pursuant to section 61 of the Canadian Human Rights Act and section 32 of the Employment Equity Act.

• (1355)

[English]

ANTI-TERRORISM ACT

INTERIM REPORT OF SPECIAL COMMITTEE TABLED

Hon. David P. Smith: Honourable senators, I have the honour to table, in both official languages, the fourth (interim) report of the Special Senate Committee on the Anti-terrorism Act, which provides certain commentary on certain issues addressed in its third report tabled in the Senate on February 22, 2007.

QUESTION PERIOD

PUBLIC SAFETY

NATIONAL SECURITY AND DEFENCE— GOVERNMENT RESPONSE TO RECENT REPORTS

Hon. Céline Hervieux-Payette (Leader of the Opposition): Honourable senators, this government talks the talk when it comes to fighting crime and combating terrorism but, it has demonstrated that it does not walk the walk. Last week, my colleagues in the other place put forward a proposition to expedite the passage of a series of justice-related bills, but they were turned down by the Government House Leader. Clearly, this government would rather talk about crime than do anything to prevent it.

In recent days, our Senate colleagues on the Standing Senate Committee on National Security and Defence tabled no less than four reports outlining both specific vulnerabilities in our national security and concrete recommendations to address the problems. Yet, we have seen no sign that this government is willing to acknowledge the findings of this committee. Still, let us take action. We now know that our airport security is not coordinated; our ports are vulnerable due to unchecked containers; our border guards need more resources; and our Coast Guard needs more vessels to protect our coasts. When will this government stop talking and start acting?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): I thank the honourable senator for her question. All of this happened within the last year, I suppose. There were two reports of the Standing Senate Committee on National Security and Defence last week and two reports this

week. The ministers responsible have indicated that they will study the reports carefully. As I said in response to questions by Senator Atkins last week, the government takes the recommendations of these reports seriously. On the particular issue of borders, Minister Day and the government have walked the walk, as they have taken serious steps to secure our borders.

With regard to the most recent report tabled by the Chair of the Senate National Security and Defence Committee, I only heard about it in the media after caucus this morning. As the honourable senator knows, and as I said yesterday in response to a question on the Coast Guard, the government has made provisions in Budget 2007 to increase the number of Coast Guard vessels. That is another example of walking the walk.

[Translation]

Senator Hervieux-Payette: Honourable senators, the Leader of the Government in the Senate reassures us by saying that she will ensure that the government will follow up on the recommendations made by this excellent committee. Can she assure us that the money needed to implement these measures will be allocated as soon as possible?

We are not speaking of rhetorics, but rather of providing tools to guarantee the safety of air travellers and that of all Canadian citizens. It is also a question of ensuring the safety of international trade, because of the ports, and the concerns of clients who transit through Canada, as well as the tightness of our borders. We also need assurances that we are respecting our obligations to our neighbours.

• (1400)

[English]

Senator LeBreton: Honourable senators, I did not say that the recommendations of the report would be implemented, and I do not appreciate having words put in my mouth. I simply said that the minister is seriously studying the recommendations.

As has been indicated by Minister Cannon, in terms of the airports, and by Minister Day, in terms of our borders, and the actions we have taken with regard to our military spending and the Coast Guard, we are taking positive measures to address many of these serious concerns that obviously were not dealt with by the previous government.

BORDER SERVICES AGENCY—ROAD BARRIERS

Hon. Tommy Banks: My question is a supplementary one. It is addressed to the Leader of the Government in the Senate.

This same question was asked of the previous government and the answer was unsatisfactory. It was then asked again of the previous government and the answer was unsatisfactory. I am now asking a question of what is happening from now on, notwithstanding what went on before.

As reported in the report on borders, we found that in one quarter of last year about 300 automobiles drove through land crossings from the United States into Canada without stopping. The mechanical means of stopping such incidents are quite simple. They are expensive, but not horribly expensive. They cost nothing compared to the cost of knowing that 300 automobiles,

with God knows what and God knows who in them, have gone through the border into Canada. With the exception of about 60, they have disappeared, and most of those 60 were found empty and abandoned. Whatever they contained was probably not good.

The means of ensuring that that will not happen at our borders does not necessarily have anything to do with anyone with a gun. It has to do with a mechanical barrier which is used in parking lots that would simply be raised at the push of a button. When a border officer sees a car go through the border that has not been properly searched, he pushes the button and the car cannot go any further.

Will this government undertake to do something about that in fairly short order? The means are there, the technology is well known and commercially applied all over the world. The previous government did not do it. Will this government do that with alacrity?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): I hope that I will be able to convince honourable senators that this government is taking the issues of border security very seriously. We are committed to safe, secure borders.

As I said in a previous answer, last August 31 the Prime Minister outlined our plan to improve border security across the country. By this August, we expect to have the first group of armed border officers fully trained and in the field. We are also hiring and training 400 new border officers so that no officer will have to work alone.

In January of this year, just a few months ago, Minister Day announced an investment of almost \$500 million over five years as part of the Security and Prosperity Partnership of North America for smart, secure borders. In answer to Senator Hervieux-Payette's question, these initiatives are aimed at ensuring that trade and travellers move through our borders in a safe and efficient manner while, at the same time, protecting the security of our citizens in this country.

• (1405)

Senator Banks: To be more specific, we would be grateful to know whether the kind of road barriers to which I refer are included in the plans to which the leader has just referred, the plans that the government will put into place to make our borders more secure. They are important and easy to do.

THE SENATE

RULE 91—PARTICIPATION BY NON-MEMBERS IN COMMITTEE MEETINGS

Hon. Tommy Banks: As a second supplementary question, I will return to my earlier question about membership on the National Security and Defence Committee, the report of which we have been talking.

There is a long-standing convention here, which I learned about when I first came to the Senate, because we are all told to shop around and see what we like, that senators can attend the meetings of any committee. They need not be voting members but

they have a voice and can attend those meetings. Do I understand that convention correctly? If so, is the minister in agreement with that convention?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): I will answer both those questions, honourable senators.

Concerning the first one, I fully understand the concerns. Often these border crossings are remote and between vast expanses of land. The Prairies are one example. Part of Minister Day's proposal is never having one person man a border station alone. However, with regard to the specific barriers to which the honourable senator refers, I will take that part of his question as notice. I am certain, because Minister Day is efficient and thorough, that this issue is being addressed as we deal with our borders.

With regard to senators attending and participating in committees even though they are not members of the committee, that is a practice of long-standing and well supported. I have gone to many committees of which I have not been a member. I believe that practice is being followed to this day.

Senator Banks: Honourable senators, that practice is in fact reflected in rule 91 of the *Rules of the Senate*.

Do I understand that members of this caucus could, without fear or worry about doing so, attend meetings of any committee that they choose, and that any member of the leader's caucus would be free and clear, without any worry, to attend any meeting of any committee that they choose?

Senator LeBreton: Honourable senators, for a moment I was thinking that Senator Banks would ask me if they felt free to attend our caucus. I had a sudden rush to my heart at that prospect.

In any event, that is the case. People on both sides feel free to attend, and often do attend, committee meetings even though they are not official members of the committee.

AGRICULTURE AND AGRI-FOOD

CANADIAN WHEAT BOARD— RESULTS OF PLEBISCITE ON MARKETING OF BARLEY

Hon. Leonard J. Gustafson: Honourable senators, farmers have been waiting patiently for the outcome of the barley plebiscite on the Canadian Wheat Board.

Does the Leader of the Government in the Senate have any information to share with farmers today?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, I was waiting for the question.

It is gratifying that when we campaigned in the last election we campaigned on marketing choice for barley and wheat. The honourable senator will be happy to know that the majority of Western Canadian barley producers — 62 per cent — are in favour of the change in the way barley is to be marketed.

A clear majority of barley producers have indicated that they want freedom to market their own product. Nearly 30,000 barley producers participated in the process, which was conducted at arm's length by KPMG. The government will now begin work with the appropriate amendments to the Canadian Wheat Board regulations to remove barley from the Wheat Board monopoly. Our intention is to make marketing choice for Western Canada's barley growers a reality by August 1 of this year.

• (1410)

CANADIAN WHEAT BOARD—MARKETING
OF BARLEY—ABILITY TO FUNCTION
AS DUAL MARKETING ENTITY

Hon. Daniel Hays: Honourable senators, I have a supplementary question. The *Winnipeg Free Press* carried a story yesterday indicating that if the government were to take the steps just described, the board would, within its powers, I assume, decline to market barley. Will the government respect the board's decision if it takes the decision to decline on the marketing of barley?

Would the minister confirm that the board's position is, and always has been, that under its current structure — that is, with no working capital and not functioning as a grain company — it could not serve its farmers in a dual marketing role and has only the ability to function as a single-desk marketer?

Would the government respect the board's decision not to market barley, and would the honourable leader acknowledge that, under its current structure, the board could not function as a grain company without working capital?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, I am sure many were disappointed at the comments from the Wheat Board. Our government — as I have pointed out many times in this place — believes in marketing choice. One of those choices was marketing through the Wheat Board. We still see the Wheat Board as a viable option for producers who wish to sell their barley through the Wheat Board. We would certainly hope, as a government, that the Wheat Board would continue in this capacity.

I would hope that, on reflection, as the Wheat Board members see the results and clear desire of barley producers to have marketing choice, they would want to be part of that choice. I would hope that the Wheat Board would acknowledge and want to represent those farmers who still wish to sell through the Wheat Board.

Senator Hays: I do not think it is that they do not want to market the barley; they obviously do. However, they do not think that their structure is such that they can function as a grain company, which the dual marketing role envisages.

When I asked the then president of the board whether or not the board could function as a dual marketing entity, the answer was not very clear, but I took it that the board felt that it could not do that. In fact, there have been studies and discussions that the board, if it is to become a grain company and fulfil a dual marketing role, would require, at its current size, about \$500 million in capital to function in a competitive environment among other grain marketing companies. To go into that business

with zero working capital and with a function that is strictly set out to market the different commodities of barley and the different commodities of wheat and close out each account, having made an initial payment and the final payment, just cannot be done.

Is the government prepared to allow the board not to market barley, or will it provide them with the working capital that they would require to actually function as a grain company?

Senator LeBreton: There are those who believe that the Wheat Board could function as it is now, and offer marketing choice.

With regard to the specific point of view that they cannot function, I do not believe that that is the case. I am quite certain that the Minister of Agriculture, in his negotiations with the Wheat Board, will address these concerns. I will therefore take that part of the honourable senator's question as notice and respond at a later date.

• (1415)

CANADIAN WHEAT BOARD—
RESULTS OF PLEBISCITE ON MARKETING OF BARLEY

Hon. Yoine Goldstein: Honourable senator, is it not a fact that less than one third of the barley farmers voted? Is it not a fact also that the barley farmers were given three choices, and the minister has chosen to combine two of the three choices to pretend to suggest that the two combined choices are the single choice of the barley farmers?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, I am not certain, but I believe that the participation rate of the barley producers was much higher than the honourable senator states.

The barley producers felt strongly about this matter. They were given an opportunity to vote and did so. The options to retain a single desk, to go it alone or the choice to use the Wheat Board were clear. It was also clear that the percentage who wanted to go it alone without the Wheat Board and those who wanted the option to use the Wheat Board vastly outnumbered those who wanted only the Wheat Board option.

Senator Mercer: You have combined the numbers.

Senator LeBreton: The question was whether the producers wanted to go it alone or go through the Wheat Board. It is clear that the option preferred by honourable senators opposite is a monopoly for the Wheat Board, which has been lost. Barley producers have stated their preference. In all good democracies, I think we should respect the opinions of the producers, for they are the people who grow and sell their products.

Senator Goldstein: If that kind of tripartite question were asked by a Quebec separatist government, what would the honourable leader's government say?

Senator Mercer: I know what Danny Williams would say.

Senator LeBreton: There were three questions. If anyone cares to look at the exact results of the barley plebiscite, they are clearly stated on the Agriculture Canada website. If the honourable senator wants me to read them to him, I would be happy to do

so. The results on the website talk about the total number of votes cast; the number of people who voted for the single desk option; the number who supported the option for the Wheat Board or another buyer; and the group who said that the Wheat Board should have no role in marketing barley. A significant number of people in all the provinces said that the Wheat Board should have no role. Clearly, the preferred choice of barley producers in Western Canada was to market to the Wheat Board or another buyer. I would be pleased to table the document here in the Senate if that is the honourable senator's wish.

TRANSPORT

CANADA LANDS COMPANY—DEMOLITION OF ARCHITECTURAL HERITAGE BUILDINGS AT PICKERING AIRPORT

Hon. Lorna Milne: Honourable senators, in a recent editorial by Sheila Copps, she described heritage buffs as being “over the moon about the establishment of a National Trust for the preservation of Canada’s rich architectural past.” This idea is great. I congratulate the government, but there seems to be an enormous gap between the cup and the lip. It seems that this government is not too concerned about the architectural heritage of one area of Ontario.

Can Minister Fortier explain to this chamber why, on Wednesday, March 14, after years of negotiations with local town councils, Transport Canada demolished three buildings on the Pickering airport landsite in Markham, without ever getting a permit? These three buildings had previously been declared heritage buildings, and Senator Fortier, as Minister of Public Works and Government Services, is in charge of public lands.

Hon. Michael Fortier (Minister of Public Works and Government Services): The honourable senator does not even know what I do.

Senator Milne: Precisely.

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, the Honourable Senator Fortier makes the point that he has been here for a year and my friend opposite does not even know what he does. The properties that the honourable senator refers to on the Pickering land site are the responsibility of Minister Cannon, who is responsible for the Canada Lands Company.

• (1420)

Senator Milne: What about an answer to the question, senator?

Senator LeBreton: I will take the question as notice.

Senator Milne: In that case, I will add to what the leader may take as notice.

Honourable senators, in March of 2005, the Transport Canada Local Heritage Steering Committee was created. Its members included senior Transport Canada officials, Transport Canada

staff, local MPs, regional and local mayors and councillors, and local heritage representatives. At that meeting, to their credit, it was made clear by Transport Canada that vacant buildings on the Pickering Airport land site were proposed to be demolished even if they had local heritage significance. However, prior to demolition, Transport Canada would allow locally significant heritage buildings to be documented and, if possible, removed in whole or in part. Transport Canada’s intended role was to facilitate local initiatives for preservation of locally significant heritage buildings.

Can the Leader of the Government in the Senate tell honourable senators how Transport Canada was managing to facilitate local initiatives by not calling a meeting of this committee before three heritage buildings on the site were demolished? At least one of those buildings was in the process of being sold, and arrangements were being made to move it to another site.

Senator LeBreton: I wish to thank the honourable senator for her question. Since the honourable senator seems to have a great deal of information on this particular group, I am at a disadvantage.

I do believe that Transport Canada and the Canada Lands Company conducted themselves responsibly here. Just so that we are sure we have all the relevant facts before us, I will take the second part of the honourable senator’s question as notice as well.

Senator Milne: Honourable senators, there is also a third part to my question. It may be coincidence, but this Transport Canada Local Heritage Steering Committee, which was charged with facilitating local initiatives, has not met since this government was elected.

Honourable senators, if the Pickering Airport land site is the model for Transport Canada’s approach going forward, perhaps this government is really not interested in preserving Canadian heritage at all, which begs the question: What about the other 30 heritage buildings on this site? Perhaps honourable senators will find this government’s commitment to heritage architecture buried amongst the smouldering rubble.

Senator LeBreton: Honourable senators, as Senator Milne mentioned, this is a local committee. I do not know why the committee has not met, and I would be interested to know why they have not. I would be happy to add that to the honourable senator’s other questions and attempt to provide a proper answer.

FINANCE

BANKRUPTCY AND INSOLVENCY LAW— INTRODUCTION OF AMENDING LEGISLATION

Hon. Yoine Goldstein: Honourable senators, tucked into the deep abyss of last Monday’s budget material was a provision dealing with protection of financial institutions as parties to complicated financial derivative contracts in the event of the insolvency or bankruptcy of a co-contracting party dealing with that financial institution. That provision has about as much relevance to a budget as a bicycle has to a fish.

Senator Mercer: Don’t tell Minister Flaherty that, now.

[Senator LeBreton]

Senator Goldstein: Yet, we find the provision in the budget documentation as a proposed amendment to the bankruptcy and insolvency legislation of this country. Obviously, the provision is there in the budget, of all places, as a result of lobbying pressure by financial institutions frustrated by the inactivity of this government with respect to bankruptcy legislation.

On the other hand, a year and a half ago, this chamber passed a law, Bill C-55, now Bill C-47, which established a wage earner protection scheme to protect wage earners whose employers had gone bankrupt. That would have been proper subject matter for inclusion in a budget. Obviously, however, it was not there.

• (1425)

Wage earners and their problems do not appear to be anywhere near as important to this government as financial institutions who need a particular favour from government and get it by the inclusion of a protection of their flank, which is not appropriate subject matter for a budget and which hides the inclusion of this provision in flowery language dealing with international trade and commerce.

Can the Leader of the Government tell us when this government will muster the political will — and if not the political will, at least the common decency — to give wage earners the protection they need in the event of a bankruptcy by presenting a bankruptcy and insolvency bill in the other place? Or does this government want to protect only large financial institutions, which do not need this protection?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, I did note the honourable senator's reference that "it has as much relevance as a bicycle to a fish." When I was a kid, I used to take my bicycle to go fishing. I think a lot of kids did that; so there is some relevancy there.

With regard to wage earners, it is fair to say that wage earners in Canadian families did very well by the budget.

In terms of the old Bill C-55 and bankruptcy, I do acknowledge the honourable senator's long-standing interest and concern on this particular matter. As I reported to the honourable senator personally, and I know Senator Angus has done so as well, we are hoping to bring this matter to some reasonable solution in the near future.

I will take the honourable senator's question as notice and pass on to the Minister of Finance the honourable senator's particular views on how to properly prepare for a budget.

ORDERS OF THE DAY

APPROPRIATION BILL NO. 4, 2006-07

THIRD READING

Hon. Nancy Ruth moved third reading of Bill C-49, for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2007.

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

Hon. Senators: Question!

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

Motion agreed to and bill read third time and passed.

• (1430)

APPROPRIATION BILL NO. 1, 2007-08

THIRD READING

Hon. Nancy Ruth moved third reading of Bill C-50, for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2008.

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

Hon. Senators: Question!

The Hon. the Speaker: Honourable senators, is it your pleasure to adopt the motion?

Motion agreed to, on division, and bill read third time and passed.

CANADA ELECTIONS ACT

BILL TO AMEND—THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Di Nino, seconded by the Honourable Senator Oliver, for the third reading of Bill C-16, to amend the Canada Elections Act, as amended.

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

Hon. Senators: Question!

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

Motion agreed to, on division, and bill read third time and passed.

CANADA TRANSPORTATION ACT RAILWAY SAFETY ACT

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Segal, seconded by the Honourable Senator Keon, for the second reading of Bill C-11, to amend the Canada Transportation Act and the Railway Safety Act and to make consequential amendments to other Acts.

Hon. Rod A. A. Zimmer: Honourable senators, it is my pleasure to speak on Bill C-11, to amend the Canada Transportation Act and Railway Safety Act and to make consequential amendments to other acts.

As the Honourable Senator Segal noted in his speech at second reading last week, this bill represents the second legislative measure in a suite of transportation bills that began with Bill C-3, respecting international bridges and tunnels, and will culminate in the introduction of a third bill, which will address shipper protection remedies. I have met with Transport Canada officials twice, and I am told that the Minister of Transport, Infrastructure and Communities hopes to introduce the third bill in the other place in the near future.

Bill C-11 deals with general provisions; air provisions; provisions concerning passenger rail, including urban transit; and the grain revenue cap. Today, I would like to address some of its most salient aspects. Naturally, there is significant interest in this bill on the part of stakeholders, so I will also share some of what I have heard about the bill from industry groups. Like its two predecessors, this bill proposes to amend the Canada Transportation Act, which came into effect in 1996, with a view to modernizing and streamlining rail regulation, among other objectives. In 2001, the act underwent a thorough statutory review, which included extensive consultation with stakeholders. The fruit of those discussions was used to develop two bills: Bill C-26 was introduced by the Honourable David Collette during the Second Session of the Thirty-seventh Parliament and Bill C-44 was the Liberals' second attempt at amending the act, this time during the First Session of the Thirty-eighth Parliament. Neither bill made it through to Royal Assent, but the bill that is now before us follows the lead of the latter with a few notable exceptions.

With respect to the Canadian Transportation Agency, Bill C-11 would reduce the number of members from seven to five, a move that the Minister of Transport, Infrastructure and Communities stated would result in financial savings. Honourable senators, considering the proposed expansion of the agency's mandate through the addition of several roles, the merits of this reduction will surely be assessed when it is referred to the Transport Committee.

This bill would also give the agency the authority to adjudicate disputes related to railway noise and vibrations. Railway operations are undertaken in many Canadian communities, including my home city of Winnipeg, and noise disputes sometimes arise between residents and railway companies. Although citizens adversely affected by noise from railway operations can make a formal complaint to the company or seek civil action through the courts, no federal body is currently mandated to regulate railway noise.

Bill C-11's enactment will give the Canadian Transport Agency the power to review noise complaints and, if required, order railway companies to make changes to reduce unreasonable noise when constructing or operating a railway or a rail yard. However, before stepping in, the agency would need to be satisfied that the parties were unable to reach a settlement of the dispute on their own.

Honourable senators, another provision I welcome concerns the advertising of air fares. On the recommendation of the Minister of Transport, Infrastructure and Communities, the agency would be empowered to make regulations to ensure that the advertising of prices for air services include enough information to allow the consumer to identify the cost quickly and easily. Bill C-11 would provide for a one-time maintenance adjustment for government hopper cars, expected to save producers \$2 per ton or \$50 million

annually. It would also provide for future maintenance adjustments for the cars, and would allow flexibility in terms of when such adjustments could be made during a crop year.

This bill also proposes to move the Canada Transportation Act provision dealing with railway police to the Railway Safety Act.

Honourable senators, I and other members of your Transport Committee have learned that Bill C-11 enjoys the support of several players in the commuter rail industry. Its enactment would give the Canadian Transportation Agency the authority to decide matters such as compensation and the use of railway facilities or services when publicly funded passenger service providers cannot negotiate a commercial agreement. The amendments would also expand the provisions on railway line transfers and discontinuances to cover rail corridors in urban areas that could be used for urban transit purposes. Given the importance of public transportation services in helping to address environmental challenges such as urban congestion and in improving the quality of life of urban dwellers, I am pleased with these provisions.

Currently, the Minister of Transport, Infrastructure and Communities may, with the approval of the Governor-in-Council, make regulations requiring entities such as carriers who are subject to the legislative authority of Parliament to provide information to the minister. The purposes for which the minister may collect data include "any infrastructure requirement" and "operational planning," among others. Bill C-11's enactment would also allow the minister to acquire data on the grounds of security, including from intermediaries in transportation movements.

At first glance, this provision seems to emphasize public safety. However, your Transport Committee may inquire about its possible future effects on privacy.

Honourable senators, Bill C-11 proposes an increase in the time period for the mandatory statutory review of the Canada Transportation Act to eight years from the current five years. I have heard from Transport Canada officials that this longer window will enable the department to observe better the impacts of statutory changes on industry structure and performance. They have said the current five years provides insufficient time to assess and measure these impacts.

At least one industry group has presented a different view of this requirement. It has been argued that the volatile nature of our international marketplace and the rapid pace at which change is occurring requires shorter time periods between reviews of legislation whose relevance is directly affected by such changes.

• (1440)

The group making this point is a coalition of shippers of Western Canadian natural resource-based products. I am confident that its input will be considered during the committee's review of this bill.

Honourable senators, Bill C-11 would also amend the policy declaration that underpins the Canada Transportation Act by including the principle that rates and conditions should not constitute an undue obstacle to the movement of traffic within Canada, or to the export of goods from Canada. This represents a basic assumption that is of particular importance to industry groups such as grain shippers.

Honourable senators, I would be remiss if I did not acknowledge the work of the members of the Standing Committee on Transport, Infrastructure and Communities in the other place. All parties had a say in the amendments that were made, some of which I would like to take a few moments to highlight.

There was a reduction in the time that the Canadian Transportation Agency has to resolve a dispute from 60 to 30 days. Provisions were also amended to ensure that mediation can be used instead of arbitration to resolve additional disputes involving the railways that are outside the agency's jurisdiction. This mediation would be undertaken upon agreement by all of the parties to the dispute and would be done on a cost recovery basis.

The committee also amended a provision to say that the minister "shall," rather than "may," publish guidelines with respect to transportation company mergers. Another amendment compels the minister to submit to Parliament a brief overview of the state of transportation in Canada on an annual basis, and a more extensive report every five years. In light of the Canadian Transportation Agency's new role with respect to air travel complaints, a section was added that obliges the agency to report on complaints in some detail in their annual report. Several other positive amendments were made to Bill C-11 and we are grateful for the committee's diligent review.

Honourable senators, when we were in Vancouver recently, your Transport Committee heard from an agricultural shipper, and some senators have received correspondence from and, in some cases, met with other natural resource shippers. Those who have contacted us have expressed concerns about the level of service being provided by the rail companies, among other issues.

Transport Canada officials have indicated that negotiations concerning the provisions of a dedicated third bill are ongoing with shippers and rail companies. We are told that the forthcoming bill will strengthen several existing shipper remedies and add a few new ones, building on what had been included in the former Bill C-44.

Honourable senators, your Transport Committee is presently tasked with assessing the amended Bill C-11, including hearing from stakeholders, and in our review we will endeavour to strike a balance between care and promptness.

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

Hon. Senators: Question!

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

Motion agreed to and bill read second time.

[Translation]

REFERRED TO COMMITTEE

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

On motion of Senator Comeau, bill referred to the Standing Senate Committee on Transport and Communications.

[English]

EMERGENCY MANAGEMENT BILL

SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Meighen, seconded by the Honourable Senator St. Germain, P.C., for the second reading of Bill C-12, to provide for emergency management and to amend and repeal certain Acts.

Hon. Wilfred P. Moore: Honourable senators, I rise today to speak to Bill C-12, known as the emergency preparedness bill, directed at strengthening the federal role in organizing and managing resources in response to states of emergency in Canada.

I would like to commend my colleague Senator Meighen on his excellent speech prior to the break, and to further congratulate him on his wisdom in supporting this bill, which is the result of the efforts of the previous Liberal government and its commitment to the safety of all Canadians.

Honourable senators, the world abruptly changed on September 11, 2001. Canada is not untouched by the actions of that day, and the safety of our citizens has become of paramount importance. However, it is not only the direct actions of terrorists that have led to this circumstance. In the years since 9/11 we have dealt with the SARS outbreak in Toronto, forest fires in British Columbia, the bird flu epidemic and the evacuation of Canadian citizens from Lebanon. In fact, the number of natural disasters in Canada has been growing steadily by the decade. When weather-related incidents are measured alone, in the 1950s we experienced less than 30 disasters. In the 1990s, we suffered through 150 weather-related disasters, including the floods in Manitoba and the devastating ice storm of 1998 in Quebec.

It is in this light that we must understand the need for a coordinated approach not only to manage emergencies in Canada, but also to prevent them as much as possible. Thus, the introduction of Bill C-12.

According to the Department of Public Safety and Emergency Preparedness Canada, there are two principles on which this legislation is based. The first is the fact that the federal government respects the jurisdictions of the various players, the provincial and territorial governments and the roles of their municipal governments in disaster response. The second principle is that the federal government must continue to provide the appropriate financial assistance to the provinces and territories as well.

Also recognized in Bill C-12 is the role played by nongovernmental organizations, as well as the private sector. Another importance aspect of this bill is contained in clause 3, wherein the minister's responsibilities are set out. Clause 3 notes:

The Minister is responsible for exercising leadership relating to emergency management in Canada by coordinating, among government institutions and in cooperation with the provinces and other entities, emergency management activities.

In the past, the responsibility for the coordination of the federal response would fall to the Solicitor General, and some fell to the Minister of National Defence. That responsibility now falls to the Minister Responsible for Public Safety and Emergency Preparedness. In light of the current situation with the Minister of Defence understandably preoccupied with Afghanistan, it is timely that another minister should take the lead in this role. Under this bill, the Minister of Public Safety and Emergency Preparedness would be responsible for coordinating the response of all federal departments in emergencies.

The bill lays down the manner in which the levels of government would coordinate their activities: federal, provincial and municipal. The legislation also recognizes the role to be played by non-governmental organizations such as the Red Cross.

It is up to the minister to develop the policies and programs that would direct the federal response by other ministries. According to James Deacon, the Director General of Public Safety and Emergency Preparedness Canada:

Bill C-12 allows for innovation and the building of community consensus by all levels of government. However, it does provide for the development and implementation of joint programs, national exercises, training, education and research related to emergency management and, very importantly, the promotion of public awareness regarding emergencies.

Furthermore, there are also proposed changes to the Access to Information Act. The need to access information from the private sector for the prevention of emergencies or in the course of dealing with an emergency is recognized in this bill. The information that is subject to these amendments to the Access to Information Act are technological. There is no personal information included.

• (1450)

As I mentioned earlier, one of the goals of Bill C-12 is to maintain respect at the federal level for the jurisdiction of the provinces and to recognize the importance of the role of the municipalities as the first responders to many of the different types of emergencies that might occur in Canada.

In the other place, there was considerable discussion involving the role played by the municipalities in disaster scenarios. The Federation of Canadian Municipalities, FCM, appeared at committee represented by their Chief Executive Officer, Mr. James Knight. According to Mr. Knight, the municipalities are the first responders in 95 per cent of emergencies that occur in Canada. It is the view of the FCM that they are missing out on some of the funding increases made available by the federal government. As mentioned earlier, there is a general belief across the board that due to factors such as climate change and the resulting natural disasters that seem to be occurring seasonally, and incidents such as SARS, there will be an ever increasing need to ensure that these municipalities are appropriately funded.

As the FCM explained in their appearance, it must be understood that in many cases the cities of this country bear much of the financial burden as well. They noted that much of the infrastructure involved in disasters is owned by the municipalities: water supply systems, waste water systems, electrical supply systems, transportation networks and transit systems. Though the municipalities are recognized as creatures of the provinces, it is

very important to recognize in this chamber, if only in this speech, the importance of their role in dealing with disasters of all kinds.

The Standing Senate Committee on National Security and Defence learned much while conducting hearings on local emergency preparedness in British Columbia and Alberta this past January and February. The presentation by the City of Vancouver regarding its emergency management plan was most illuminating. Of course, Vancouver is unique at this time for its wide variety of possible scenarios for which it must prepare, such as last year's Asian bird flu threats, the threat of earthquake on the West Coast, and security preparations for the 2010 Olympic Winter Games to be held in Vancouver and Whistler. All of these have led to a truly unique set of circumstances for that city.

Currently, the local government provides policy direction and controls overall response coordination until it is deemed that the disaster exceeds that government's ability to cope. If this proves to be the case, the local government can request assistance through the Provincial Emergency Program, PEP. The top priorities identified by the city in response to an emergency are to save lives, reduce suffering, protect infrastructure and property, protect the environment and reduce economic and social loss.

Relationships between levels of government in times of emergency were described by the witnesses as "strictly defined." The relationships were described in the following way: local government directly interacts with other local governments and the province; the province directly interacts with local governments, other provinces and the federal government; and the federal government directly interacts with the provinces and the international community.

Another aspect of Bill C-12 is the question of funding levels. As I pointed out earlier, one of the fundamental underlying principles of this bill deals with providing appropriate funding to the provinces and territories. As we learned in Vancouver, there are some concerns to be ironed out. The Joint Emergency Preparedness Program, JEPP, as mentioned by Senator Meighen, is one of the programs at the federal level that provides funds to the provinces on a 50/50 sharing basis. It was learned during the hearings of the committee that no money is available through this program for ongoing training costs. It is these training costs that are causing the City of Vancouver such a problem. The committee heard that the training costs exceed the city's financial capabilities and that those costs relate primarily to the use of training facilities that are located only in Eastern Canada. As well, Vancouver is facing, with difficulty, the increased costs of the emergency capabilities required for the 2010 Olympics, which will allow Canada to enjoy the international spotlight.

Two recommendations were made to alleviate some of the financial strains: make more training available locally; and second, a commitment to funding for first responder training by the federal and provincial governments. As well, it was remarked that the JEPP grant process was found to be cumbersome and that it requires a 50 per cent contribution from local governments that often cannot afford this financial burden. The City of Vancouver suggested, and I assume all Canadian municipalities would agree, that the process be streamlined, that restrictions on funding be lessened and that local government contribution in the form of staff resources be recognized.

Officials of the City of Calgary advised the Defence Committee that its funding for dealing with chemical, biological or nuclear disaster fell far short of national targets and that more federal funding would be required. We learned that there is a 72-hour window before federal help could arrive in such an emergency and that the City of Calgary could manage for only six to 18 hours. Representatives of that city estimated that an additional \$2 million to \$3 million would be required from all three levels of government in order to purchase the equipment and to provide the required training to meet those national targets.

I have expressed my concerns for the need for municipalities to be involved in the funding discussions that will flow from Bill C-12 so that they can receive the necessary training and equipment to prepare for emergencies. Having made these comments, I will support Bill C-12, and I urge that it be now referred to the Standing Senate Committee on National Security and Defence for further study.

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

Hon. Senators: Question!

The Hon. the Speaker: Honourable senators, is it your pleasure to adopt the motion?

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

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

On motion of Senator Comeau, bill referred to the Special Senate Committee on the Anti-terrorism Act.

FOOD AND DRUGS ACT

BILL TO AMEND—THIRD READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Banks, seconded by the Honourable Senator Dallaire, for the third reading of Bill S-205, to amend the Food and Drugs Act (clean drinking water).—(*Honourable Senator Comeau*)

Hon. Ethel Cochrane: Honourable senators, I am pleased to have an opportunity to speak to Bill S-205, to amend the Food and Drugs Act relating to clean drinking water.

First, I want to commend our honourable colleague for not only for taking a proactive stance and recognizing the importance of clean drinking water; but also for his desire to ensure that all Canadians have access to this essential resource. As others have mentioned, this bill was recently passed unanimously and without amendment by the Standing Senate Committee on Energy, the Environment, and Natural Resources.

When I spoke at second reading, I expressed my concerns regarding the constitutionality of Bill S-205 and my reservations that, despite its noble intentions, this bill would essentially add

another layer of bureaucracy to an already complicated network of players. At committee stage, however, I was pleased to hear an official from Justice Canada provide an opinion on the bill. Ms. Elin O'Shea, Counsel from the department's Constitutional and Administrative Law Section, told the committee that although arguments can be made to the contrary, she saw absolutely nothing under the division of powers that would prevent Parliament from enacting a bill pursuant to the criminal law of power as this bill proposes.

• (1500)

With regard to my second issue, especially the problem of bureaucratic red tape, I remain concerned. I concede, however, that our present system is rife with red tape. While Bill S-205 would not change this, I believe that it would offer Canadians a greater sense of security and confidence in their drinking water systems.

Senator Grafstein and others have spoken of the problems facing communities across this country when it comes to quality drinking water. I would like to give you a recent example to further illustrate this point. Last month, media in my province reported on the problems with the water supply in Gaultois, Newfoundland and Labrador. There are roughly 300 people living there and for about a month they were only able to use their town water supply for washing clothes and flushing toilets. They could not use this water for drinking, for cooking or for brushing their teeth. According to media reports, residents were forced to use a private artesian well to obtain their drinking water at this time.

Honourable senators, Gaultois is just one of the many communities to endure such a hardship. As we know, the drinking water issues on First Nations communities have been especially worrisome. Recently, I was pleased to learn that progress has been made since Minister Prentice announced his plan of action in March of 2006. On December 7 of last year, evidence of this progress was presented in a report tabled in Parliament. I would like to share some of that evidence with you. First, the number of high-risk drinking water systems decreased from 193, which is 26 per cent of all systems, to 114, which is 15 per cent of all systems.

I want to be very clear, honourable senators, that this risk-ranking does not reflect whether or not the water is safe to drink. It merely indicates what the chances or risks are that the system will be unable to produce safe drinking water. Therefore, I would like to stress that a high-risk system can still yield safe drinking water. It is the role of drinking water advisories that indicate whether or not water is safe to drink.

The second point is that of the 21 priority communities, six have had their drinking water advisories removed. It is anticipated that seven more should have them removed by this month. The number of communities with water issues because of high-risk water systems and/or drinking water advisories has decreased from 224 to 133.

I am pleased to see that there has been recent progress at the federal level, and am further heartened by the recent federal budget which includes support for investments by provinces, territories and municipalities to improve water and waste water infrastructure.

Honourable senators, it often seems daunting to even think about how much more needs to be done with regards to drinking water in this country. What is clear is that the situation facing Canadians in places such as Gaultois and First Nations communities is simply unacceptable in a country as great as Canada in this year, 2007.

Honourable Senator Watt recently sent our office an interesting and startling report on the high cost of living in Nunavut. Honourable senators, I was struck by something I read in that package. It described how, with the exception of one community, there were no municipal aqueducts or municipal sewage systems in that area, in part because of the permafrost. Houses, therefore, must have their own drinking water. Some people think bottled water seems to be the viable short-term option. However, Senator Watt noted that in Montreal a 1.5 litre of bottled water is sold for 99 cents. The same bottled water in Nunavut sells for \$4.49.

Honourable senators, I think it is those sources of practical facts that are important for us to consider when we examine these issues in this place. Since the Walkerton tragedy in 2001, governments in every province and territory have strengthened their legislative, regulatory and policy regimes to protect drinking water. This is encouraging. However, despite these improvements, there are still people in this country who do not have access to clean, safe drinking water.

In the meantime, stories of drinking water continue to appear in media right across the country. On March 7, the City of Montreal issued a warning to pregnant women and young children to abstain from drinking tap water in certain areas. That is precisely why it is so important for this chamber to address the issue of drinking water and why I applaud the tireless efforts of our colleague.

On motion of Senator Comeau, debate adjourned.

NATIONAL PHILANTHROPY DAY BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Grafstein, seconded by the Honourable Senator Joyal, P.C., for the second reading of Bill S-204, respecting a National Philanthropy Day.—(*Honourable Senator Di Nino*)

Hon. Consiglio Di Nino: Honourable senators, time has not permitted me to prepare appropriately to participate in this debate about the value and the importance of philanthropy in our country and the great contributions that philanthropists have made to Canada and to Canadians.

I would inform this chamber that when we return from our Easter recess, I will continue with this debate. I should like to adjourn the debate in my name for the remainder of my time.

[Senator Cochrane]

On motion of Senator Di Nino, debate adjourned.

KYOTO PROTOCOL IMPLEMENTATION BILL

SECOND READING—MOTION IN AMENDMENT— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Mitchell, seconded by the Honourable Senator Trenholme Counsell, for the second reading of Bill C-288, to ensure Canada meets its global climate change obligations under the Kyoto Protocol.

And on the motion in amendment of the Honourable Senator Tkachuk, seconded by the Honourable Senator Comeau, that Bill C-288 be not now read a second time, but that the subject-matter thereof be concurrently referred to the Standing Senate Committee on Banking, Trade and Commerce and the Standing Senate Committee on Energy, the Environment and Natural Resources;

That the committees report back no later than December 31, 2007; and

That the Order to resume debate on the motion for the second reading of the bill not appear on the *Order Paper and Notice Paper* until such time as both committees have reported on the subject matter of the bill.—(*Honourable Senator Stratton*)

Hon. Grant Mitchell: Honourable senators, I am speaking to the amendment. I rise to speak briefly, and with a good deal of trepidation, because I want to respond to Senator Murray's comments yesterday on the question of the powers of private members through their bills to influence the actions or to direct the actions of government. I say "with trepidation" because Senator Murray and I are at opposite ends of the timeline in this place, although he still has a long way to go, I hope.

I have read much of what he has written and I am inspired by much of that in turn.

• (1510)

However, there is an irony in that. I have most recently addressed his article in Senator Joyal's book where Senator Murray properly laments the weakening of the powers of the House of Commons to hold the executive to account. In that context, I venture several comments in disagreement with his points yesterday on his concern that private members, through their bills, should not be able to force a government to do something that it does not want to do.

Honourable senators, I would argue that view begs the question of private members having the ability to develop bills. There is some history to how the power has emerged to work with bills, present bills and vote on bills. To now curtail those powers in the way that Senator Murray has suggested would deny the evolution of those powers not all that long ago to the point now where we have votes on private members' bills.

Senator Murray has mentioned to me — I am not sure that he did so in the speech yesterday — that, rather than have the opposition, through private bills, force the government to do something that it does not want to do, the opposition should simply defeat the government and remove its confidence if it is unhappy with government. The quick answer to that view would be, similarly, if the government is being forced to do something that it does not feel it can do to govern properly, or something it does not want to do, then it could call an election. It seems to me that, at the minimum, there is a trade-off there. One argument neutralizes the other. Certainly, it does not trump it. However, the question still remains: What is the use of private members' bills, particularly private members' bills upon which the House can now vote, if those bills cannot direct the government to do anything?

There would be almost no point in having bills under those circumstances except to make a point. Of course, they already have motions that are not confining or not directive of government but are merely suggestive. In that context, then, private members' bills that we can vote on but that could only be suggestive would be no more than private members' motions that we can vote on but can only be suggestive.

Honourable senators, I believe, like Senator Murray — and I have said this before — that the parliamentary system of government is perhaps the most successful system of government on the face of the earth. It has lasted, I would argue, longer than any other form of government. It does so for many reasons. There are checks and balances and mechanisms by which consensus can be built. Political parties, contrary to the bias, I would argue, of the Conservative government, do play a legitimate institutionalized role, and they are responsible in part for, and have contributed to, the success of this system. One reason it is successful is that it has evolved to meet different pressures, to respond to different public issues and to allow for cultural changes in the broader sense, political culture changes, to be absorbed and adjusted to.

While I am not a hawk, if I can put it that way, on democratic reform for the sake of democratic reform, because I believe that this system is so successful in large part because of the way that it is, I do believe that there must be response where response is due, and some of that response must be institutional. There is a fundamental difference in our citizens' view of its institutions. Perhaps over the last 20 or 30 years, that has evolved. It has become clear that citizens demand more responsiveness than they feel they receive from their institutions.

Out of that change and out of those pressures have come a great deal of pressure for rules changes in the House of Commons and in legislatures. Some 15 years ago, when I was house leader in the legislature of Alberta, I had the privilege and the wonderful experience of bringing in a variety of institutional democratic reform changes for the processes in the Alberta legislature. Among other things, we began electing the Speaker and we began voting on private members' bills. Similarly, those processes have evolved here, and there are votes on private members' bills here. I would argue that evolution has been largely in response to the demands of the citizenry for having a more responsive parliamentary process, for putting greater expectations on their elected members and for allowing those elected members to respond to and fulfil those expectations.

If those expectations had been responded to as they have been in the House of Commons, by allowing votes on private members' bills, there would be no point in voting on private members' bills. That response is vacuous if those bills cannot be written with force and with direction. The system is successful, and it is a great system of government. It is successful because it has evolved and allowed for adjustments and responsiveness. One important feature of responsiveness has been the changes to private members' bills, and to insist that these bills cannot direct government is to gut their usefulness. If it is simply another opportunity to make another point, then allow them to make more motions and move more motions that properly are suggestive.

Honourable senators, I rest my case at the knee of Senator Murray. I suggest that if it is as the opposition argues, namely that the opposition should simply withdraw its confidence in the House if it is unhappy and wants the government to do something that it is not doing, then the reverse should also be true. If the government is forced to do something that it does not want to do, it should simply call an election. It certainly has the constitutional privilege and power to do that.

Hon. Tommy Banks: Honourable senators, on the same subject, the amendment, senators know how hard it is to take our eyes off a terrible accident that is about to happen. I am about to engage in an argument with Senator Murray on a point of constitutional convention.

Senator Day: Eyes wide open.

Senator Tkachuk: Eyes wide shut.

Senator Rompkey: Someone help that man.

Senator Banks: I will be the victim; I have no doubt.

Someone last week, and I think it might have been Senator Murray, raised the old saw, which is true, that if you know little about something, it is best to sit quietly in the corner and say nothing and have some people think that you are a fool, rather than to speak and remove all doubt. I am opting for the latter, which will prove that, although I am a fool, I have more guts than Canada Packers.

Senator Murray made the point yesterday that Bill C-288 and its counterpart on another matter have the effect of turning Parliament upside down. He suggested it is the business of the ministers of the Crown to propose legislation and that Parliament ought not to be able to force the government to do something to which the government is unalterably opposed and has said that it is opposed. The only reason I have the temerity to stand up is because it reminded me of an event that I looked at in respect of another matter. It is not all that analogous but it does have a point. I promise I will get to it.

It was a matter in the United Kingdom, a rather infamous case having to do with the management of the pension fund of a fire brigade. The government of the day of the United Kingdom decided that it did not like — and it had always said so — one section of a bill that was passed by Parliament. The government, in the person of the Home Secretary in this case, announced in Parliament that the government would not do the thing it was required to do by the section of the act with which it disagreed. The fire brigade took this matter to the courts and it ended up in

front of the Law Lords, who found in favour of the plaintiffs — the fire brigade — against the government. They found that the government and the Home Secretary were wrong to say that the government did not agree with this provision of the act and, therefore, did not intend to do what was required.

• (1520)

For the sake of argument, and to provide a springboard for further questions, I will read into the record excerpts from the decision of the Law Lords, which was on a case specifically as I have described it, which is not analogous to the present situation but is to some degree cogent.

These are excerpts of the written judgements of the Law Lords in a case called 180 NR 200 (HL) in the United Kingdom.

Lord Browne-Wilkinson:

... it would be most surprising if, at the present day, prerogative powers could be validly exercised by the executive so as to frustrate the will of Parliament expressed in a statute and, to an extent, to pre-empt the decision of Parliament . . .

Lord Mustill, in his judgment, observed that:

... Parliament has its own special means of ensuring that the executive, in the exercise of delegated functions, performs in a way which Parliament finds appropriate . . . for it is the task of Parliament and the executive, not the courts, to govern the country. In recent years, however, the employment in practice of these specifically Parliamentary remedies has on occasion been perceived as falling short, and sometimes well short, of what was needed to bring the performance of the executive into line with the law, and with the minimum standards of fairness implicit in every Parliamentary delegation of a decision-making function.

Penultimately, Lord Lloyd of Berwick said:

It might cause surprise to the man on the Clapham omnibus that legislative provisions in an Act of Parliament, which has passed both Houses of Parliament and received the Royal Assent, can be set aside in this way by a member of the executive. It is, after all, the normal function of the executive to carry out the laws which Parliament has passed, just as it is the normal function of the judiciary to say what those laws mean.

Finally, Lord Birkenhead said:

Parliament enacts legislation in the expectation that it will come into operation. This is so even when Parliament does not itself fix the date on which that shall happen.

I read those quotes into the record, honourable senators, to contribute to the argument with respect to a point that Senator Murray raised.

On motion of Senator Comeau, debate adjourned.

[Senator Banks]

CANADIAN NATIONAL VIMY MEMORIAL

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Dallaire, calling the attention of the Senate to the final phase of the restoration of the Canadian National Vimy Memorial, begun in 2001 under the auspices of the Canadian Battlefield Memorials Restoration Project.
—(*Honourable Senator Banks*)

Hon. Tommy Banks: Honourable senators, people much more qualified and knowledgeable than I have spoken to this inquiry, but I want to put it in a context which I think sometimes is forgotten.

We talked about the sacrifice at Vimy and the battle itself, but it is worth remembering that, in respect of the war, it was really the tip of the iceberg. In remembering Vimy, we need to think about the fact that Canada had a population of 7 million at that time, that 620,000 men and women served in the Canadian Expeditionary Force and that 66,000 of them died in that war — about the same number of men and women as are functional in the Canadian Armed Forces of today.

The Canadian National Vimy Memorial was officially unveiled by His Majesty King Edward VIII who, while he had been the Prince of Wales, had served on the staff of the Canadian Corps in France. He was accompanied on that occasion by the President of France, Albert Lebrun. On that day, they released the folds of a giant Union Jack that had been covering the figure of Canada, which was represented as a sorrowful woman, a young nation mourning her dead. She was carved from a single 30-tonne block of stone, the largest single part of the monument.

I wish very much that I could be part of the delegation going to Vimy for the April 9 celebrations. Unfortunately, I cannot. It is a pilgrimage that all Canadians should make, and that I intend to make as soon as I can.

I thank General Dallaire for bringing this matter to our attention. I wish him good luck on that visit and ask that he carry with him the heartfelt wishes of all Canadians.

Hon. Hugh Segal: Honourable senators, I want to add a word regarding the intervention made by Senator Atkins yesterday relative to his own father's very distinguished service at the front and at Vimy. He made reference to the Queen's Battery. Many people will know of Senator Atkins' long association with Queen's County, New Brunswick, and some may have thought that that was the reference. The reference, in fact, is to the battery assembled by the students and faculty of Queen's University in Kingston, Ontario, of which his father was a proud alumnus.

Hon. Joseph A. Day: Honourable senators, I would like to join in the debate on this inquiry. I wish to thank Senator Dallaire for bringing this matter to our attention. We will not be here on April 9, which is the actual commemoration date. I welcome the opportunity to support the work that has been done in restoring the Vimy monument and to thank Senator Dallaire for serving on the Vimy Memorial Conservation Advisory Committee.

• (1530)

Senators perform services in many different ways; this is just another example of how they are able to serve and perform worthwhile tasks for the Canadian people. We salute Senator Dallaire for that.

Honourable senators, I ask you to take a moment to view the eight paintings that adorn this Senate chamber. Each of these paintings depicts a scene from the First World War. Destruction, suffering, duty and honour are words that come to mind as I reflect upon these historic works of art. They are prominently displayed here in the Senate and are a constant reminder to us that generations before us gave the last full measure of devotion in the valiant fight to preserve peace and justice.

These paintings were commissioned by Lord Beaverbrook, a well-known New Brunswicker. Before he was made Lord Beaverbrook, which is the name of a small brook near his home in the Miramichi, Sir Max Aitken — New Brunswick born — had planned them as a testimonial and a tribute to the heroism and sacrifice of Canadian soldiers. This booklet is very helpful in that regard and I would commend it to you.

For those who have had an opportunity to visit the Canadian National Vimy Memorial, my words will do it little justice. Simply put, the monument, which was originally completed in 1936 by Toronto sculptor Walter Allward, is one of the most humbling and awe-inspiring war memorials ever constructed. With its two distinctive towers rising some 70 metres above the farmlands and rolling hills, the Vimy Memorial is a sight that brings to Canadians a sense of patriotism like few others.

Moreover, honourable senators, the figures representing peace, justice, truth and knowledge — as well as the 11,285 trees and shrubs that have been planted surrounding the monument to represent Canadian soldiers who have no known graves — serve as a timeless reminder of what these people fought for and the huge price that was paid for the preservation of peace as we know it today.

On Monday, April 9, 2007, as many as 5,000 young Canadians will travel to Vimy, sponsored by Veterans Affairs and the Government of Canada, for the ceremonies to mark the ninetieth anniversary of the Battle of Vimy Ridge and the rededication of the restored Canadian National Vimy Memorial.

The thousands of youth travelling to Vimy should be looked upon as an important symbol to the 619,000 Canadian soldiers who served in the First World War. It is through the youth of our country that the stories of tragedy, triumph and heroism will be passed on through the generations. That is why I support wholeheartedly the sending of youth to this rededication.

The Battle of Vimy Ridge marked a profound turning point in the First World War. For the first time, all four Canadian divisions that were fighting in Europe, and which had traditionally fought alongside either their British or French counterparts or were used as reserves to fill gaps in the ranks, fought together under the command of a Canadian general, Major-General Arthur Currie, toward the main objective — the capture of Vimy Ridge from the grips of the enemy.

Because of its elevated position, Vimy Ridge held immense military importance. Its highest point, referred to as Hill 145, rose 470 feet from the fields below, which created a daunting challenge to any force intent on taking control of the position. Indeed, this task proved too much for previous Allied attackers, as the Germans held their positions on Vimy Ridge in the face of Allied attacks for more than two years.

It must be noted, honourable senators, the military control of the ridge was not only important strategically, it was important symbolically. It had been 18 months since the Allied forces had recorded a major military victory, and the morale was low following the devastating losses suffered by Canadians and others at the Battle of the Somme.

This was 1917, three years after the beginning of the war, after young Canadians had long since lost that adventurous spirit they had when they left Canada in 1914. It was after a cold winter of living in the trenches in northern France; 600,000 Allied soldiers had been killed or mutilated on the Somme, 24,000 of whom were Canadians. Lieutenant-General Byng was determined that there should be no repetition of the Somme tragedy that had seen thousands of soldiers with little training and even less experience ordered to advance against German machine-gun fire.

In order to capture this important position, Canadian success depended, among other things, upon inventiveness and creativity. The use of tunnels to transport men and equipment, the ability to store ammunition in proximity to where it was required and the capacity to bring electricity and telecommunications to the forward positions were essential to the success on the battlefield of Vimy Ridge. Digging trenches and tunnels and building miles of underground railways was not glamorous, but they proved to be the vital component of the Canadian victory at Vimy Ridge.

In Pierre Berton's book *Vimy*, he outlines that in December 1916, Lord Byng had given Sir Arthur Currie, his senior divisional commander and most trusted general, two main tasks. First, Currie was to analyze the Battle of the Somme and report on the lessons learned. Second, he was to advise Byng how those lessons might be applied to infantry tactics and training for the Vimy assault.

Following Currie's assessment of the Somme and further assessments of the French battle at Verdun, Byng and Currie decided that every Canadian soldier would be told the details of the attack, with the exception of the date of the attack. As a result, each soldier would have an understanding of his own objectives, as well as the objectives of others.

This type of thinking was revolutionary and meant that, if necessary, a private could replace a corporal and so on. In preparation for the assault on Vimy Ridge, the Canadian Corps distributed 40,000 maps, dealing with the entire assault, so that every section of a group of six to nine men was aware of the objective.

Symbolism can be found in this strategy. Just as the Allied leaders had put their trust in four Canadian divisions to attack Vimy as a unified front, Byng and Currie had put their trust in Canadian soldiers to command themselves responsibly with information that was traditionally not given to the soldier.

Despite these lessons, which had been learned through previous battles, Canadian success at Vimy came at a very high and heavy price. Throughout the four-day assault, there would be more than 10,000 Canadian casualties, of which 3,598 never came home; that is, 3,598 soldiers killed in that battle. These are staggering numbers that most Canadians find difficult to comprehend.

These were young men, many of whom joined the Canadian Forces full of youthful vigour and desire for adventure instead of remaining home to finish high school. They left their families and friends as boys, and they were soon faced with the terrible reality and confusion of global conflict.

I would like to read a stirring account from Pierre Berton's book, which depicts a frightening, yet sobering moment during one young soldier's time at Vimy.

• (1540)

Will Bird, who reached France at the end of December, 1916, spotted his first uncaptured German on the second night of sentry duty. Shivering at his outpost in No Man's Land, the young Nova Scotian could hear the Germans walking about in their trenches (and) coughing in the cold . . . Suddenly a Canadian flare burst in the sky above, bathing the German position in an eerie light. There, standing waist high in the opposing trench, less than a hundred yards away, was a young boy — no more than a teenager. Both men froze as they'd been taught to do when a star shell exploded, but Bird knew the boy had seen him. They stared at each other for a moment, two young men made enemies by forces over which they had no control. Then, suddenly, the German waved at Bird. Some impulse caused Bird to wave back too. The German vanished, and the brief instant of eye contact between the two men ended, but Bird never forgot that moment.

Overwhelmingly, honourable senators, it is those young men, boys even, to whom we must pay tribute 90 years after the battle of Vimy Ridge. The Canadian National Vimy Memorial is truly a holy place which must continue to be restored generation after generation. We have an obligation as Canadians to ensure that the stories and memories of the Canadian soldiers who fought during the First World War continue to be told. We have the obligation to repeat the lessons learned during that horrible war, the inhumane conditions that humans were required to endure and the unacceptable price in lives lost that was paid.

On the going down of the sun and in the morning, we will remember them.

Hon. David P. Smith: Honourable senators, I had not intended to speak on this item, but I think this is an event of such significance that those who made contributions should be recognized.

My father, Campbell Bannerman Smith, was born in 1900, and in 1917 he signed up. He was sent down to Kingston, and a review of all the troops there was held that day. He was standing on the parade ground, looking at the commandant's headquarters, when out came the general to conduct the review with my grandmother on his arm. My father said he was terrified. My grandmother had gone to see the commandant and said "My son's out there; he is only 17." The general said "You come with me." When they got

to my father, the general said, "The day you are 18, we will be happy to have you, but you go with your mother now." My dad said that that was one of the most embarrassing moments of his life, but he went with his mother.

The day he turned 18, he signed up. He was shipped overseas and was stationed in northern Wales at a place called Kinnell Park. I am sure Senator Dallaire is familiar with the sad events that took place there.

He was not at Vimy, obviously, but I well remember my father, who passed away in 1961, telling stories of those days. His only sister, Charlotte, my Aunt Lottie, married a Scotsman, Alexander Bathgate, who spent four years in the trenches. He was discharged as a major. He went back to his hometown in Selkirk, in the lowlands of Scotland, after being discharged. There was a central area, almost a town square. He spent two weeks looking for his friends. He did not meet any of them. His parents had died. He came to Canada, met my father's sister and married her.

I can tell you so many stories of my uncle's memories of those trenches. I think it is so important to remember these things. When my children were teenagers, I took them over to Vimy. We had a special trip. I had people explain everything. We were down in the tunnels. We saw all the memorabilia. We went to Dunkirk the next day, walked the beaches there and I explained Dunkirk to them. Excuse me, as I am a little emotional here.

We then went to Groesbeck, in Holland, where 2,600 Canadians died in the liberation of Neimagen and Arnhem. I will never forget that day. We went to the middle of the town and agreed to meet back here in an hour. Everybody would go and just look. My 15-year-old daughter went to see the graves, and noted on gravestones the name, the ages — some aged 17, and a few aged 16. — and where the soldiers were from. It was in the late stages of the war, late 1944 or 1945, when a couple of them died. It was so tragic. We reassembled an hour later.

I pay tribute to these people. This is the sort of thing we should never forget. If any of you ever have an opportunity, go to Vimy. I envy those who are going. Future generations need to have impressed upon them, the tremendous contribution that these Canadians have made.

Hon. Senators: Hear, hear!

Hon. Jim Munson: Honourable senators, I will briefly and add to the story of Vimy Ridge. In 1987, I covered another anniversary at Vimy Ridge as a reporter, and meeting the veterans who were still very much alive at the time was one of the most moving moments of my life as a Canadian journalist overseas. I have covered many stories — the massacre in Tiananmen Square, the Gulf War, the Iran-Iraq war, the troubles in Belfast, terrible times in Beirut — but that moment in Vimy with the veterans, interviewing them and spending the whole day and evening with them, is a moment in my life I will never forget.

When I think of this, I get emotional, like the honourable senator. I lost my uncle, for whom I am named, James Lloyd Munson, who was shot down by the Japanese in 1943 over Burma. His story always comes home to me, and I always ensure that my sons come to the national cenotaph wherever I am.

At this moment, I would like to salute Senator Atkins. His father, as most of us know, fought at Vimy. Senator Atkins has a diary that his father wrote, and I believe it is being given to the war museum. I think all Canadians should read this diary of Mr. Atkins, who was there and wrote in the diary in a matter of fact way of how they took Vimy that day. It is a very simple message and a beautiful diary.

At this time, because I do not think we will have another opportunity, I would like to acknowledge the veterans of World War I, World War II, the Korean War and any place where Canadian soldiers are participating. It is always a good thing.

Hon. Roméo Antonious Dallaire: Honourable senators, I would like to ask Senator Munson a question on commemoration.

We have created recently the Canadian version of the Victoria Cross. There was discussion about giving that Victoria Cross to the unknown soldier, who is here at the national cenotaph, who was a soldier on the battlefield of Vimy. There is a debate going on as to whether we want that soldier to reflect the common soldier and not necessarily be one of those elite, if I can use that term, recognized by being awarded the Victoria Cross, which was the ultimate recognition of valour. Perhaps the soldier should reflect the fact that so many soldiers performed acts of bravery and valour that were never reported, whether because the injured officer was unable to write it up or because there was no witness to write the report of those who were killed. By receiving the Victoria Cross, the unknown soldier could represent all those acts of valour that have never been reported, and carry the signal of recognition for all those incredible acts of valour that had been forgotten. Does the honourable senator have an opinion on that?

• (1550)

Senator Munson: I agree with all the honourable senator's sentiments. Perhaps when the recognition of this anniversary is behind us, we should take a serious look at it. The honourable senator talks about unknown soldiers, airmen or seamen, and I come back to my Uncle Lloyd, who died in what I consider the forgotten war. Canadian airmen served in the former Ceylon. In a classic situation, my uncle went up one evening to replace an Australian airman and was shot down by the Japanese.

My dad passed away about three years ago. He always felt guilty that he did not go to war. Although I did not open them until recently, 40 letters from my uncle were left to me by my father. The earliest letters are full of joy when he talked about the adventure of war, about being in Scotland and about being over the English Channel. Later on, the tone of the letters became more ominous, when he was in Egypt. He warned my dad that the letters would be few and far between and that the messages would not be the same because it was becoming a nasty war.

At the end of each letter, when he signed off, he did not say, "Love, your brother." He simply said, "So long, Lloyd." When it comes to Vimy and other such issues, I think of the almost 4,000 Canadians who simply said, "So long," and died, but who should not have had to die to defend our freedom. Therefore, anything that we can do to continue remembering is important. If we do not understand our history, we cannot recognize our present and we do not really understand what our future will be.

Symbols of a nation are important, especially for a new generation. As politicians, neighbours, family and friends, we have the responsibility to keep their spirit alive.

Hon. Joyce Fairbairn: Honourable senators, I thank all senators who have spoken on this occasion to this special piece of history. Listening to their remarks revives my memories. As I sat here, I was thinking of a rather strange incident that occurred to me within the last four months. I knew that my father was in the First World War. He was one of the 17-year-olds who rushed off and, I guess, lied about his young age. He went to Europe with the Canadian Mounted Rifles. He died at a young age in Canada when I was six years old, so I did not hear any stories about his presence in the First World War except to learn that he had been wounded twice and, oddly enough, came back to Canada as an RAF pilot. I would dearly love to understand how he did that.

A few weeks ago, I was doing a bit of house cleaning in Lethbridge when I came across an old book. It was a history that had been written many years ago about the Canadian Mounted Rifles. I opened the book and there, in my father's handwriting, was a note that he had written when this book was published. There was a little piece of paper toward the back of the book and, opening to it, I saw my father's name, along with the names of many who had been wounded and, equally, many who had died. It was a moment that felt like there was a presence in the room when I saw this paper for the first time. It caused me to think even more fondly than I normally do about what our young men and women have done for others and for the history of this country.

A great number of young teenagers from Lethbridge, Alberta, will travel to Vimy. They have been making all kinds of fundraising efforts to help pay their way, and they are hugely excited. I must confess, I would love to travel to Vimy with them.

To all honourable senators who have spoken and to others who might have thoughts of their own, this chamber is a wonderful place with its pictures and paintings that recall a time not only of horror but also of the remarkable courage and patriotism that the young soldiers took with them into that battle.

For those who are still there and for the memories of those who managed to come home, we will not forget.

[Translation]

Hon. Lucie Pépin: Honourable senators, I am from a generation in which several members of a family — there were eight boys in my father's family — went to war. I am also thinking of all the nurses and other military women who died in the war even though they were not in the trenches.

I remember seeing posters of a military nurse. When you attend certain celebrations — and I have attended a few — you see these nurses who are now quite old. We forget to acknowledge their presence. A number of them have now passed away. There were female military personnel who did not go to the front, who were not in combat, but who died. On one of my trips to Vimy, I asked that a wreath be laid at each veterans memorial service to pay tribute to these women and nurses who died. It is important that they be remembered.

[English]

Hon. Francis William Mahovlich: Honourable senators, I want to add a comment to what has been said. *The Stone Carvers*, a novel by Jane Urquhart, speaks to the sculptors that worked on the designs at Vimy Ridge. The book is a delight to read and explains the great monument commemorating the Canadians who died at Vimy Ridge.

Hon. Joan Fraser: Honourable senators, it is inestimably important to remember Vimy. It was the first Canadian battle that I ever heard about because my mother's birthday was Vimy Ridge Day. Obviously, she felt such an immense sense of pride and identity with Canadian valour on that day that I could not help but absorb it.

I wish to address Senator Dallaire's query to Senator Munson about the Victoria Cross. I have thought quite a bit about this. The unknown soldier should remain one of all soldiers and not a recipient of a special honour beyond the fact that he lies at our

national memorial place. It is not the fault of many thousands of those who died that they did not do so while they were doing acts that might have won them a Victoria Cross. The fact is that they were there and they died, and every one of them was a volunteer. The fact that they chose to put their lives at risk and, in the end, to sacrifice their lives for us means that we should give them all, in my view, equal representation.

The Senate adjourned until Thursday, March 29, 2007, at 1:30 p.m.

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