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THE HONOURABLE NOËL A. KINSELLA
SPEAKER

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

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THE SENATE

Thursday, May 1, 2008

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

Prayers.

SENATORS' STATEMENTS

NATIONAL DEFENCE

REBUILDING ARMED FORCES

Hon. Donald H. Oliver: Honourable senators, on April 21 our Conservative government announced the awarding of two contracts for the ongoing maintenance and refit of Canada's 12 frigates. Here is one more example of how we are rebuilding our forces after a decade of neglect and underfunding by the previous government.

I wish to add that these contracts have arisen from an open, fair and transparent procurement process. They will create jobs for the Halifax Shipyard in Halifax, Nova Scotia as well as the Victoria Shipyards Company Ltd. of British Columbia. According to the *Times Colonist*, Maritime Forces Pacific Commander, Rear-Admiral Tyrone Pile said that these plans will see the ships modernized and able to deal with the navy's needs in the future and he added, "What it does is really set the foundation for the next 15 years."

Some honourable senators across the aisle may complain that these efforts are still not enough, but it is taking a long time to clean up after the mess with which this government was left.

PRINCE EDWARD ISLAND

CHARLOTTETOWN— OPENING OF JEAN CANFIELD BUILDING

Hon. Catherine S. Callbeck: Honourable senators, last Friday I had the privilege to attend the official opening of the new federal building in Charlottetown. This building has been described as a national showcase for environmental innovation because it features state-of-the-art technologies designed to save energy, utilize natural lighting, recycle rainwater and much more. Constructed at a cost of \$54 million, it is the greenest federal building in Canada. It will provide office facilities for employees of 14 federal departments, in addition to some other office space.

Aside from its impressive features, there is another reason to recognize and celebrate the opening of this building. The previous federal Liberal government named the building in honour of the late Jean Canfield who, in 1970, became the first woman to be elected to the Legislative Assembly of Prince Edward Island and the first to sit at the cabinet table. Jean served with distinction as a member of the legislative assembly and provincial cabinet and won three elections in a row. In 1972, she became the first chairwoman of the Provincial Advisory Committee on the Status of Women, which was established to advise the legislature on the implementation of the federal Report of the Royal Commission on the Status of Women in Canada of 1970.

Dr. Joyce Canfield, Jean's daughter, said on Friday that the building is also a tribute to the many Islanders who supported a woman who challenged tradition, encouraged innovation and embraced new ideas.

It is most fitting that the new federal building be named in honour of this trail-blazing woman. She was well-known for her down-to-earth manner, her integrity and her dedication to the people she served. I had the honour of serving with her as a member of the legislative assembly and was inspired by her ideals of public service. She was a great friend and offered encouragement and support during my own political career. The example she set is wonderful inspiration to the women who have entered, and who will enter, public life.

Throughout her life, Jean Canfield was thoroughly committed to the people she served. She will be remembered not only for her political achievements but also as a tireless worker for her constituents.

NATIONAL SECURITY AND DEFENCE

COMMITTEE ISSUES

Hon. David Tkachuk: Honourable senators, the Standing Senate Committee on National Security and Defence met on Monday of this past week. In an in camera portion of the meeting, I was criticized for daring to criticize in print something that the chair had told the *Montreal Gazette*. Of course, I cannot reveal what was said in camera — the committee's version of what I would call a back alley far away from the prying eyes of the public.

At that meeting, the majority moved a motion saying that the chair was the person who spoke on behalf of the committee when he was speaking on facts in a report. Of course, that was their interpretation.

Let me tell you how that business is conducted. I will quote excerpts from transcripts of the public portion of the committee that dealt with expenses incurred by the chair for trips that he took without steering committee approval or anything like that. There was a motion to move amounts of \$320 and \$1,748.72.

I read not from the in camera portion of the committee but from the public part of the committee meeting.

Senator Nancy Ruth: Most of you know this kind of item is being looked at by the Standing Committee on Internal Economy, Budgets and Administration. . . .

The Chair: The Internal Economy Committee approved this line, and so did the full Senate.

Senator Nancy Ruth: Where was I? What was it exactly they and the Senate approved?

The Chair: They approved in the release of funds to us a line item in the budget that provides for this matter.

Senator Nancy Ruth: For past travel?

The Chair: Yes.

• (1340)

Senator Nancy Ruth: It has not been passed, therefore?

I then asked for clarification of the issue and a breakdown of expenses for an upcoming trip:

Senator Tkachuk: It is hard to pass a motion when you do not know what it is going to cost.

Senator Day: Not if you trust the chair.

Senator Tkachuk: Can the deputy chair also travel and then submit it to this travel budget?

Senator Day is the Chair of the Standing Senate Committee on National Finance.

Senator Day: Bring it on.

The Chair: Any committee member can.

Senator Tkachuk: Without going to the committee ahead of time and saying —

The Chair: You take your chances afterwards. The committee may or may not approve it if it happens afterwards.

Senator Tkachuk: I think you have a better chance of having it approved than I would.

I was then lectured by Senator Mitchell:

Senator Mitchell: Why do you not wait for the expense report and review that? This request is, I believe, on the verge, if not explicitly deliberate, a distraction from what this committee should be doing. We are adults here, Senator Tkachuk. The chair is a highly distinguished senator who has done remarkable work . . .

On and on he went.

The Hon. the Speaker: The honourable senator's time has expired.

HOLOCAUST MEMORIAL DAY

Hon. Yoine Goldstein: Honourable senators, today, May 1, marks Holocaust Memorial Day, commemorating the wilful, diabolically planned and systematically planned extermination in a most unimaginably brutal way of an entire people — the Jewish people — before and during the Second World War. This extermination was not a by-product of a civil war or an insurrection. It was a planned, intended hate-motivated campaign against Jews solely because they were Jews.

I lost nine cousins, a number of aunts and uncles and a grandmother in the Holocaust. I went to Ukraine some years ago and discovered that my relatives had been killed there together with thousands of others in the small village of Mincovici in Kamenetz-Podolsk. They were killed in one of two ways. The first way was for the Nazi soldiers to play a game to see how many people they could kill with one bullet. They lined up people carefully to make sure that the bullet would pass through a number of bodies. The winner of this diabolical game was then able to determine the second way that the thousands of others were to be killed. The determination was that they would be put into a cave not too far away. Boulders would be rolled to the mouth of the cave to block the exit. They would then explode grenades and TNT in the cave and at the entrance to suck out the oxygen. Those who were not asphyxiated would die of starvation.

I give honourable senators this terrible description because I saw the cave, I saw what happened and I understand what happened.

We were supposed to have learned a lesson about this campaign. We were supposed to remember. We are not remembering. We have witnessed the Rwandan extermination. Aside from heroes like our honourable colleague, Senator Dallaire, we did virtually nothing about it. Currently, we are witnessing the Darfur genocide and extermination, and we are doing nothing about it. We owe the obligation to pay homage to all these innocents — the Jews, the Rwandans and the people of Darfur. The only way we can do that is by having our voices heard — joining with NGOs, joining with the All-Party Parliamentary Group for the Prevention of Genocide and Other Crimes Against Humanity and playing our role in those organizations. I respectfully urge each of us to make that statement and to do that.

• (1345)

VISIT BY PRIME MINISTER OF ICELAND

Hon. Janis G. Johnson: Honourable senators, I draw your attention to the recent visit of Icelandic Prime Minister Geir Haarde to Canada. Prime Minister Haarde's first stop was in Newfoundland to meet with Premier Williams and co-sign a wide-ranging memorandum of understanding covering business and industry cooperation, cultural and academic exchanges, technology transfer and marine science.

Mr. Haarde was also invited to speak at Memorial University, where he talked about Iceland's remarkable progress over the past 15 years, which has led to its rise to the top of the 2007 United Nations Human Development Index.

Mr. Haarde arrived in Ottawa and was hosted by Ambassador Markus Antonsson on April 17. He then met with Prime Minister Harper, and the two leaders discussed an upcoming bilateral agreement on security and defence cooperation, which is expected to be prepared for signing in the next few months.

The two leaders also spoke about the recently signed free trade agreement between Canada and the European Free Trade Association, and cooperation at the Arctic Council. The relationship between our two countries has never been better and will strengthen in the years ahead.

This week, Iceland's Minister of Fisheries and Agriculture, Einar Gudfinnsson, is in Winnipeg meeting members of the Icelandic community and promoting increased ties between Iceland and Canada. He will tour Winnipeg, Gimli and Selkirk with Consul General Atli Asmundsson before flying to Toronto to return home on the inaugural direct flight from Toronto to Reykjavik on May 2. This direct flight is a result of the open skies agreement signed by Canada and Iceland last year, and offers another link between our two nations. I hope honourable senators will take the opportunity to use this flight soon.

Honourable senators, I am obviously very pleased with the excellent relationship and ongoing cooperation between Canada and Iceland on issues of mutual importance and concern. I look forward to future initiatives that will further develop and strengthen our close ties with Iceland.

In closing, I recognize an upcoming event dear to my heart showcasing Canada-Iceland ties, namely the Icelandic Art Festival. This festival, in its second year, celebrates the contemporary artistic and cultural connection between Canada and Iceland.

Nuna, which means "now," is part of the Canada Iceland Arts Festival Inc. and is curated by a committee of young Manitoba artists, writers, musicians and filmmakers. This year's festival will run from May 6 to May 11 in Winnipeg and Gimli. The program features many things, including films, a performance by an Icelandic rock group, classical singing, visual art, collage, parties and dance.

I congratulate Nuna (now) organizers and Manitobans for their excellent work in coordinating this festival and wish them great success.

BATTLE OF THE ATLANTIC

SIXTY-FIFTH ANNIVERSARY

Hon. Joseph A. Day: Honourable senators, a few short weeks ago, we paid homage to those members of the Canadian Forces who served in the air force. Today I draw the attention of honourable senators to those who served on the high seas, specifically during the Second World War. A commemoration service for the sixty-fifth anniversary of the Battle of the Atlantic will be held at the War Memorial this Sunday, May 4, and I encourage all those who will be in Ottawa to attend that service.

Honourable senators who are making the calculation will note that the war ended in 1945, 63 years ago. However, the Battle of the Atlantic was considered to have been won in 1943, hence the sixty-fifth anniversary of that battle. A combination of ever-improving technology on our ships, more aircraft and improved training ensured ultimate victory for the Allied navies.

The Battle of the Atlantic was a pivotal theatre, leading to the Allied victory in the Second World War. Throughout the conflict, the Allies struggled to ensure that desperately needed supplies and human power reached the shores of the United Kingdom, Europe

and the Soviet Union. These seaborne convoys of supplies set sail from several different ports in both Canada and the United States, protected by several navies.

What many people do not appreciate is that the Battle of the Atlantic was not only fought on the European side of the Atlantic; German submarines sank over 200 ships as close as 16 kilometres from the shores of the North Atlantic coast. Although the Allied Forces won the Battle of the Atlantic, the aggressive attacks by German and Italian naval vessels made the idea of a loss at sea very real during that battle.

• (1350)

At the outset of the Battle of the Atlantic, the Royal Canadian Navy had only 13 ships in the fleet and 3,500 personnel. By the end of the war, Canada held the third-largest navy in the world with 110,000 volunteer sailors, of whom approximately 6,500 were women. The Canadian Merchant Navy was also an integral part of the war effort with 12,000 sailors who made approximately 26,000 trips across the Atlantic during the six-year period.

A little-known historical fact is that, although the British provided 50 per cent of the escort and convoy ships, the Dominion of Canada provided 48 per cent. The remaining two per cent were made up of ships from other countries. At the mid-point of the war, merchant ships were sunk by submarine attacks more quickly than they could be built.

Honourable senators, it is our duty never to forget the contributions of the Royal Canadian Navy or the role of the Royal Canadian Air Force and the Merchant Navy of Canada in the success of the Allied Forces in the Second World War. Nor can we forget the sacrifice of men and women — whether on land, sea or air — who fought to ensure freedom.

Some 2,000 Royal Canadian Navy crew were lost at sea, and 24 of the total of 175 warships lost were Canadian. These losses are in addition to the losses suffered by the Merchant Navy, which lost 1,600 crew members and countless vessels. The men and women who served in the Battle of the Atlantic ensured our freedom and we must never forget.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, before calling for tabling of documents, I call your attention to the presence in the gallery of the members of the girls volleyball team representing the province of Manitoba at the 17-and-under national championship, which will occur this week in the national capital. The name of the volleyball team is The Storm and they come from the Brandon, Manitoba, area. On behalf of all honourable senators, I welcome you to the Senate of Canada and wish you good luck this weekend.

Hon. Senators: Hear, hear!

[Translation]

QUESTION PERIOD

ELECTIONS CANADA

CONFIDENCE OF GOVERNMENT

Hon. Céline Hervieux-Payette (Leader of the Opposition): Honourable senators, my question is for the Leader of the Government in the Senate.

Yesterday, in response to my question, the Leader of the Government said that I had misunderstood the meaning of the Conservative government's vote on Elections Canada. In short, she said that the government has full confidence in Elections Canada, but the government has taken legal action against this independent body because it does not agree with its interpretation of the law. Honourable senators, that is a rather strange way of showing full confidence.

• (1355)

The government voted against the motion put forward in the other place the day before yesterday, not because it does not have confidence in Elections Canada, but because it questions Elections Canada's interpretation of the law.

As such, I would like to return to my previous point. The motion read as follows:

That the House express its full and complete confidence in Elections Canada and the Commissioner of Canada Elections.

Is the Leader of the Government in the Senate now telling us that the government voted against this motion in order to express its full confidence in Elections Canada?

[English]

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, before I answer the question, I would like to point out that the girls from the volleyball team are here today as guests of our colleague Senator Johnson. Senator Johnson is well known for supporting good causes, particularly if they involve women, sports and culture.

In answer to the honourable senator's question, just like the institution of Parliament, we have full respect for many institutions. We sometimes disagree with actions that various institutions take, so I do not think my answer from yesterday needs to be changed at all.

The motion in the House was an opposition motion, on an opposition day, introduced by the Bloc Québécois. Quite obviously, we are involved in a dispute. Quite a number of well-informed articles have been written lately and I was pleased to see the editorial in today's *National Post*. The article indicates that journalists have had time to assess what really went on.

The actions taken by Elections Canada seem to have singled out our party, the Conservative Party, and held us to a different set of standards than the other parties. You would not expect our

members, therefore, to support a motion put forward by the Bloc Québécois.

[Translation]

Senator Hervieux-Payette: Surely the Leader of the Government knows that in our country, laws do not have double standards and are applied as written. We hope that her confidence in Elections Canada will enable her to put forward a similar motion here in the Senate without delay and to commit to voting in favour of it together with her caucus, thereby expressing her confidence in Elections Canada.

[English]

Senator LeBreton: I hate to disappoint the honourable senator, but this was a motion brought by the separatist Bloc Québécois in the other place and I have no intention, on behalf of the government, of introducing such a motion in this chamber.

[Translation]

Senator Hervieux-Payette: I do not think I have ever been associated with the Bloc Québécois before. I am a card-carrying member of the Liberal Party and I sit in the Senate as a Liberal. I am talking about a motion that we could draft together, a motion to express the Senate's confidence in Elections Canada.

[English]

Senator LeBreton: Honourable senators, while all of these little sidebar comments are entertaining and interesting, the fact remains that this dispute between the Conservative Party and Elections Canada is before the courts. It is a dispute over our party legally filing our election expenses documents, which were challenged by Elections Canada and which we in turn challenged. This situation is quite unlike what happened with the previous Liberal government, where millions and millions of Canadian taxpayers' dollars were spent. In the case of our dispute with Elections Canada, it was party money, and I think the disputed amount was around \$1 million.

• (1400)

In the case of the sponsorship scandal, we are still looking for the \$40 million. It was never reported who the recipients were of these envelopes filled with cash, which were handed around during an election campaign. Of course, that matter is before the courts.

The fact is that no one at Elections Canada apparently saw fit to attend Liberal Party headquarters to find any records. Although it would have been difficult to find records of cash handed out in brown envelopes, they should have made an attempt to do so.

JUSTICE

ATTITUDE OF GOVERNMENT TOWARD LAWS GOVERNING GOVERNMENT AGENCIES

Hon. Sharon Carstairs: Honourable senators, with the greatest respect to the Leader of the Government in the Senate, it was not party money. That money was rebated by the taxpayers of Canada. That is the issue. It is taxpayer money. It is one more

example, honourable senators, of this government's disrespectful attitude toward the very institutions that make up the Canadian body public.

On Tuesday, April 29, 2008, in this place, when speaking to an inquiry on the implementation of the Federal Accountability Act, Senator Stratton stated, at page 1203 of the *Debates of the Senate*:

Our government was elected on a platform that included allowing Western grain farmers to vote on marketing choice. Mr. Measner wanted to prevent that vote from taking place.

Senator Stratton used that as justification for firing Mr. Measner. Of course, what Senator Stratton did not say was that the act which governs the Canadian Wheat Board, another very fine Canadian institution, instructs the President of the Canadian Wheat Board to take his instructions not from the government but from the farmer-elected board of directors.

Under the rule of law, to which I like to think we adhere in this country, it is incumbent upon the government to obey the law and, if the government does not like the law, to change the law. This government did neither, but simply disobeyed the law.

My question to the Leader of the Government in the Senate is this: Why does this government believe it is above the law and why would it not consider this scandalous behaviour?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, with all due respect, the money in terms of our dispute with Elections Canada was money raised by the party from individual donors. As the honourable senator well knows, by media reports, we have a large and growing individual donor base. We followed the law in reporting our election returns.

It is quite a stretch to have a lecture from the Honourable Senator Carstairs and the Liberal Party about respecting the law. We know full well the great problems that were created by millions of dollars of taxpayers' money that, directly out of the departments of government, was paid to advertisers based on phoney invoices and then spent on election campaigns by being handed around to candidates in brown envelopes.

With all due respect, I do not think that I need to have any lessons from Senator Carstairs on the law.

Senator Carstairs: Honourable senators, obviously the minister does not understand the Canada Elections Act, because the Canada Elections Act provides for rebates. Those rebates are not from contributors to the Conservative Party; those rebates are from all Canadians and from the tax base. The issue is that the candidates for the Conservative Party then asked for rebates.

The Leader of the Government in the Senate did not answer my question, honourable senators, with respect to the violation of the act controlling the Canadian Wheat Board. Perhaps the minister would prefer to address the act that governs the Canadian Nuclear Safety Commission because Senator Stratton, also in his speech on Tuesday, said that:

... the government concluded Ms. Keen had failed to demonstrate leadership on the eve of an international health crisis and that she did not manage the work to bring this important matter for a hearing by the CNSC in an appropriately urgent fashion.

Linda Keen obeyed the law. It was not her purview to even know about the medical crisis. That was the job of the Atomic Energy Commission; it was the job of the Minister of Natural Resources; it was the job of the Minister of Health. However, they needed a scapegoat, honourable senators, so despite the law that stated that the only mandate of the Canadian Nuclear Safety Commission is to ensure safety, Ms. Keen was fired.

I want to know how this minister can justify the continual disobeying of laws in this country.

Senator LeBreton: Honourable senators, first, with regard to Elections Canada, we followed the law.

• (1405)

That is the dispute. It is not for Senator Carstairs or anyone here to decide what the law is. We have challenged Elections Canada, and the matter is before the courts where it should be.

With regard to the Canadian Nuclear Safety Commission and the problems with medical isotopes, I hasten to point out that a bill was brought before Parliament to resolve this matter, and it was supported by all parties in both chambers. Ms. Keen was not fired; she was removed from the position as the head of the Canadian Nuclear Safety Commission, and she still serves on the board.

With regard to the Canadian Wheat Board, as I have repeated in this place many times, in the last election, we ran on a platform of marketing choice for our western barley and wheat producers, and the actions that we are taking in that connection are consistent with what we said we would do in the election campaign. I believe, as I have said many times, we were not elected in January 2006 to implement or carry forward failed policies of the previous government; we were elected to bring in the policies that we said we would implement. That is what we are trying to do, as difficult as it is.

Senator Carstairs: When someone is removed from an office and from the position of president without any cause, how can that be described as anything other than a "firing"?

Senator LeBreton: That is the honourable senator's interpretation of it. The fact is the minister took the action on behalf of the government for good and just causes. The honourable senator disagrees, and that is her right in a free and democratic society, but just because she says so does not mean it is so.

CITIZENSHIP AND IMMIGRATION

TOBACCO FARMERS—MEETING WITH MINISTER

Hon. Lorna Milne: Honourable senators, the Leader of the Government in the Senate during the very first Question Period of this Parliament, noted:

I am sure that at the end of the day, my former farm friends will feel that they have been given a much better hearing by this government.

My, how times have changed.

Last week, the Minister of Immigration, Diane Finley, refused to attend a public meeting with more than 1,000 tobacco farmers, a constituency group with which she has had considerable difficulty. The meeting was scheduled in Delhi, Ontario, in the heart of the minister's own riding. The minister told *The Globe and Mail* that she refused to attend the meeting because she felt it was an inappropriate forum in which to discuss the woes of farmers. The farmers' woes consisted of the fact that this government has refused to honour its own promise for an exit strategy for tobacco farmers.

Is that what the Leader of the Government in the Senate meant when she boasted that her former farm friends would receive a much better hearing by this government, that MPs will refuse to hear their concerns in public?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, first, I stand by my statement which the senator quoted. I believe that the agricultural sector, whether in the West, Ontario, Quebec or Atlantic Canada, feels that it is being well represented and listened to by our government.

I do not know the exact circumstances around the meeting she refers to with regard to the tobacco industry. We have known for some time that there has been some pressure on tobacco farmers to diversify their crops. I believe that steps have been taken in that regard. I would be happy to seek the advice of the department of agriculture as to what is being done on this front.

With regard to Minister Finley, she is an accessible minister and is doing a great job working on a very difficult file at the moment. Due to the changes to the Immigration Act, which has become so damaged over the last number of years, there are 900,000 and some on a waiting list to enter this country. Her attention has been focused on her portfolio. I do not know the circumstances of why the minister was unable to attend a meeting of tobacco farmers in Delhi, but I am sure she had good and valid reasons.

• (1410)

PRIVY COUNCIL OFFICE

OFFICERS OF PARLIAMENT— PRIOR SUBMISSION OF COMMUNICATIONS

Hon. Lorna Milne: If I were to believe everything the Leader of the Government in the Senate said, I would almost begin to feel sorry for the poor Minister of Immigration.

However, sitting in my office last night thinking about what kind of question I could ask this government, there was such a plethora of choices that it was almost like choosing a flavour of ice cream from a Baskin Robbins stand, 31 flavours of scandal all here for your enjoyment. We have the in-and-out scandal, the ecoAUTO Rebate fiasco; Senator Fortier, the dear soul, and the CGI contracting questions; the railroading of the Canadian Wheat Board; the attempted dismantling of the grain commission; the elimination and reintroduction of the EnerGuide program; the Chuck Cadman affair; removal of the Court Challenges Program; the rigging of judicial appointments; the not seeking of clemency

for Canadians in other countries facing the death penalty — if you are not concerned about the death penalty, you should be — and many other flavours of scandal for Canadians to choose from.

All this choice came about in only two years of governing. One thing this government has proven to be good at is getting into trouble.

For my own particular interest: Life is so bad on the accountability front for this government that the Privy Council Office is now attempting to screen any communication material produced by officers of Parliament before it is released.

I want to know from the Leader of the Government: Where is that particular commitment to Canadians, either stated or written, in the party's platform of the attempted muzzling of officers of Parliament? What other flavours of scandal does this government have to hide?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): I will not thank the senator for the question because it is becoming typical of her rants. Most things that she has cited are all failed or old Liberal sacred cows that we were elected to change. The senator used the word "scandal" for areas where we have simply changed policies. However, if one wants to talk about scandals, we do not even need to raise the sponsorship scandal again. We can talk about Shawinigate and golf courses, HRDC boondoggles and abuse of government aircraft by ministers. We can go on and on and on. That long preamble of Senator Milne's was, as usual, set up for a question about Treasury Board policies to departments of government. If she had paid attention, these guidelines do not apply and never will apply to officers of Parliament.

Senator Milne: In that case, may I ask why the officers of Parliament have been asked to present their communications to the PCO?

Senator LeBreton: I am sure the senator heard my answer the first time. Treasury Board policies do not trump the law, and the honourable senator, who seems to know everything about everything, should know that they never trump the law and that these policies do not affect officers of Parliament.

FINANCE

INCOME TRUSTS—CHANGE IN TAX TREATMENT

Hon. Tommy Banks: Honourable senators, before I ask my question, I cannot help but mention that I think I heard the leader say that we are not here to decide what the law is. Actually, I think we are. I thought that was why we were here.

Accountability has been raised.

• (1415)

By the way, I am the token male today in Question Period.

Some Hon. Senators: Hear, hear!

[Senator Milne]

Senator Banks: My question is to the Leader of the Government in the Senate. Perhaps it is best illustrated by a parable in which a politician dies. Having been — as most of us are — on the cusp of good and bad, he comes to the triage point and is given the opportunity of going to hell or heaven. He says, “Well, I would like to see them both first.” He goes down to hell, and there he finds all his old friends dressed in regal finery and snacking on foie gras before going out to play a round of golf in the afternoon and return home in the evening and have dinner at Hy’s Steakhouse. “That is pretty good,” he says.

The next day he goes up to heaven and finds that, while it is pleasant — flowing robes, choirs, harps and so on — it is relatively boring, and there is no foie gras. He says, “I think I would prefer to go to hell, please.”

He goes down to hell. This time when he arrives his friends are all dressed in sack cloth and ashes and there is terrible stuff raining down upon them; unspeakable things. He says, “What happened? This is not the way it was when I was here the day before yesterday.” The devil says, “Well, we were campaigning then, but you have voted now.”

My question relates to accountability. In that context, I refer the leader to page 32 of the Conservative Party’s campaign literature: *Stand up for Canada* where it says the following:

Preserve income trusts by not imposing any new taxes on them.

End of quote, end of truth, end of accountability.

In an election campaign speech in Regina on December 2, 2005, Mr. Harper said:

When Ralph Goodale tried to tax income trusts, don’t forget — don’t forget this — they showed us where they stood. They showed us about their attitudes towards raiding seniors’ hard-earned assets and a Conservative government will never allow either of these parties to get away with that.

To remove any doubt, Mr. Harper made the exact same speech during the campaign in Ottawa on December 5, 2005; word for word.

Would the Leader of the Government in the Senate not agree that if that were said and followed up with those actions by a retailer or an insurance company, they would be hauled on the carpet for fraudulent advertising?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, from that question and the story the senator told, I can see why he is the token male asking questions. Having never eaten foie gras, played golf or had dinner at Hy’s, Senator Banks is in a different league than I am.

The income-trust issue was very clear. Honourable senators know this as well as I. The move that was taken was supported by leading economists and all ministers of finance of all political stripes from governments across the country. The situation on income trusts was such that the tax base of the country was being seriously threatened by large telecommunications companies, and indeed our major banks, to the degree that the Minister of Finance took the action he did a year and a half ago.

The decision of the Minister of Finance was widely supported and it was the right decision. As the Secretary of State with responsibility for seniors I do encounter people who are angry at the government over income trusts. The fact is that they were given three years to divest. Many seniors do not have a significant amount of money to invest in income trusts, but those who do, with proper financial advice, have told me that they actually ended up better off. What they lost in the money they put into income trusts they more than gained in their other investments.

I was at a meeting of seniors in Cornwall last Friday. Two people from the audience talked to me about income trusts. However, overwhelmingly, in this audience of almost 100 seniors, I had people get up and say, “Finally, we have a government that is listening to seniors” with regard to pension splitting, raising the Guaranteed Income Supplement exemption, expanding the amount of time they contribute to their RRSPs and, most importantly, the new income savings program that was established in the last budget.

• (1420)

Obviously, the income trust decision was a difficult one. If the honourable senator wants to address truth in advertising, he is a member of a party that promised to abolish the GST.

[Translation]

JUSTICE

SUPREME COURT—BILINGUALISM OF JUDGES

Hon. Maria Chaput: Honourable senators, my question is for the Leader of the Government in the Senate and concerns the appointment process for federal judges and bilingualism.

Can the Leader of the Government in the Senate please tell us if she can secure a commitment from the Prime Minister, the Honourable Stephen Harper, to ensure that the person who replaces Justice Bastarache — who will soon be retiring — on the Supreme Court of Canada is bilingual?

[English]

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): As all honourable senators are aware there is a rigorous process that is followed for the appointment of all —

Some Hon. Senators: Bye, bye.

Senator LeBreton: Honourable senators, I believe that there is a rule that states it is improper in this place to point out the presence or absence of a senator.

Senator Chaput will have to excuse her colleagues because she has asked a serious question and she deserves a serious answer, notwithstanding the tactics of other members of her party.

There is a rigorous process in place, as was the case with Mr. Justice Rothstein from Manitoba, who was chosen from a list that had been compiled by the previous government.

I am certain that the replacements for Mr. Justice Bastarache will be looked at very carefully. I am well aware of the fact that he was bilingual. I have seen speculation in the newspaper of the various people from Atlantic Canada who might fill this position.

I will simply pass on to the Prime Minister Senator Chaput's concerns that this individual be able to function in both official languages.

[Translation]

Senator Chaput: I would point out to the leader that the difficulty or problem lies precisely in the process, because the bilingualism criterion is not one of the basic selection criteria for Supreme Court judges.

Can the Leader of the Government obtain the Prime Minister's assurance that the basic selection criteria for Supreme Court judges will be amended in order to add the requirement to speak both of Canada's official languages?

[English]

Senator LeBreton: I thank the honourable senator for the question. I am not in a position to comment on the criteria that are followed, but I will be happy to ensure that her concerns are made known to the Prime Minister and to the Minister of Justice.

POINT OF ORDER

Hon. Joan Fraser (Acting Deputy Leader of the Opposition): Honourable senators, I rise on a point of order.

Earlier this afternoon, during the period for Senators' Statements, Senator Tkachuk made a particularly striking statement, and I would like to seek Your Honour's guidance on a couple of elements, one in particular.

• (1425)

The first element is whether it is within at least the spirit of rule 22(4) to use Senators' Statements, which is a coveted slot in our day, for the reading of transcripts of committee meetings that are public and available to senators.

In particular, I ask Your Honour for guidance in connection with rule 51, which, as you know, reads that "All personal, sharp or taxing speeches are forbidden."

We all know that in Question Period, as we have heard today, we take a rather broader interpretation of that rule, but for the rest of our proceedings we do try to observe that instruction. I was taken aback when Senator Tkachuk referred to the steering committee of a committee as the "back alley" or the "dark alley." Your Honour will have to check the transcript to find out what the words were. That is an extremely pejorative phrase.

Steering committees have an important function in the Senate. One may agree or disagree with the way they carry out that function, but to use such an extremely pejorative label for a steering committee seems to me to reflect ill on all members of all steering committees. I seek Your Honour's guidance on that matter. While the statement may not be personal, except for the

members of the steering committee in question, although it was personal for them, it strikes me as being sharp or taxing for all steering committee members.

While I am on my feet, I seek guidance in connection with the rule that members on the government side keep telling us exists about referring to the absence of a senator. I cannot find that rule. Perhaps Your Honour could inform me where I can find it.

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I will speak on the point of order. I will not speak on the last matter, which is an inquiry, regarding the rule on the presence or absence of senators in the chamber. There is a ruling and I am sure the Speaker can help the honourable senator with that.

Returning to the first part of the point of order, Your Honour will decide whether or not the subject matter of referring to a committee hearing during Senators' Statements is proper. My understanding is that during Senators' Statements one can speak on virtually any subject under the sun. We have seen that quite often during Senators' Statements, whether it be a senator congratulating local basketball teams or speaking about one's own backyard.

What I wish to take exception to is with regard to rule 51, forbidding personal, sharp or taxing speeches. The honourable senator did want to make an exception for Question Period, where she left the impression that personal, sharp or taxing speeches are welcome.

She may want this double standard for certain senators, whom I will not name, but I think we all know to whom I am referring — the two individuals who are always making noise during the muppet show. Honourable senators know what I am speaking about.

If we are to be called on this and Your Honour does rule on personal, sharp or taxing speeches being forbidden, the ruling should apply to all of our activities in the chamber, not just Senators' Statements. If Your Honour can convince the other side — as I rarely hear sharp, personal or taxing speeches from this side — we would welcome such an admonishment or suggestion.

I leave it up to Your Honour as to whether or not this was in fact a valid point of order. I suggest that it is not, but I leave it up to Your Honour to make the final determination.

Hon. Sharon Carstairs: Honourable senators, in terms of rule 51, "All personal, sharp or taxing speeches are forbidden," I would suggest that Question Period is not a speech. It is a question and answer period, although, having been in the chair, I know that it is a question period, yet not necessarily an answer period.

• (1430)

However, a much more important rule is in grave danger as a result of earlier remarks. I am referring to rule 22(4) of the *Rules of the Senate of Canada*. I think it is important to put on the record exactly what that section says:

When "Senators' Statements" has been called, Senators may, without notice, raise matters they consider need to be brought to the urgent attention of the Senate. In particular,

[Senator LeBreton]

Senators' statements should relate to matters which are of public consequence and for which the rules and practices of the Senate provide no immediate means of bringing the matters to the attention of the Senate.

Referred to this afternoon in a senator's statement was the activity of a committee. Committees are ongoing and sit on a regular basis. It seems to me that a committee is the appropriate place to raise the concern that the senator raised.

Hon. Yoine Goldstein: Honourable senators, I want to speak on the point of order. The issue of commenting on the absence of particular senators was a matter that was raised in connection with something I had said a month ago about a senator who was then absent. Senator Stratton then pointed out that the rule exists that one ought not to make those kinds of statements and, because I owed Senator Stratton a debt of gratitude for a service he rendered to me early in my senatorial career, I choose not to respond.

However, since this issue has come up again, I think that issue should be clarified. There is no rule that honourable senators should not comment on a senator's absence. There is, however, a well-honoured practice not to do that with a significant exception, not in and never tested, in our law.

Therefore, I urge His Honour to consider ruling on it. The exception is when there is a minister of the Crown whose presence is necessary for the purposes of responding to questions during Question Period. That exception happens more frequently in the British House of Lords than in the Senate of Canada because it is comparatively rare that we have cabinet ministers here.

Two things are supposed to happen: First, when that minister is to be absent, that minister's office is obliged to inform the opposition of that absence so the opposition can gear its questions accordingly; and, second, it is legitimate, if that absence is continuous, to raise that issue, notwithstanding the fact that one does not generally raise the issues of absence and presence of a senator in this chamber.

Therefore, if His Honour proposes to rule on this issue, I urge His Honour to consider the precedents from the United Kingdom, South Africa and Australia.

Hon. Tommy Banks: Honourable senators, on the point of order, I think Senator Carstairs was right in suggesting we look at rule 22(4). I do not know exactly what "immediate" in that rule means. However, it seems to me that often when members wish to call other members' attention to something, they do so under Inquiries or Orders of the Day rather than in Senators' Statements.

Perhaps, if we examine the record, we will find that Senator Tkachuk, who I wish were here, was referring to an in camera meeting of the whole committee, not to a steering committee meeting, as having been in the back alley. However, I will simply refer that question to Your Honour. He can check the transcript.

Hon. Eymard G. Corbin: I wish to comment on the first point raised by Senator Fraser with respect to statements under rule 22. On a number of occasions, I have raised concern about some of the practices happening under this rule. Perhaps, it would be useful for honourable senators to be reminded of its original

purpose. I hold in my hands the companion to the *Rules of the Senate of Canada*, 1994, a working document prepared under the direction of the Standing Committee on Privileges, Standing Rules and Orders.

There is a footnote to the rules as they now formally and officially read in the little Red Book. The historical summary and commentary reads as follows:

The present rule was adopted by the Senate on June 18, 1991. The rule allows any Senator to speak for up to three minutes on matters relating to national, provincial or local concern in the fifteen-minute period which precedes Routine Proceedings.

That quote makes it obvious that the time provided for statements by senators is not meant to be used for inner bickering among senators regarding events that happen in committees, in camera or in full public meetings. This rule was established to allow senators to bring to the attention of the Senate, the media and to our visitors — from whichever province or nation they happen to come — important national events, whether they be of the nature of historical remembrance, sporting events, which are brought up frequently, community events, et cetera.

However, initially it was never used for the sort of thing that we are hearing more and more. I heard Senator Oliver use it today. Indeed, the other day, he did the same thing: He uses "Senators' Statements" to boost his government and to denounce the negligence of the former government. Surely, this rule is not meant to accommodate that sort of thing. I do not deny his right to make any statement of a nature he wishes to make. However, Senators' Statements was not set apart for such statements.

The historical summary, commentary and, indeed, the early practice under this rule indicates that those sorts of statements were avoided or shot down on a number of occasions.

Therefore, I think honourable senators ought to come back to basics and common sense, and reserve this period strictly for events of national, regional, provincial or local importance. Senators' Statements is not to be used for inside bickering or partisan differences. Other periods are provided for that.

Hon. Terry Stratton: Honourable senators, I take delight in the holier-than-thou attitude. It amazes me. It takes place on both sides of the chamber. We all do it. Why does the honourable senator stand there in hypocrisy and declare it happens only on this side? That is nonsense and he knows it.

I agree with the honourable senator that we need to be more appropriate in what we speak about. However, he cannot stand there in his hypocrisy and cast accusations, saying this side is the only one that does it. That is not true and he knows it.

Some Hon. Senators: He did not say it.

Senator Corbin: I will not compete with the honourable senator for hypocrisy.

The Hon. the Speaker: Honourable senators, I thank Honourable Senator Fraser for raising this matter. It deals with a topic that is of importance to all honourable senators.

As I listen to the helpful observations of all honourable senators, which I will take under consideration, the metaphor of the guests we introduced a little earlier comes to mind. Sometimes in a sport like volleyball, things go back and forth. Sometimes that happens in this honourable house as well. Regardless, the matter is an important one. I shall address it and return with a ruling.

• (1440)

[Translation]

ORDERS OF THE DAY

CRIMINAL CODE

BILL TO AMEND—MESSAGE FROM COMMONS—
CONCURRENCE IN AND DISAGREEMENT
WITH SENATE AMENDMENTS—MOTION FOR
NON-INSISTENCE UPON SENATE AMENDMENTS—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Oliver, seconded by the Honourable Senator Tkachuk:

That the Senate do not insist on its amendments 1 and 3 to Bill C-13, An Act to amend the Criminal Code (criminal procedure, language of the accused, sentencing and other amendments) to which the House of Commons has disagreed; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

Hon. Maria Chaput: Honourable senators, I rise to speak today about Bill C-13, An Act to amend the Criminal Code (criminal procedure, language of the accused, sentencing and other amendments), amended and passed by the Senate on January 29, 2008, and which has been returned with a message from the Commons.

The Senate passed Bill C-13 with six amendments, and the House of Commons is rejecting two: amendments number 1 and number 3. Senator Oliver, who I respect immensely, has suggested that we drop the two amendments and pass the bill as recommended in the message from the Commons.

I recognize the validity and the weight of the arguments on both sides. There are good reasons for insisting that the two defeated amendments be accepted; there are equally valid reasons for accepting this bill, as recommended in the message received by the Senate on April 17.

You could say that I am being ambivalent today, and you would be correct. I supported Bill C-13 when it came in its original form to the Senate, on November 21, 2007, because it was a “step in the right direction” in terms of language rights for French-language minority communities.

Later, after witnesses had appeared before the Standing Senate Committee on Legal and Constitutional Affairs, Bill C-13 was amended to further enhance the language rights of official language minority communities across Canada, including anglophones in Quebec. I supported those amendments.

Amendment number 1, which was rejected by the House of Commons, required the judge to personally inform each accused person of his or her language rights at the accused’s first appearance. Without this amendment, the accused will still be informed of his or her right, but by a third party, and the judge’s role will be to make sure the accused is informed.

Giving a judge this responsibility would have ensured that an accused person anywhere in Canada was informed of his or her rights by the highest authority.

Amendment number 3, which was also rejected by the House of Commons, called on the Minister of Justice to table an annual report to Parliament on the number of trials held in French outside the provinces of Quebec and New Brunswick, the number of trials held in English in Quebec and the number of bilingual trials held in Canada.

Although this information is not available at present, there can be no doubt that it would be useful in the event a province or territory wanted to have a better idea of the linguistic realities of its system. Francophone communities outside Quebec are undeniably fragile, and this amendment would have given them access to additional tools to help them better understand the legal services provided across the country.

In my humble opinion, this amendment protected the rights of all accused persons across Canada, including anglophones in Quebec, to be tried in the official language of their choice.

Honourable senators, I want the rights of French-language minority communities to be respected, and Bill C-13, as initially drafted, made that possible. It was a small step in the right direction.

As amended and approved by the Senate, Bill C-13 was a big step in the right direction for the language rights of official language communities across Canada, because it also covered the language rights of anglophones in Quebec.

Bill C-13, as returned by the other place, with the rejection of both amendments, perplexes me. I recognize that amendment number 1 required judges to personally inform the accused of their linguistic rights. However, would this not be a positive measure in terms of our linguistic rights and an active offer of service?

I recognize that amendment number 3, which was also rejected, may be problematic in that provinces and territories do not keep statistics to report on the operation of the language of trial provisions. But would this not be an ideal opportunity to implement such practices?

I am concluding this brief speech, honourable senators, with questions for which I have no answers.

[The Hon. the Speaker]

Perhaps I will become inspired by your collective wisdom, you who are members of this esteemed chamber, and then I could make a sound decision.

On motion of Senator Fraser, debate adjourned.

[English]

CRIMINAL CODE

BILL TO AMEND—THIRD READING—ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Grafstein, seconded by the Honourable Senator Joyal, P.C., for the third reading of Bill S-210, An Act to amend the Criminal Code (suicide bombings).
—(Honourable Senator Andreychuk)

Hon. Joan Fraser (Acting Deputy Leader of the Opposition): Honourable senators, I rise on a point of clarification. I would like, if possible, to reserve my time to speak to this bill at a later date, but right now, I would like to clarify something that became a subject of some confusion and controversy yesterday. I make this point of clarification as the Chair of the Standing Senate Committee on Legal and Constitutional Affairs.

Colleagues will recall that there was some debate about whether this bill was passed unanimously in committee, and I thought I would tell honourable senators, for the record, what happened.

The committee met on Wednesday, April 16, at 4:15 in the afternoon and proceeded to clause-by-clause consideration of this very short bill. As all colleagues know, several individual votes are involved in clause-by-clause consideration. The committee begins by voting on whether it will do clause-by-clause consideration. After deciding to do so the title stands postponed, and we proceed all the way down to a vote on reporting the bill back as amended or without amendment, as the case may be, to the Senate.

On that day, and for this bill, almost all of those votes were carried without a dissenting voice, with one important exception. When the chair asked whether it was agreed that the bill carry, that vote carried on division; all other votes, including votes on the substantive clauses of the bill, carried without a dissenting voice.

Honourable senators, the vote on whether the bill should carry was carried on division, and I thought colleagues had a right to have that information.

Order stands.

PUBLIC SERVICE EMPLOYMENT ACT

BILL TO AMEND—THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Ringuette, seconded by the Honourable Senator Cowan, for the third reading of Bill S-219, An Act to amend

the Public Service Employment Act (elimination of bureaucratic patronage and establishment of national area of selection), as amended.—(Honourable Senator Stratton)

Hon. Terry Stratton: Honourable senators, the primary objective of Senator Ringuette's bill, Bill S-219, is to allow all Canadians, no matter where they live, to apply for federal public service job openings, no matter where those positions are located, and I will not debate this basic principle.

[Translation]

Senator Ringuette and I may disagree on how to achieve this objective and on the need for the Senate to legislate, given the great progress made over the past few years. However, I believe we all generally support the principles whereby any candidate can apply for a job in the National Capital Region, regardless of whether they are from Nepean or Nunavut.

• (1450)

Anyone should be able to apply for a federal public service job in New Brunswick, regardless of whether they live in Edmunston or Edmonton.

[English]

One should be able to apply for a job opening in southern Ontario, regardless of whether one lives in Windsor or in Winnipeg.

Before I get into the substance of Senator Ringuette's bill, and into what could be done to improve it, I want to acknowledge the tremendous progress that has already been made in this area under the leadership of Ms. Maria Barrados, President of the Public Service Commission of Canada. In past years, it was routine practice to limit certain public service competitions to those who lived in a specific geographic area. In some cases, this can make sense, either when a person is only needed for a few months or when the position is only part time. Often, however, that is not the case. If the government needs to hire an accountant, debits are debits and credits are credits no matter where you live, provided one agrees to relocate if one accepts the job.

As Ms. Barrados advised our committee, the Public Service Commission began working to extend access to all Canadians to public service jobs in 2001. At that time, the commission began requiring a national area of selection for all executive and senior officers' externally-advertised jobs. A national area of selection removes any geographic limit.

In 2005, the Public Service Commission announced its intention to further expand the national area of selection in three phases. In April 2006, the first phase was rolled out. The 2001 policy of having a national area of selection for executive and senior officer externally-advertised jobs was expanded to include all externally-advertised officer positions in the National Capital Region.

The second phase was rolled out in April 2007, with the national area of selection extended to all officer level jobs in all regions. As a result, the Public Service Commission went from making one-in-five public service jobs available to all Canadians,

regardless of where they live, to more than half. Last December, the Public Service Commission began the third phase: That of using a national area of selection for non-officer positions.

[Translation]

The commission initially developed pilot projects for the National Capital Region, with the goal of full implementation by December 2008. In December 2007, the Public Service Commission announced the expansion of national areas of selection to apply to all full-time Federal Student Work Experience Program job opportunities beginning with the next recruitment campaign in fall of 2008.

[English]

Honourable senators, as a result of the Public Service Commission's initiative, what Senator Ringuette is trying to achieve through her bill is already being rolled out through policy.

In response to the presentation of Ms. Barrados at the National Finance Committee, there were two changes to the bill sought by Senator Di Nino to provide the Public Service Commission with some flexibility. Unfortunately, one amendment was watered down, while the opposition majority rejected the other. The first sought to address Ms. Barrados' concern that the bill would unduly limit the discretion of public service staffing. As I mentioned earlier, great progress has been made. I have every reason to believe that progress will continue to be made. Possible ways to provide that discretion were offered that would have required a national area of selection, except in circumstances prescribed by regulations made by the commission. The alternative that was offered was to spell out those circumstances, including, for example, seasonal work, short-term positions, part-time students and urgent operational requirements. Managers do require some flexibility when they need to meet short-term or urgent requirements. As Ms. Barrados warned us in her testimony — and this is important — “If they do not have that flexibility, their only option will be to do more casual staffing or non-advertised staffing.” I do not think this wording should be dismissed lightly.

Honourable senators, casual staffing is done without regard to the merit principle. It is unfortunate that Senator Ringuette did not recognize this as a potential problem. Indeed, it would be a great irony if the effect of her bill would be to increase the use of temporary help agencies, who virtually always hire locally. That is what we can expect.

The second issue concerned the date of the coming into force of the bill. As originally introduced, the bill would have immediately taken effect upon Royal Assent. Ms. Barrados said that, while the goal was to ensure a national area of selection for all positions by the end of 2008, she would be more comfortable if she had until the end of 2009.

Senator Di Nino proposed an amendment to have this bill take effect upon a date or dates to be fixed by the Governor-in-Council, but no later than the end of 2009. Senator Ringuette, in turn, moved a sub-amendment to make this measure effective July 1, 2009, after discussion with Senator Di Nino. The committee accepted this amendment, which is better than having the bill take effect upon Royal Assent. However, it still

may not be sufficient. Ms. Barrados pointed to the potential effect of placing a greater burden on an already overloaded system without proper training and tools. This is something with which we need to be concerned.

As an example, it is important to note that last year the Public Service Commission received 400,000 applications for 1,316 staffing processes. That is roughly 300 applications per staffing process, which is not surprising, given the ease of applying in this day and age. One may not even come close to meeting the posted job requirement, but it costs nothing beyond a couple of minutes of time to cut, paste and email a covering letter and a CV. The reality is that there will be a significant increase in the number of applications for non-officer jobs, particularly for clerical ones. The public service must be ready to deal with this. Senator Ringuette's basic argument is that the public service has had enough time. Given the tremendous strides that have been made to date, we should accept that Ms. Barrados is genuinely committed to making a national area of selection the norm, wherever and whenever practical. We should give her the latitude that she needs to get it right, even if it takes a little longer than Senator Ringuette would like.

[Translation]

Honourable senators, the Public Service Commission and Senator Ringuette agree on the principle of using a national area of selection. Where they disagree is on how to go about it.

[English]

Senator Ringuette is insisting on putting forward a flawed bill, despite knowing that Ms. Barrados is already doing what the bill seeks to achieve. The Public Service Commission needs more flexibility than Senator Ringuette is willing to agree to. I hope that members of the other place will keep that in mind as they consider this bill.

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

Hon. Senators: Question!

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

Some Hon. Senators: Agreed.

Motion agreed to and bill read a third time and passed.

• (1500)

[Translation]

DRINKING WATER SOURCES BILL

REPORT OF COMMITTEE ON SUBJECT MATTER— DEBATE CONTINUED

On the Order:

Resuming debate on the consideration of the fifth report of the Standing Senate Committee on Energy, the Environment and Natural Resources (subject-matter of Bill S-208, An Act to require the Minister of the

[Senator Stratton]

Environment to establish, in co-operation with the provinces, an agency with the power to identify and protect Canada's watersheds that will constitute sources of drinking water in the future), tabled in the Senate on February 28, 2008.—(*Honourable Senator Comeau*)

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, as this motion relates to a bill, and as we will all no doubt first want to familiarize ourselves with the provisions of the bill, which will probably be discussed shortly, I would like to reserve the rest of my time and move the adjournment of the debate.

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

On motion of Senator Comeau, debate adjourned.

[*English*]

THE SENATE

MOTION TO URGE GOVERNMENT TO ESTABLISH NATIONAL PORTRAIT GALLERY IN NATIONAL CAPITAL REGION—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Grafstein, seconded by the Honourable Senator Callbeck:

That the Senate urge the Government to establish a National Portrait Gallery in the National Capital Region without delay.—(*Honourable Senator Munson*)

Hon. Jim Munson: Honourable senators, I am rising on the motion that the Senate urge the government to establish a national portrait gallery in the National Capital Region without delay.

I recently had the pleasure of visiting Washington, D.C. I was there to do follow-up work concerning autism, but, like all visitors to that capital city, I took some time to visit its great museums and galleries.

In my previous work as a reporter, I had the pleasure of living in London, Beijing and other capital cities. Capital cities are fascinating places, because they are more than an urban conglomeration or an economic and social cluster of businesses and people. They are a reflection of the country as a whole.

Washington, D.C. is the United States of America, just as London is England and Beijing is China. These cities reflect the greater national portrait of their nations through their cultural institutions and landmarks. The same is true of Ottawa. When people visit Ottawa, they come to visit their nation's capital. They come to visit the Parliament buildings to learn about the political institution that governs them. They come to the Museum of Civilization to learn about their past. They come to the War Museum to learn about their history, and they learn more from the Museum of Nature, the Aviation Museum and the Museum of Science and Technology. That is why when Senators Grafstein and Joyal approached the Right Honourable Jean Chrétien about

the need to establish a national portrait gallery, Jean Chrétien said, "Why not? That is a good idea." Where else to put it, but in the vacant historic building right across from the Parliament Buildings?

When Canadians and others are finished visiting the Parliament Buildings and learn about the political history and institutions of this great country, they can cross the street and see the portraits of the great men and women who made it happen. It is a no-brainer, a one-two cultural historic punch.

However, things change, as we know. Canadians elected a new government, a Conservative government, and this government turned the idea of a national portrait gallery into a national lottery, an auction to who can step up and who has the most money. Of course, they picked only eight or nine cities — but not all capital cities were included, including Charlottetown, Prince Edward Island — in this auction of who has the money and who gets the portrait gallery. They then said, "Let us involve the private sector and think about moving it to another city."

I think that the history books will give this government the moniker of "great dismantlers." Look at what we have seen in the last two years. It is incredible. Canada is isolated in the world and the government is removing itself from so many social causes, leaving them to the private sector.

Why dismantle the plan to have a national portrait gallery in Ottawa? Why not embrace the history and culture of this great country and showcase it properly in the nation's capital?

I know that Canadians, unless they are in a hockey game, are reluctant to show off. We do not like to toot our own horn, and Ottawa reflects this. We do not have nearly the monuments and symbols that decorate other national capitals. Given that we have so little symbolism can we not be open to a national portrait gallery in the capital city?

Senators Grafstein and Callbeck have spoken in an eloquent manner about this subject. They made the point that, economically, locating the gallery outside of Ottawa does not make sense. Even with the private sector involvement, it will cost a fortune to move the huge collection, now housed at the national archives, to whatever city is chosen. As Senator Callbeck indicated, now that the exhibit transportation services program that the federal government used to run has been dismantled by the government, these priceless artifacts and jewels of our culture will be at greater risk of damage.

As my honourable colleagues pointed out, a national portrait gallery in the national capital makes sense. It completes the experience of visitors to our national capital. After going to Parliament, the War Museum, the Museum of Civilization and then back to the national portrait gallery, they will go back to their home town saying, "I have been to Ottawa. I know my country better. I know more about my past and about who I am."

As senator for Ottawa-Rideau Canal — the canal being a UNESCO World Heritage site — I skate on the canal every day in the winter. This winter, it was amazing to see the portraits hanging under the Bank Street Bridge in shadows. It was admirable that they did this to show off five or six portraits, and every day skaters would stop to look at them. That is where

our portraits ended up — under the Bank Street Bridge on the Rideau Canal. Why were they hanging there? They were there because they were homeless. Let us give these portraits a home, and let us make that home Canada's national capital.

I intended to end there, but I received an email, and since I have a few minutes, I may as well put that on the record. This email is like one of the hundreds of emails that all senators get. Jennifer Foster, of 17 Drysdale Street, in Kanata, Ontario, wrote:

Dear Senators,

I am writing as a citizen who is deeply concerned about your government's position on a National Portrait Gallery. I have written to several Members of Parliament, none of whom have even acknowledged my letters. I have also written to the Honourable Josée Verner on this issue, but the response that I received was simply a form letter, which addressed none of the points that I had raised in my letter. This leads me to believe that no one is actually reviewing and considering the opinions of Canadians like myself.

• (1510)

An Hon. Senator: Oh, oh.

Senator Munson: You have said enough already, sir. I heard it in my office earlier today. It was not very polite. You are talking to the wrong person.

Ms. Foster continues:

I therefore ask members of the Senate to stand up and oppose the Conservative's plan to download such an important cultural institution onto public-private partners, and to reinstate the original plan of locating the gallery in Ottawa.

I think that other senators from Nova Scotia and all Acadians would applaud that opinion.

Ms. Foster goes on to say:

My concern about the National Portrait Gallery is shared by many people. Recently, Shirley Thomson, who spent a decade and a half at the National Gallery and the Canada Council, voiced her opposition to the government's plans for the portrait gallery.

It is a long letter but I will close with the last few lines of her letter.

So, for reasons of national pride and national identity, and all the economic reasons piled on top, the Conservative government should have respected the original plan for the National Portrait Gallery. Please, do the right thing and restore the National Portrait Gallery to its proper home in Ottawa. And in doing so, show Canadians that your government respects Canadian history and culture.

Those are my points and just to repeat, this is a very important issue. This is our nation; this is Canada and the National Portrait Gallery should stay in Ottawa. Thank you very much.

[Senator Munson]

Hon. Gerald J. Comeau (Deputy Leader of the Opposition): Would the honourable senator accept a question?

Senator Munson: Yes.

Senator Comeau: The honourable senator mentioned the Acadians in his comments and my question is this: We now have a national museum dedicated to the Acadians in Grand Pré, Nova Scotia. Is the senator suggesting that this museum should be moved to Ottawa? In his opening comments he said that London is England, Berlin is Germany et cetera. Should the Acadian museum then, the sacred soil of Acadie, be moved to Ottawa so we can have all our museums in Ottawa?

Senator Munson: Senator Comeau, that is a bit of a stretch. I am married to a beautiful and wonderful Acadian woman, and when you talk about Grand Pré and look at the history of that area, the Acadian nation is a nation which is in your heart. The Acadian nation can be in Louisiana or Northern New Brunswick, where I come from.

When it comes to things that are national, we can share portraits from the nice gallery in Grand Pré, and I have been there, and it is an affair of the heart. However, can we take those portraits and have them come here to Ottawa? I am not suggesting that; I am saying that we have tens of thousands of portraits sitting here in this city, five of which were under the Bank Street Bridge this winter. The rest are in boxes and are housed in other buildings. It just seems to me it is common sense. This is about Canada. What we are saying to Acadians and to all Canadians is why not come to Ottawa to look at our national gallery. There is nothing wrong with smaller galleries reflecting the spirit and the hope of a nation called Acadia.

Senator Comeau: I do not think the senator actually caught the gist of my question. The honourable senator based his speech on the concept that all museums should be in Ottawa because this is the nation's capital. Is there not a case to be made to have museums outside the nation's capital?

The honourable senator speaks about how great the Acadian nation is, et cetera; I agree with you and applaud you for having married an Acadian; she is a very fine woman. As a matter of fact, I think she comes from the Comeau family way back.

Senator Dawson: She denies it.

Senator Comeau: She denies it, of course. Could I please have an answer to my question? The concept of having national museums outside the nation's capital, is there not a case to be made for that as well?

Senator Munson: To answer the first part of the question, her name is Hébert, which is a pretty strong Acadian name. We will leave it at that. I am glad the senator got my name correctly today in terms of our discussion right now as opposed to earlier in the day.

Listen to what I just said. I said national portrait gallery. We are speaking of a national portrait gallery. I grew up in the province of New Brunswick. I love going to the Beaverbrook Art Gallery in New Brunswick. There is nothing wrong with having

individual galleries in the country. However, to reflect who we are as a people, as Canadians, to me the cradle of our democracy is in Ottawa. Why not have Ottawa as the strategic point for Canadians to meet? We are strategically in sort of the middle of the country. Winnipeg is in the middle, okay. I will agree with that but we are close. This is a national portrait gallery.

Senator Stratton: What do you think about the museum of —

Some Hon. Senators: Order.

Senator Munson: In any case, vive L'Acadie. I love L'Acadie. L'Acadie with its gallery in Grand Pré is a wonderful place. Perhaps you might want to move it to Northern New Brunswick, to Caraquet, which is the home of Acadia as well; but when it comes to the word "national," this is what Ottawa is about.

The Hon. the Speaker *pro tempore*: Senator Munson's time has expired. Are you asking for more time to answer a few questions?

Senator Munson: I ask for thirty minutes.

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

Hon. Roméo Antonius Dallaire: Honourable senators, there is an interesting question that was brought to Senator Munson in regard to national museums. What are the criteria for where to put a national museum? I think of the work I was involved with extensively on the National War Museum. It is rather interesting that in that debate there was not one question about the location of the museum. It was to be built in the city where the decision was made to go to war. We built the museum here in the nation's capital.

Then, however, there is another option when you look at the criteria of national museums. Perhaps the National War Memorial should have been placed where the most troops were killed in World War I and World War II, because maybe that is a criterion that would reflect more the Unknown Soldier and the National War Memorial. I wonder what criteria established the debate in regard to putting a national museum outside of the national capital.

I live in Quebec City; I have a real hard time when I see the sign that reads Capitale Nationale. That does not turn my crank. I do not think that something reflective of a national entity, where we want it to be reflective of the nation, could be in a more neutral place than in the national capital, where the nation's decisions and its future are argued.

Senator Munson: I thank the senator for the question. There is nothing neutral about being a Canadian patriot. There is nothing neutral about standing here in the Senate of Canada and defending the prospect of a national portrait gallery here in Ottawa.

Look at the young children here today trying to understand their country. Why do teachers bring students by the tens of thousands to Ottawa? Why do they come to this city? When our children come to the Parliament Buildings, they can look at the portraits that we have in these rooms and learn about the people who built this country. The children are able to see the work

Senator Serge Joyal has done with portraits, within our own precinct of Parliament in the Salon de la Francophonie room and other places.

The Tomb of the Unknown Soldier has changed people's lives in the last four or five years. There is a different feeling in your soul and heart about what this country is. There is nothing neutral about Ottawa. I came to Ottawa as a young reporter. I did not go anywhere else to continue my career in covering politics, because it is Ottawa that counts. Sometimes, as Canadians, we are not passionate enough about our country. We do not sit back and say, "Look at the Canadian War Museum and at the National War Memorial." When people close their eyes and reflect upon what has happened in our past and our glories — I hate to use that phrase again — it is an affair of the Canadian heart.

• (1520)

A national gallery with these portraits will give us all another sense of place. If we do not have any idea of where we came from, we have no idea of who we are today and where we are going tomorrow.

The word is "national." The word is about respecting our history. Ottawa should bring Canadians together, not divide Canadians. This issue is not about a shopping trip around the country saying: Let us try it here or there. If we use that argument, then everything should be in Charlottetown. This government did not even consider Charlottetown on its shopping list. Think about that. It is one of those moments for me that is damned important.

Senator Dallaire: I am with Senator Munson on the argument that there is no other place for the national portrait gallery than in the national capital. It is only logical that a national museum reflects the national capital.

The whole concept of why we have a National Capital Commission is to enhance this entity on both sides of the river. Maybe if critics do not want it in the old American embassy, we can put it on the other side of the river. That might increase the interest of the Québécois.

Neutrality only argues in your favour, honourable senator. The only argument for its location is in the national capital.

The Hon. the Speaker *pro tempore*: Senator Munson, after a short answer, your time will expire.

Senator Munson: When they hang my portrait in the gallery in 13 years, I want all my cousins, relatives and friends from the Maritimes to come to Ottawa to see it.

Hon. Joan Fraser (Acting Deputy Leader of the Opposition): I wish to speak briefly. I had hoped to put this as a long question. I will try and make it a short speech.

I strongly support this motion. I cannot speak as eloquently as Senator Munson has about the way in which a national portrait gallery is necessary here as a reflection of Canadians' dreams, vision and accomplishments.

I suggest, on a more prosaic level, that perhaps part of our difficulty is that we use the word “national” to mean so many different things. It seems to me that is part of the difficulty in this whole debate.

National, in Canadian usage — in English Canadian usage in particular — can mean something that is national in the sense that Senator Munson used: something overarching that reflects and, with luck, brings together, the whole country in all its diversity. “National” can also mean, for example, reference to the Acadian nation or reference to the national capital of Quebec. It is true; there it is on all the highway signs and other documents.

It can also mean, much more prosaically, something that is established by federal legislation and funded by federal programs, for example, national parks. There are beautiful national parks all over this country. The essence of these parks is that they are local. They reflect local identities. It would be better, probably, if we called them Canadian parks or federal parks or something. If we can settle on some clarity of terms it will help.

In this case, if from the beginning, we had referred to the Canadian portrait gallery instead of the national portrait gallery, we might have been clearer, all of us who support locating it here in the capital of Canada. However, the reason we wanted to locate it here in the capital of Canada was to complete — as Senator Munson so eloquently said — the way in which this capital for all Canadians reflects and enriches all Canadians who come here.

That is why I support this motion. I am sad to see that distortion in terms has ended up distorting the debate.

Hon. Consiglio Di Nino: Honourable senators, with all due respect to all those who have spoken, particularly Senator Munson, I will attempt to give the other side of the story at some future time.

I want to adjourn the debate, please.

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

Some Hon. Senators: Agreed.

On motion of Senator Di Nino, debate adjourned.

[*Translation*]

THE SENATE

CONSTITUTION ACT, 1867—MOTION TO AMEND REAL PROPERTY PROVISIONS FOR SENATORS— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Banks, seconded by the Honourable Senator Corbin:

That,

WHEREAS, in the 2nd Session of the 39th Parliament, a bill has been introduced in the Senate to amend the Constitution of Canada by repealing the provision that

requires that a person, in order to qualify for appointment to the Senate and to maintain their place in the Senate after being appointed, own land with a net worth of at least four thousand dollars within the province for which he or she is appointed;

AND WHEREAS a related provision of the Constitution makes reference, in respect of the province of Quebec, to the real property qualification that is proposed to be repealed;

AND WHEREAS, in respect of a Senator that represents Quebec, the real property qualification must be had in the electoral division for which the Senator is appointed or the Senator must be resident in that division;

AND WHEREAS the division of Quebec into 24 electoral divisions, corresponding to the 24 seats in the former Legislative Council of Quebec, reflects the historic boundaries of Lower Canada and no longer reflects the full territorial limits of the province of Quebec;

AND WHEREAS section 43 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province to which the amendment applies;

NOW THEREFORE the Senate resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

SCHEDULE

AMENDMENT TO THE CONSTITUTION OF CANADA

1. Section 22 of the *Constitution Act, 1867* is amended by striking out the second paragraph of that section, beginning with the words “In the Case of Quebec” and ending with “the Consolidated Statutes of Canada.”.

2. (1) Paragraph (5) of section 23 of the Act is replaced by the following:

(5) He shall be resident in the Province for which he is appointed.

(2) Paragraph (6) of section 23 of the Act is repealed.

Citation

3. This Amendment may be cited as the *Constitution Amendment, [year of proclamation] (Quebec: electoral divisions and real property qualifications of Senators)*. —(Honourable Senator Comeau)

[Senator Fraser]

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, given the importance of this matter and since I have not had the chance to prepare all my notes, I would like to adjourn the debate on this motion for the remainder of my time.

On motion of Senator Comeau, debate adjourned.

[English]

MOTION TO URGE GOVERNMENT TO RECONSIDER
DECISION NOT TO APPEAL DEATH SENTENCE
OF RONALD SMITH—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Joyal, P.C., seconded by the Honourable Senator Pépin:

That this House urge the Government to reconsider its decision not to appeal the death sentence of Ronald Smith, a Canadian citizen, who is on death row in a prison in Montana, and seek from the American authorities a commutation to life imprisonment; and

That the Government abides by the basic principle of the sanctity of life and commit itself to supporting, at all international forums, the abolition of the death penalty in the full knowledge that this country abolished capital punishment more than 30 years ago.—(*Honourable Senator Joyal, P.C.*)

Hon. Serge Joyal: Honourable senators, I want to address this important motion on the Order Paper today in a limited way because there are many elements, suggestions and reflections in the debate I would like to propose to you.

Honourable senators, in my remarks that I propose to share with you, I will raise two aspects of reflection. The first one is in the decision of the Supreme Court of Canada in 2001 in the case of *Burns and Rafay*.

Honourable senators will remember that on the occasion of the extradition bill we debated in this chamber the issues surrounding the bill, in particular clause 44 of the extradition bill. I personally — and other honourable senators, I think — remember it well. That debate continued in this house for more than three months. Many of us were of the opinion that when a Canadian citizen is the object of extradition or is faced with the death penalty abroad, the Canadian government should seek the commutation of the death penalty to life imprisonment.

• (1530)

The present government has changed that position and decided in the case of Ronald Smith not to seek commutation to life imprisonment on the basis that the criminal trial in which Ronald Smith had to answer to accusations of murder took place in the United States. As the United States is a democratic country, the government argues, we should be able to trust the rule of law of that land and accept it, that is, that Ronald Smith should be put to death.

What I want to bring to the attention of honourable senators today is that, in its decision, the Supreme Court of Canada in 2001, from paragraph 105 to paragraph 111, debated and studied at length the criminal justice system of the United States. Paragraph 110 of that decision by the Supreme Court addressed the criminal justice system of the United States in reference to a pending death penalty following a trial:

Finally, we should note the recent Columbia University study by Professor James Liebman and others, which concludes that two out of three death penalty sentences in the United States were reversed on appeal.

Later in the same paragraph:

The overall rate of prejudicial error in the American capital punishment system was 68 per cent.

Again, I refer honourable senators to those paragraphs, paragraph 105 to paragraph 111, because the court goes on at length studying the criminal justice system and concluding that in its opinion, there is a major concern about the miscarriage of justice in the United States in relation to the death penalty.

That is the first set of arguments that I would like to debate. The second group of arguments I want to propose to honourable senators in relation to the American criminal justice penalty system is a recent decision of the Supreme Court of the United States. It was rendered on April 16 of this year, less than two weeks ago, in the decision of the Supreme Court of the United States in the case of *Baze et al. v. Rees, Commissioner, Kentucky Department of Corrections, et al.*

I want to propose the comments that Justice Stevens put forward in the argument that he debated in relation to the imposition of the case at stake, which was, essentially, the imposition of the death penalty.

I will read what Justice Stevens, one of the most learned justices in the United States in relation to Supreme Court work, one of the leading authorities, with Justice Ginsburg dissenting in that case — in other words, contending that the death penalty should not be accepted in the United States — Justice Stevens quite clearly stated that, in fact, the criminal justice system of the United States in terms of the death penalty has so many miscarriages of justice and so many defects in the rights of the defendants and the procedure of appeal, that three out of four cases involving the death penalty were reversed on appeal.

In other words, there is a real concern at the highest level of the American justice system that the death penalty in the United States offers much qualification that the rule of law, as it applies to the United States, is a rule of law that offers the same guarantees that the Canadian justice system might offer.

Finally, honourable senators, the third group of arguments I want to debate is if we are to trust the American justice system that carried 42 death penalties last year, why should we accept that Vietnam carried only 25 death penalties and not accept that Saudi Arabia carried 143 death penalties? As honourable senators know, there is a recent case of a Canadian citizen who found himself in exactly the same position in Saudi Arabia as Ronald Smith did in the U.S.

In other words, there is some inconsistency, at least on the understanding of the principle. If the principle is the protection and upholding of human dignity or recognition of the sanctity of life, how many death penalties would it take to ensure we should stop upholding the sanctity of life? Is 42 enough?

If that is the case, Iraq would be fine with 33 death penalties and Yemen would be fine with 15. If the number of 42 is not good enough, Iran's 317 death penalties would not be good enough and China's 470 would be far too many.

Once we start looking into the criminal justice system of a foreign country to establish when we will request that the death penalty be commuted to a life sentence, we find ourselves in a nightmare of coherence and rational principles.

Honourable senators will understand that I voted against the death penalty three times as a member of Parliament in the other place and as a senator in this place. The first time I voted against the death penalty was in 1976. At that time, the death penalty was retained only for the murder of police officers in service.

The last time honourable senators voted on the death penalty was in relation to National Defence. I think many senators who are still here also voted on that issue.

Therefore, honourable senators will understand that those who try to uphold the rule of law and the principles of the Charter of Rights and Freedoms based essentially on a shared level of humanity cannot accept the decision of the government that we should qualify when a life is or is not valuable. I think we should remain coherent in that fundamental question because it addresses the soul and conscience of every one of us. That is why when we vote on the issue of the death penalty, it is normally a free vote, because it appeals to one's own personal convictions and values.

Honourable senators, I will stop my remarks here today and seek the rest of my time at a future date. I wanted honourable senators to reflect on the decision of the Supreme Court of Canada and the last decision two weeks ago of the Supreme Court of the United States so that when debate continues, we have additional elements of reflection to conclude on that very serious issue.

On motion of Senator Joyal, debate adjourned.

INTER-PARLIAMENTARY UNION REPORT ON HUMAN RIGHTS OF PARLIAMENTARIANS

INQUIRY—DEBATE ADJOURNED

Hon. Sharon Carstairs rose pursuant to notice of April 29, 2008:

That she will call the attention of the Senate to the recent report on the Human Rights of Parliamentarians at the meeting of the Inter-Parliamentary Union in Cape Town, South Africa, April 2008.

She said: Honourable senators, as members know, I chair the Committee on the Human Rights of Parliamentarians of the Inter-Parliamentary Union. The committee met in mid-April in Cape Town, and I wish to outline some of the cases that we studied.

[Senator Joyal]

First I will put the agenda in perspective. During the session in Cape Town, we examined 70 cases in 35 countries involving 290 parliamentarians. We held 12 meetings with delegations or representatives of the Parliaments concerned. The committee also met with the victims or the representatives in five of these cases.

• (1540)

I begin by telling you of the cases that the committee proposed and what were accepted for closure at our meeting — some of the good news of this meeting.

I was pleased that the committee's examination of its longest-standing case had finally come to a satisfactory end. Pavón Salazar was murdered in 1988 in Honduras following testimony he gave to the Inter-American Court of Human Rights on disappearances in Honduras. This investigation had come to a virtual standstill but it was reopened in 1996 due, I think in part, to the insistence of the Human Rights Committee of the IPU. That testimony led to the identification of two military officers as suspects. One of those died in Hurricane Mitch, and a long trail eventually led to the arrest, extradition and prosecution of the other suspect. He was recently found guilty and is now serving his sentence.

In Malaysia, Anwar Ibrahim, former deputy prime minister and finance minister, spent six years in prison on charges of corruption and sodomy until the Federal Court quashed his conviction in the sodomy case. He was unable to stand in the recent elections in Malaysia since he had not yet recovered his rights, but he was able to campaign, and apparently did so successfully, since the number of his party's seats rose from 1 to 31. His wife apparently has made the decision that, although she was elected in his seat, she will now step down in order that he can be elected through a by-election process.

In April 2004, Javed Hashmi of Pakistan was found guilty of circulating an allegedly forged letter that criticized the army and its leadership, and was sentenced to 23 years of imprisonment — 23 years for a letter. He was released last August and has meanwhile been re-elected to the Parliament of Pakistan.

During its session in Cape Town, the committee had the pleasure of meeting Mr. Hashmi. We had always been denied access to him by the Pakistani government, but with a new government in Pakistan, he was allowed to come to Cape Town and he thanked us for our support of his case. He said that in his four and half years of solitary confinement, he knew that one organization was pushing for his rights to be respected, and that was the Human Rights Committee of the Inter-Parliamentary Union.

That was the good news. I have to tell you now about other parliamentarians around the world.

One of our cases dealt with Sheikh Hasina of Bangladesh. She is the leader of the Awami League and the former prime minister. She had been the subject of a grenade attack on her life in 2004. We had been investigating that aspect of her case, but then in July 2007, she was arrested and prosecuted on charges of extortion and corruption under the far-reaching emergency power rules. The accusations, of course, she denies.

In fact, the source that spoke to us voiced concern that her prosecution may be intended to prevent her from engaging in any political activity and contesting the elections later in the year. There is concern that one of her co-accused may have been tortured.

In Burundi, the committee examined two long-running cases of the murders of six parliamentarians and of an attempt on the life of another, all of which took place in the 1990s. Disappointingly, the parliamentary working group in Burundi, entrusted with giving further impetus to these cases, has not been able to do so since it first met in October of last year because of the political climate in that country. The committee remains convinced that, together with a strong and effective truth and reconciliation commission, which hopefully will soon be established in Burundi, the working group can make a crucial contribution to advancing justice in these cases. The committee called, therefore, on the Parliamentary authorities to make every effort, with the assistance of the IPU, to allow the working group to fulfil its mission. At the same time, the committee considered that, irrespective of the working group and the truth and reconciliation commission, the authorities in Burundi needed to act without delay on the important leads in several of these cases to ensure justice.

For the first time in many years, the committee was able to meet with a delegation from Colombia. Some of the news they reported was favourable. Five of the six former congress members who were in the hands of Colombia's main guerrilla group, FARC, have been released since the beginning of the year. Their release has put an end to years of agonizing uncertainty for them and their families. That said, recently released footage showing a seriously weakened Mr. Lizcano, the only remaining former congressman still in FARC's hands, and the prolonged suffering of many others in captivity in the jungle of Colombia underscore the need for their urgent release.

The committee continues to urge the government of Colombia and FARC to persist in their efforts to conclude a humanitarian agreement. The committee also intends to cooperate closely with the president of the Colombian Congress to organize a meeting in support of such an agreement.

In the cases of parliamentarians belonging to the Patriotic Union, or Unión Patriótica, who were assassinated or forced into exile, I am pleased to tell the Senate that the Inter-American Commission will soon rule on the merits of these cases, which we believe is essential to ensuring that justice be done.

Security risks, however, remain a daily concern for many Colombian Congress members. The committee is concerned, for example, about the case of Wilson Borja, who was targeted in a murder attempt in 2000 and regularly receives death threats. Although his life is clearly at risk, the authorities have decided to withdraw his security detail. The committee urged them to remedy this situation as a matter of urgency and provide him with effective protection, and investigate the threats.

Senator Gustavo Petro has been at the forefront in denouncing links between paramilitary groups in Colombia and members of the Colombian Congress, which have given rise to a political scandal of enormous proportions in that country. Although he enjoys an extensive security detail, the committee believes that

these measures will ultimately fail if the perpetrators of the threats against him are not identified and brought to justice. The same is true in the case of Senator Córdoba. The committee urged the authorities to take all necessary action to this effect.

In Ecuador, honourable senators, we were concerned that parliamentary immunity for opinions expressed and votes cast in Parliament as a cornerstone of representative democracy is threatened. Respect for this principle is at the heart of the case of the dismissal on March 7, 2007, of 56 members of Congress, which is over half the entire membership of that chamber.

Indeed, the report on the onsite mission that IPU sent to Ecuador firmly concluded that they were dismissed in breach of the constitution of Ecuador and on account of votes they cast in the exercise of their parliamentary mandate.

Honourable senators, I think it would be a far different place if each one of us thought that we might be expelled immediately from the Senate of Canada on the basis of votes that we took.

Although the pursuit of justice for the 56 members of Congress was successful at first, a new constitutional court in Ecuador, which was designated under highly questionable circumstances, set aside what was for them a favourable ruling and considered the matter closed, thereby denying the 56 members an opportunity to obtain legal redress.

They may now also be subjected to criminal proceedings directly linked to the exercise of their parliamentary mandate, which may well impede their participation in any forthcoming elections.

They have an interesting procedure in Ecuador, honourable senators: If citizens do not vote in an election, they are denied the ability to hold a job. They cannot be employed if they cannot produce the certificate that they voted in the last election. In the case of these 56 parliamentarians, they could not vote because they had been denied the right to vote and then they were denied the right to hold employment.

• (1550)

In Eritrea, the authorities continue to remain completely silent to the IPU's plea for the release of 11 former parliamentarians. They have been in detention incommunicado since September 18, 2001, after publicly calling for democratic reforms. No one knows where they are held or even whether they are still alive, and they have never been brought before a judge. The African Commission on Human and People's Rights has concluded that their most basic rights have been violated.

In Lebanon, four parliamentarians have been murdered in the last two years: Gibran Tueni, Walid Eido, Antoine Ghanem and Pierre Gemayel. What all four parliamentarians shared was their outspokenness, plus the brutality of their murders. Clearly, those responsible wanted to send a harsh warning to those wishing to speak out on critical issues.

The International Independent Investigation Commission examining the murder of former Prime Minister Hariri, which was established in 2005, is also looking into these four cases. The commission, whose work is coming to a close, has laid the

groundwork for subsequent effective action by the Special Tribunal for Lebanon to identify and hold the culprits to account. The only thing outstanding is for the National Assembly of Lebanon to approve the establishment of the tribunal. The committee therefore called on the assembly and the parliamentary authorities to do everything they could to establish that tribunal.

The military in Myanmar showed their ruthlessness again last autumn by severely repressing the peaceful demonstrations by monks and civilians. Five parliamentarians who were then arrested have now been sentenced to prison terms for their participation in the demonstrations. One parliamentarian was severely ill-treated and lost his sight in one eye, an appalling criminal act that has remained totally unpunished. The committee urged the authorities to release immediately the five parliamentarians, along with their 13 colleagues who remain in jail.

There is no reason, honourable senators, to believe that the junta is serious about a transition to democracy. Next month, the people of Myanmar will be asked to vote on a constitution drafted by a national convention that was completely controlled by the military and did not allow for a free exchange of views. It is therefore not surprising that the text that will be put to a referendum provides sweeping and overriding powers for the military. What is more, in the present circumstances, the referendum is bound to take place in a climate of fear, distrust and lack of total transparency. It can therefore have no credibility.

The committee insisted that the only viable way out of the current crisis is for the military regime to engage in a genuine dialogue with Aung San Suu Kyi, all concerned parties and ethnic nationality groups. The international community can play a role in this respect by bringing its pressure to bear on the authorities and by expressing, as things now stand, its rejection of the referendum process and outcome.

Honourable senators, I led a mission to the Philippines one year ago regarding the case of six opposition members accused of rebellion. My committee was concerned that political considerations might be behind this case. A few months later, in July 2007, the Supreme Court exonerated the parliamentarians concerned of the charges and found that they had been brought for political ends. If the story ended there, it would indeed have been good news, but unfortunately it does not. A multiple murder case has been brought against Mr. Ocampo, and murder charges in Nueva Ecija brought against Representatives Ocampo, Maza and Casiño and against former representative Mariano are still being pursued. In addition, a new case was brought against Teodoro Casiño for allegedly obstructing the course of justice. He had asked security forces who wanted to arrest a colleague to show an arrest warrant. When they were unable to do so, he insisted on accompanying his colleague to the police station. A new case was also brought against Representative Ocampo in March 2008 when a petition for Writ of Amparo was filed against him and top officials of the Philippine Communist Party in connection with the alleged abduction of a woman by communist rebels.

Given the political motivation behind the previous rebellion charges brought against the parliamentarians, my committee fears that these proceedings are part of an ongoing effort by the

government to remove them and their political parties from the democratic political process in the Philippines.

Léonard Hitimana disappeared in Rwanda in April 2003 and has still not been found. The authorities were initially confident he had left the country.

Honourable senators, can I ask for a five-minute extension? Thank you.

However, he has never been found, honourable senators, and generally, the belief is that Mr. Hitimana was murdered.

When the committee met with the leader of the Zimbabwean delegation and another member during our session last April, the year before, in Bali, we were pleased that two outrageous incidents involving Mr. Biti and Mr. Chamisa, namely the systematic beating up by the police of participants in a prayer meeting on March 11, 2007 and then later beating up Mr. Chamisa at Harare International Airport were being examined by Parliament. Unfortunately, our hopes were quickly dashed because neither has had the kind of support from Parliament that they required.

Honourable senators, we also had a new case in the situation of Afghanistan. I think our Parliament should be particularly concerned with this case because we are spending large sums of money in Afghanistan. This is the case of Malalai Joya. She is a duly elected member of the lower house of the Parliament of Afghanistan. Ms. Joya is a well-known human rights defender and a staunch critic of the former warlords. She had her parliamentary mandate suspended for an undetermined time on May 21, 2007, and it is still suspended, honourable senators, for what the house considered insulting remarks she had made in a television interview about the functioning of Parliament and about several fellow parliamentarians. The sources affirm that the suspension is unlawful, and she has filed an appeal with the Supreme Court, which is pending. However, the reality is that she is still in a state of suspension in the Parliament. No one, of course, has ever challenged the fact that Ms. Joya, in the Afghanistan Parliament, has been referred to as a prostitute and a whore. Apparently, those comments about her are perfectly acceptable in the Afghanistan Parliament, but comments she makes about the warlords are not acceptable.

Honourable senators, I wanted you to have some flavour of the kind of work we do. The committee is made up of senators, and they are all senators interestingly enough, from Algeria, Belgium, Mexico, the Philippines and, of course, Canada. At this last meeting, we had an observer from the Human Rights Council of the United Nations. He was amazed at the kind of work that we were doing, and he wants to see our reports as part of the United Nations Human Rights Council review of all countries human rights records. I hope that we can move in that direction.

So no one is left with the feeling that this trip may have been a junket, my committee met for 32 hours over five days. In addition, I attended meetings with the Canadian delegation and with the assembly. It took me, door to door, 37 hours to travel there and 31.5 hours to return.

We all know of the good work that is done by many parliamentary organizations to which we all belong. I wanted to share what I think is the good work of the human rights committee of parliamentarians in the IPU.

[Translation]

Hon. Marcel Prud'homme: Honourable senators, I would like to ask that debate be adjourned for the remainder of my time. But first, I want to congratulate Senator Carstairs. She and I have disagreed strongly about certain international issues on several occasions. However, I can appreciate, I hope with elegance, the talent and dedication certain people bring to their work.

Unfortunately, I became an independent and was very politely denied any opportunity to sit on the Inter-Parliamentary Union committee. Senator Carstairs had no hand in this. It is just something that happened, and I understand perfectly. However, I have noted her dedication to this committee as Canada's delegate to the Inter-Parliamentary Union.

• (1600)

I will soon be writing to all new parliamentarians to share my impressions of interparliamentary associations, as I do at the beginning of each new Parliament. Often, I tell them that, based on my experience and my passion for international affairs, the parliamentary association is the most important.

The reason I work in federal politics is that I have an interest in international issues. Otherwise, I would have worked at the provincial level, as I was supposed to do in 1960. Unfortunately, it so happened that I had to abandon my plans to run provincially. However, the two levels of government are equally important, although they have different responsibilities. I am glad to see the former deputy premier of Quebec at the federal level. She has experience at both the federal and provincial levels. I take great pleasure in using the word "provincial," because that is what sets us apart in this country.

Senator Carstairs has worked extremely hard as a member of the committee she sits on. I want to tell you right now that I am very anxious for the group of parliamentarians who represented Canada at that conference in South Africa to table its report. I am not talking about the report of the human rights committee that Senator Carstairs just discussed.

I must say that I am extremely disappointed in this turn of events, after having worked for years on getting the Inter-Parliamentary Union to come here. We succeeded in 1965 and 1985 when we invited the Inter-Parliamentary Union to come to Canada. The contracts were signed. Incidents have occurred that I will candidly share with you once the committee decides to table its report in the Senate. I hope it will do so as soon as possible. The damage done in South Africa by Canada's possible withdrawal, where we were rejected because we decided at the last minute to set out conditions unacceptable to both the United Nations and the Inter-Parliamentary Union, is such that we no longer could host the international meeting of parliamentarians that was to be held in Montreal. After some negotiation, it was decided that the meeting would be held in Quebec City. Unfortunately, the meeting will be held neither in Quebec City nor in Montreal unless something changes between now and October.

I sincerely hope that all members of the Inter-Parliamentary Union will come together and demand accountability to find out exactly what happened. Words mean something to me.

I cannot deny that the press is hounding us. I was not in South Africa. I refused to speak to the *National Post* and *La Presse*, who were trying to find out what really happened. I can tell you, however, that I know a bit more than most because I called Geneva directly and got the real story.

Honourable senators, I do not like what I heard. I will wait for the report of the Inter-Parliamentary Union committee to be tabled — and I hope it will be shortly — and then we will be able to discuss in a very civilized manner why Canada felt it necessary at the last minute to cause problems making it more difficult for 1,500 parliamentarians to come to Canada.

Honourable senators, I am one of those odd people who prefer to face their opponents rather than simply boycott them and tell them I do not accept them.

[English]

Honourable senators may not know me very well or my involvement with the IPU, but when I have to face people with whom I disagree, I do not send a messenger to tell them that I cannot approve of their policies or their treatment of women or democracy. I do it eye to eye, directly.

If these people are excluded from coming to Canada for whatever political reason, using whatever finesse is available to the Department of Immigration, as is the case at the moment, I do not think we are serving Canada, the interests of peace in the world or our reputation very well.

I will wait to hear the details in order to be fair, but I will be fair. I have not been wrong so far; I have not made a final judgment yet. I assure honourable senators that I will do so in due time. The IPU cannot be run as a solo banjo-playing club. Membership of the IPU and membership at large must understand.

I have written many reports on behalf of Parliament. I said that if there was to be only one association, to avoid the so-called "junkets," I suggested Canada-U.S.A. because I am a practical man. Immediately following that, with due respect to all the other associations, I suggested the IPU because the IPU is the best school of international politics where future problems are discussed long before governments discuss them.

In conclusion, I thank Senator Carstairs for her efforts and devotion that we all know she can apply when she decides to take on a job. She did a splendid job. I heard about her job in Algeria two weeks ago. I also heard, in Algeria, that Canada, unfortunately, will not host the next conference in spring 2010 in Quebec City. I want to be fair to everyone. I want to hear everyone's position, not in camera but in public, because I do not discuss these matters in private. I prefer to be wrong and to apologize in front of everyone. If I am right, I like to see how we can correct what has taken place.

On motion of Senator Prud'homme, debate adjourned.

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

FIFTH REPORT OF COMMITTEE ADOPTED

Leave having been given to revert to Other Business, Reports of Committees, Item No. 6:

The Senate proceeded to consideration of the fifth report of the Standing Committee on Internal Economy, Budgets and Administration (committee budget—legislation), presented in the Senate on April 10, 2008.—(*Honourable Senator Stratton*)

Hon. Terry Stratton: Honourable senators, I move the report standing in my name.

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

Hon. Sharon Carstairs: Honourable senators, I understand that there are discussions taking place in various caucuses on this subject, and I think it would be premature to pass this report, so I would move the adjournment.

Senator Stratton: If I may, and for the benefit of Senator Carstairs, this report relates to budgets. It is purely budgets. It relates only to do with the approval of budgets for Aboriginal Peoples; Agriculture and Forestry; Foreign Affairs and International Trade; Human Rights; Legal and Constitutional Affairs; the Library of Parliament; Rules, Procedures and the Rights of Parliament; Scrutiny of Regulations; and the Transport and Communications legislation.

Senator Carstairs: I had a document in my hand this morning which addressed the fifth report, which is about entirely different issues and that, I know, was under some discussion. If, in fact, this is the motion to which Senator Stratton has referred, I have no difficulty passing this whatsoever.

• (1610)

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

Motion agreed to and report adopted.

HUMAN RIGHTS

COMMITTEE AUTHORIZED TO STUDY ISSUE OF SEXUAL EXPLOITATION OF PERSONS

Hon. A. Raynell Andreychuk, pursuant to notice of April 10, 2008, moved:

That the Standing Senate Committee on Human Rights be authorized to examine and report on the issue of the sexual exploitation of persons, with particular emphasis on children, including questions of trafficking in children, prostitution, sex tourism, pornography, and the sexual exploitation of children on the internet.

That the Committee submit its final report to the Senate no later than June 30, 2009 and that the Committee retain until October 31, 2009 all powers necessary to publicize its findings.

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

Motion agreed to.

THE SENATE

MOTION URGING GOVERNMENT TO NEGOTIATE WITH THE UNITED STATES FOR THE IMMEDIATE REPATRIATION OF OMAR KHADR— DEBATE ADJOURNED

Hon. Roméo Antonius Dallaire, pursuant to notice of April 17, 2008, moved:

That the Senate call on the Government of Canada to negotiate with the Government of the United States of America the immediate repatriation to Canada of Canadian citizen and former child soldier Omar Khadr from the Guantánamo Bay detention facility;

That the Senate urge the Government of Canada to undertake all necessary measures to promote his rehabilitation, in accordance with this country's international obligations on child rights in armed conflicts, namely the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict; and

That a message be sent to the House of Commons to acquaint that House with the above.

He said: Honourable senators, I would like to commence my presentation with a quotation, if I may, from a book called *Guantanamo's Child* by Michelle Shephard, a very well-known journalist in Canada, who writes, I believe, for the *Toronto Star*. Ms. Shephard includes comments and quotations from Lieutenant Commander Kuebler, the defending officer of Omar Khadr. Ms. Shephard also wrote that:

... Kuebler argues, children who were indoctrinated into war can't be expected to understand the laws of armed conflict.

Ms. Shephard goes on to quote Lieutenant Commander Kuebler:

Is it any way reasonable to expect a child to understand these highly nuanced, sophisticated concepts of the war of armed conflicts that say you can kill people but you only can kill people if you're are wearing certain clothes?

We are, honourable senators, in an era that is not of the classic military time frame where grand armies of professionals or semi-professionals face each other on the battlefield and discerned, through the use of humanitarian law and the law of armed combat, the appropriate procedures and methodologies in conducting that terrible exercise of war and combat. We are in an era where one does not see the threat or the enemy in uniform. Nor are these wars fought by professionals, but often by solicited members of the civilian population who are, for a variety of reasons, enrolled, indoctrinated and used to the extent of being suicide bombers in these conflicts. That is why the UN has so vehemently pursued human rights and child protocols, in particular the optional protocol in regards to children being

used as weapons of war. That is why the optional protocol states that no one under the age of 18 is to be either trained, employed or armed in order to be used as a combatant or an unrecognized yet civil combatant in these civil wars, and so, honourable senators, my motion.

[Translation]

My speech today on this motion centres on the fundamental issue of a Canadian child soldier. It is an issue of particular interest to us, given that we are a nation that defends equality, justice and human rights around the world.

Honourable senators, faced with the distressing spectacle of thousands of children involved in armed conflicts throughout the world, the international community came together and, in May 2000, adopted a law to protect children involved in armed conflicts.

Thus, Canada and 120 other countries, including the United States, ratified the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict.

Honourable senators, article 4 of the optional protocol prohibits armed groups from recruiting or using in hostilities children under the age of 18.

Furthermore, articles 6 and 7 call for cooperation and provide for assistance for the physical and psychological rehabilitation and social reintegration of children used in armed conflicts.

When the protocol was signed, who could have imagined that one day these provisions would apply to Canadian child soldiers? The idea of a 15-year-old Canadian boy armed with an AK-47, or a 16-year-old Canadian armed with a machete, or a 14-year-old Canadian girl being assaulted, brainwashed and forced to commit serious human rights violations was an unthinkable possibility.

Even though we are a nation comprised mainly of immigrants and refugees from countries where conflicts are still ongoing in many cases, we would have been quite shocked. Some of these immigrants and refugees are former child soldiers and have lived through such experiences. They are, or soon will be, full Canadian citizens.

Just two years after the optional protocol was signed on July 27, 2002, Canadians were shocked and appalled to hear the story of a child soldier who was also a Canadian citizen. That day, Omar Khadr, age 15, was shot twice and captured during a firefight in eastern Afghanistan. Held initially at the Bagram prison, where torture was used, this Canadian child soldier was then transferred to Guantanamo Bay, where he has now been incarcerated for six years.

At the time, they said — or rather, the United States said — that he had killed an American soldier with a grenade. At the time, they said that his father was linked to international terrorism. At the time, they said that, in the war on terror, people could be stripped of their basic rights and were not entitled to a proper trial, and that there was no difference between an adult and a child.

At the time, despite our fight for the rights of children elsewhere in the world, we allowed an injustice to happen to a child soldier. By our silence, we allowed that injustice. By our silence, we

allowed others to play by the same rules the terrorists play by, namely, to ignore human rights, the laws of nations, the rights of individuals, and even our civil privileges, in order, they said, to be able to fight what is not necessarily a classic enemy.

We are heading in the same direction as those who threaten us. It seems we are prepared to flout the same rules they ignore, in order to fight them, which means that we are not so very different from them in our willingness to bypass individual rights in order to achieve our goals, which we believe to be our own security in this context.

[English]

After almost six years since that watershed moment, the government of the day, and today, continues its silence, despite the following obvious facts.

[Translation]

Omar Khadr has been in jail for almost six years without trial, in a prison known worldwide for being an insult to the rule of law, for using torture to obtain evidence, and for violating the Geneva Convention.

[English]

Omar Khadr is almost the only one who was not treated as a juvenile and was incarcerated with adult inmates.

• (1620)

Over the past six years of his detention, Omar Khadr has faced cruel and inhumane treatment, including the threat of rape, physical and psychological abuse, and coercive interrogation. In fact, he has survived over three years of solitary confinement in what we would call a maximum correction or security prison. This is a 15-year-old who had been shot twice.

In April 2007, after five years of detention, Omar Khadr was finally charged for war crimes committed when he was 15 years old, and those charges are contrary to international law. Can one possibly imagine that the first child soldier to be tried for international war crimes would be a Canadian citizen? Can one possibly imagine that this Canadian citizen would be tried before a process that is globally recognized as illegal?

We are still silent.

Honourable senators, up until today, no child soldier has ever been tried for even the most horrendous and unspeakable crimes committed against siblings, families or friends under the conditions of international law.

I will cite the example of a young man named Ishmael Beah, who is working with me on my research on eradicating the use of child soldiers as weapons of war. He is currently living in the United States. For three years, he was a child soldier in the revolutionary army of Sierra Leone. During that time, he committed atrocities far worse than those that Mr. Khadr is being charged with in Guantanamo Bay. Ishmael Beah was given amnesty on the basis that he was threatened to commit those acts, that he was a victim of his warlord and that he was a child soldier. He is right now an international ambassador for UNICEF, and,

since 2007, he has been travelling the United States to bring awareness to the Khadr case. He is also a best-selling author. He wrote:

I think one of the problems with this case is that people don't have compassion for Omar Khadr, but have compassion for people like me. But you can't say that one person's life is more valuable. If a 15-year-old kid in Sierra Leone, in Congo, Uganda, Liberia kill somebody and shoot somebody in the war it's fine . . .

It is acceptable. It is something that we will work with to rehabilitate and integrate ultimately into society.

. . . but as soon as that kid kills an American soldier . . . they are no longer a child soldier, they are a terrorist.

That is exactly it, honourable senators. Omar Khadr is being treated differently than other child soldiers because he allegedly killed an American soldier. That is completely dishonest, unjust, unreasonable and totally unacceptable.

The Paris Commitments to Protect Children from Unlawful Recruitment or Use by Armed Forces or Armed Groups, with which Canada, along with 57 other states, agreed in February 2007 — during this government's time frame — while Omar Khadr continued to be detained at Guantanamo Bay, considers any child under the age of 18 who is or has been unlawfully recruited and used by armed forces or armed groups as a victim of violations of international law and not as an alleged perpetrator. That is the position of the Paris principles that countries, including us, leapt up to sign last February.

[Translation]

The former chief prosecutor of the Sierra Leone Special Court said of the child soldiers he was responsible for:

[English]

. . . I chose not to . . .

Here the reference is to the prosecution of former child soldiers in Sierra Leone.

. . . as I felt that no child had the mental capacity to commit mankind's most serious crimes. These truly were victims of cynical warlords, tyrants and thugs exploiting their childhood for their own personal criminal gain.

Honourable senators, that judge who said those words is Canadian. He is the ex-Judge Advocate General of the Canadian Forces and the only non-African judge sitting on the Sierra Leone international tribunal. They will not try these child soldiers, even though the whole of the war was conducted by child soldiers. Not only that, but today my son is in Sierra Leone training the new Sierra Leone army and, in so doing, the bulk of those who are recruited in this new army under this new democratic government are ex-child soldiers.

In accordance with the Paris principles, Omar Khadr should be seen as a victim, as any other child soldier in Africa or elsewhere, and not on the basis of being a special case of terrorism against the United States.

[Senator Dallaire]

Furthermore, under the Paris principles, Canada agreed that children under the age of 18, who are or have been unlawfully recruited and used by armed forces or armed groups, should be treated in accordance with international standards of juvenile justice. Such standards call for the unconditional release, reintegration and rehabilitation of child soldiers. Omar Khadr should be benefiting from a rehabilitation plan after being repatriated to Canada and after facing due process within the juvenile justice system.

I ask for five more minutes from my colleagues.

Hon. Senators: Agreed.

Senator Dallaire: To paraphrase the United Nations special representative for children in armed conflict, Radhika Coomaraswamy, allowing Omar Khadr's prosecution for alleged war crimes committed while he was 15, a child soldier, would set a hazardous precedent in international law. Where other Western nations have repatriated their own from Guantanamo Bay, Omar Khadr remains the only citizen from a Western country still in Guantanamo Bay, where he has been since 2002. Four hundred and thirty-five detainees have been transferred out of Guantanamo Bay, the bulk of them adults. Canada is the only Western nation not to have repatriated its citizen from an illegal jail.

Even President Bush called for the closure of Guantanamo, stating that:

. . . part of the delay was the reluctance of some nations to take back some of the people being held there. In other words, in order to make it work, we've got to have a place for these people to go.

He may not be a very favourable president, but he certainly got this one straight.

Five former U.S. secretaries of state — Colin Powell, Madeleine Albright, Henry Kissinger, Warren Christopher and James Baker — have also called for the closure of the detention centre in Guantanamo Bay.

Furthermore, in June 2006, the U.S. Supreme Court invalidated the military commissions established by the President at Guantanamo to try suspected terrorists of war-related crimes. The Supreme Court held that the military commissions that are trying this young gentleman, established at Guantanamo, were unlawful because they violated United States uniform code of military justice and Geneva conventions.

Recently, in his speech to the world affairs council, the U.S. presidential candidate Senator John McCain even said that we cannot torture or treat inhumanely suspected terrorists we have captured. He said he believes that:

. . . we should close Guantanamo and work with our allies to forge a new international understanding on the disposition of dangerous detainees under our control.

That includes child soldiers.

Finally, on February 25, 2008, not long ago, the leaders of 35 international bar associations and law societies sent a letter to Prime Minister Harper and President Bush calling for the immediate closure and repatriation of Omar Khadr to face due process in Canada.

[Translation]

Just yesterday, the military judge dismissed the arguments in favour of the child soldier defence. The judge from the commission at Guantanamo Bay decided this, and I am sharing the news with you now. He decided that he would not take into account the international law, codes and regulations, which all state that a child soldier should not be criminally prosecuted.

So this young man will be treated as an adult soldier, which completely contradicts protocol and international law.

• (1630)

[English]

The International Criminal Court is now bringing an adult leader of child soldiers before the court and holding him accountable for crimes against humanity by recruiting and using child soldiers. We were one of the leaders bringing in the International Criminal Court through the Rome statute. The chief prosecutor is very familiar with the dossier. The president of the court is also Canadian.

[Translation]

We have been short-sighted and have remained silent for too long already. We have failed to protect a Canadian child soldier against injustice, as well as the use and recruitment of a child in an armed conflict. Yet Canada signed the Optional Protocol and agreed to the Paris Commitments.

[English]

Not only has this chamber been apprised today and subsequent to all questions we have heard in the past with the Leader of the Government in the Senate, but the other place has been involved with the dossier. It is interesting that before the committee in the other place that is reviewing the case of Omar Khadr, a certain member of the other place — Mr. Kenney — said that the optional protocol of the United Nations Convention on the Rights of the Child does not bar prosecutions of persons aged 15 to 18 in any case. That is an outright falsehood. Not only that, but he went on to say that the government's consistent position is to not interfere in the U.S. process governing terrorist suspects.

A Canadian could be prosecuted but if it is a charge of terrorism we will not interfere.

[Translation]

We must bring Omar Khadr home so he may be dealt with under Canadian and international laws, and under the Canadian youth justice system. If we do not act, Omar Khadr will very likely end up rotting in jail.

On motion of Senator Di Nino, debate adjourned.

[English]

CONFLICT OF INTEREST FOR SENATORS

COMMITTEE AUTHORIZED TO MEET DURING SITTINGS OF THE SENATE

Hon. Serge Joyal, pursuant to notice of April 29, 2008, moved:

That, for the duration of the current session, the Standing Committee on Conflict of Interest for Senators be authorized to sit even though the Senate may then be sitting and that rule 95(4) be suspended in relation thereto.

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

Motion agreed to.

[Translation]

ADJOURNMENT

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

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

That when the Senate adjourns today, it do stand adjourned until Tuesday, May 6, 2008, at 2 p.m.

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

Hon. Senators: Agreed.

Motion agreed to.

The Senate adjourned until Tuesday, May 6, 2008, at 2 p.m.

APPENDIX

Officers of the Senate

The Ministry

Senators

(Listed according to seniority, alphabetically and by provinces)

Committees of the Senate

THE SPEAKER

The Honourable Noël A. Kinsella

THE LEADER OF THE GOVERNMENT

The Honourable Marjory LeBreton, P.C.

THE LEADER OF THE OPPOSITION

The Honourable Céline Hervieux-Payette, P.C.

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

Paul Bélisle

LAW CLERK AND PARLIAMENTARY COUNSEL

Mark Audcent

USHER OF THE BLACK ROD

vacant

THE MINISTRY

(In order of precedence)

(May 1, 2008)

The Right Hon. Stephen Joseph Harper	Prime Minister
The Hon. Robert Douglas Nicholson	Minister of Justice and Attorney General of Canada
The Hon. David Emerson	Minister of International Trade and Minister for the Pacific Gateway and the Vancouver-Whistler Olympics
The Hon. Jean-Pierre Blackburn	Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec
The Hon. Gregory Francis Thompson	Minister of Veterans Affairs
The Hon. Marjory LeBreton	Leader of the Government in the Senate and Secretary of State (Seniors)
The Hon. Monte Solberg	Minister of Human Resources and Social Development
The Hon. Chuck Strahl	Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians
The Hon. Gary Lunn	Minister of Natural Resources
The Hon. Peter Gordon MacKay	Minister of National Defence and Minister of the Atlantic Canada Opportunities Agency
The Hon. Loyola Hearn	Minister of Fisheries and Oceans
The Hon. Stockwell Day	Minister of Public Safety
The Hon. Vic Toews	President of the Treasury Board
The Hon. Rona Ambrose	President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister of Western Economic Diversification
The Hon. Diane Finley	Minister of Citizenship and Immigration
The Hon. Gordon O'Connor	Minister of National Revenue
The Hon. Beverley J. Oda	Minister of International Cooperation
The Hon. Jim Prentice	Minister of Industry
The Hon. John Baird	Minister of the Environment
The Hon. Maxime Bernier	Minister of Foreign Affairs
The Hon. Lawrence Cannon	Minister of Transport, Infrastructure and Communities
The Hon. Tony Clement	Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario
The Hon. James Michael Flaherty	Minister of Finance
The Hon. Josée Verner	Minister of Canadian Heritage, Status of Women and Official Languages
The Hon. Michael Fortier	Minister of Public Works and Government Services
The Hon. Peter Van Loan	Leader of the Government in the House of Commons and Minister for Democratic Reform
The Hon. Gerry Ritz	Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board
The Hon. Jay D. Hill	Secretary of State and Chief Government Whip
The Hon. Jason Kenney	Secretary of State (Multiculturalism and Canadian Identity)
The Hon. Helena Guergis	Secretary of State (Foreign Affairs and International Trade) (Sport)
The Hon. Christian Paradis	Secretary of State (Agriculture)
The Hon. Diane Ablonczy	Secretary of State (Small Business and Tourism)

SENATORS OF CANADA

ACCORDING TO SENIORITY

(May 1, 2008)

Senator	Designation	Post Office Address
THE HONOURABLE		
Willie Adams	Nunavut	Rankin Inlet, Nunavut
Lowell Murray, P.C.	Pakenham	Ottawa, Ont.
Peter Alan Stollery	Bloor and Yonge	Toronto, Ont.
Peter Michael Pitfield, P.C.	Ottawa-Vanier	Ottawa, Ont.
Jerahmiel S. Grafstein	Metro Toronto	Toronto, Ont.
Anne C. Cools	Toronto Centre-York	Toronto, Ont.
Charlie Watt	Inkerman	Kuujuuaq, Que.
Joyce Fairbairn, P.C.	Lethbridge	Lethbridge, Alta.
Colin Kenny	Rideau	Ottawa, Ont.
Pierre De Bané, P.C.	De la Vallière	Montreal, Que.
Eymard Georges Corbin	Grand-Sault	Grand-Sault, N.B.
Norman K. Atkins	Markham	Toronto, Ont.
Ethel Cochrane	Newfoundland and Labrador	Port-au-Port, Nfld. & Lab.
Mira Spivak	Manitoba	Winnipeg, Man.
Gerald J. Comeau	Nova Scotia	Saulnierville, N.S.
Consiglio Di Nino	Ontario	Downsview, Ont.
Donald H. Oliver	South Shore	Halifax, N.S.
Noël A. Kinsella, <i>Speaker</i>	Fredericton-York-Sunbury	Fredericton, N.B.
J. Trevor Eyton	Ontario	Caledon, Ont.
Wilbert Joseph Keon	Ottawa	Ottawa, Ont.
Michael Arthur Meighen	St. Marys	Toronto, Ont.
Janis G. Johnson	Winnipeg-Interlake	Gimli, Man.
A. Raynell Andreychuk	Saskatchewan	Regina, Sask.
Jean-Claude Rivest	Stadacona	Quebec, Que.
Terrance R. Stratton	Red River	St. Norbert, Man.
Marcel Prud'homme, P.C.	La Salle	Montreal, Que.
Leonard J. Gustafson	Saskatchewan	Macoun, Sask.
David Tkachuk	Saskatchewan	Saskatoon, Sask.
W. David Angus	Alma	Montreal, Que.
Pierre Claude Nolin	De Salaberry	Quebec, Que.
Marjory LeBreton, P.C.	Ontario	Manotick, Ont.
Gerry St. Germain, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.
Lise Bacon	De la Durantaye	Laval, Que.
Sharon Carstairs, P.C.	Manitoba	Winnipeg, Man.
John G. Bryden	New Brunswick	Bayfield, N.B.
Rose-Marie Losier-Cool	Tracadie	Bathurst, N.B.
Céline Hervieux-Payette, P.C.	Bedford	Montreal, Que.
William H. Rompkey, P.C.	North West River, Labrador	North West River, Labrador, Nfld. & Lab.
Lorna Milne	Peel County	Brampton, Ont.
Marie-P. Poulin	Nord de l'Ontario/Northern Ontario	Ottawa, Ont.
Wilfred P. Moore	Stanhope St./South Shore	Chester, N.S.
Lucie Pépin	Shawinigan	Montreal, Que.

Senator	Designation	Post Office Address
Fernand Robichaud, P.C.	New Brunswick	Saint-Louis-de-Kent, N.B.
Catherine S. Callbeck	Prince Edward Island	Central Bedeque, P.E.I.
Serge Joyal, P.C.	Kennebec	Montreal, Que.
Joan Cook	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Francis William Mahovlich	Toronto	Toronto, Ont.
Joan Thorne Fraser	De Lorimier	Montreal, Que.
Aurélien Gill	Wellington	Mashteuiatsh, Pointe-Bleue, Que.
Vivienne Poy	Toronto	Toronto, Ont.
George Furey	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Nick G. Sibbeston	Northwest Territories	Fort Simpson, N.W.T.
Tommy Banks	Alberta	Edmonton, Alta.
Jane Cordy	Nova Scotia	Dartmouth, N.S.
Elizabeth M. Hubley	Prince Edward Island	Kensington, P.E.I.
Mobina S. B. Jaffer	British Columbia	North Vancouver, B.C.
Jean Lapointe	Saurel	Magog, Que.
Gerard A. Phalen	Nova Scotia	Glace Bay, N.S.
Joseph A. Day	Saint John-Kennebecasis	Hampton, N.B.
Michel Biron	Mille Isles	Nicolet, Que.
George S. Baker, P.C.	Newfoundland and Labrador	Gander, Nfld. & Lab.
Raymond Lavigne	Montarville	Verdun, Que.
David P. Smith, P.C.	Cobourg	Toronto, Ont.
Maria Chaput	Manitoba	Sainte-Anne, Man.
Pana Merchant	Saskatchewan	Regina, Sask.
Pierrette Ringuette	New Brunswick	Edmundston, N.B.
Percy E. Downe	Charlottetown	Charlottetown, P.E.I.
Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire, Que.
Mac Harb	Ontario	Ottawa, Ont.
Marilyn Trenholme Counsell	New Brunswick	Sackville, N.B.
Terry M. Mercer	Northend Halifax	Caribou River, N.S.
Jim Munson	Ottawa/Rideau Canal	Ottawa, Ont.
Claudette Tardif	Alberta	Edmonton, Alta.
Grant Mitchell	Alberta	Edmonton, Alta.
Elaine McCoy	Alberta	Calgary, Alta.
Robert W. Peterson	Saskatchewan	Regina, Sask.
Lillian Eva Dyck	Saskatchewan	Saskatoon, Sask.
Art Eggleton, P.C.	Ontario	Toronto, Ont.
Nancy Ruth	Cluny	Toronto, Ont.
Roméo Antonius Dallaire	Gulf	Sainte-Foy, Que.
James S. Cowan	Nova Scotia	Halifax, N.S.
Andrée Champagne, P.C.	Grandville	Saint-Hyacinthe, Que.
Hugh Segal	Kingston-Frontenac-Leeds	Kingston, Ont.
Larry W. Campbell	British Columbia	Vancouver, B.C.
Rod A.A. Zimmer	Manitoba	Winnipeg, Man.
Dennis Dawson	Lauzon	Sainte-Foy, Que.
Yoine Goldstein	Rigaud	Montreal, Que.
Francis Fox, P.C.	Victoria	Montreal, Que.
Sandra Lovelace Nicholas	New Brunswick	Tobique First Nations, N.B.
Michael Fortier, P.C.	Rougemont	Town of Mount Royal, Que.
Bert Brown	Alberta	Kathyrn, Alta.

SENATORS OF CANADA

ALPHABETICAL LIST

(May 1, 2008)

Senator	Designation	Post Office Address	Political Affiliation
THE HONOURABLE			
Adams, Willie	Nunavut	Rankin Inlet, Nunavut	Liberal
Andreychuk, A. Raynell	Saskatchewan	Regina, Sask.	Conservative
Angus, W. David	Alma	Montreal, Que.	Conservative
Atkins, Norman K.	Markham	Toronto, Ont.	Progressive Conservative
Bacon, Lise	De la Durantaye	Laval, Que.	Liberal
Baker, George S., P.C.	Newfoundland and Labrador	Gander, Nfld. & Lab.	Liberal
Banks, Tommy	Alberta	Edmonton, Alta.	Liberal
Biron, Michel	Mille Isles	Nicolet, Que.	Liberal
Brown, Bert	Alberta	Kathyrn, Alta.	Conservative
Bryden, John G.	New Brunswick	Bayfield, N.B.	Liberal
Callbeck, Catherine S.	Prince Edward Island	Central Bedeque, P.E.I.	Liberal
Campbell, Larry W.	British Columbia	Vancouver, B.C.	Liberal
Carstairs, Sharon, P.C.	Manitoba	Winnipeg, Man.	Liberal
Champagne, Andrée, P.C.	Grandville	Saint-Hyacinthe, Que.	Conservative
Chaput, Maria	Manitoba	Sainte-Anne, Man.	Liberal
Cochrane, Ethel	Newfoundland and Labrador	Port-au-Port, Nfld. & Lab.	Conservative
Comeau, Gerald J.	Nova Scotia	Saulnierville, N.S.	Conservative
Cook, Joan	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Liberal
Cools, Anne C.	Toronto Centre-York	Toronto, Ont.	
Corbin, Eymard Georges	Grand-Sault	Grand-Sault, N.B.	Liberal
Cordy, Jane	Nova Scotia	Dartmouth, N.S.	Liberal
Cowan, James S.	Nova Scotia	Halifax, N.S.	Liberal
Dallaire, Roméo Antonius	Gulf	Sainte-Foy, Que.	Liberal
Dawson, Dennis	Lauson	Ste-Foy, Que.	Liberal
Day, Joseph A.	Saint John-Kennebecasis	Hampton, N.B.	Liberal
De Bané, Pierre, P.C.	De la Vallière	Montreal, Que.	Liberal
Di Nino, Consiglio	Ontario	Downsview, Ont.	Conservative
Downe, Percy E.	Charlottetown	Charlottetown, P.E.I.	Liberal
Dyck, Lillian Eva	Saskatchewan	Saskatoon, Sask.	Ind. New Democrat
Eggleton, Art, P.C.	Ontario	Toronto, Ont.	Liberal
Eyton, J. Trevor	Ontario	Caledon, Ont.	Conservative
Fairbairn, Joyce, P.C.	Lethbridge	Lethbridge, Alta.	Liberal
Fortier, Michael, P.C.	Rougemont	Town of Mount Royal, Que.	Conservative
Fox, Francis, P.C.	Victoria	Montreal, Que.	Liberal
Fraser, Joan Thorne	De Lorimier	Montreal, Que.	Liberal
Furey, George	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Liberal
Gill, Aurélien	Wellington	Mashteuiatsh, Pointe-Bleue, Que.	Liberal
Goldstein, Yoine	Rigaud	Montreal, Que.	Liberal
Grafstein, Jerahmiel S.	Metro Toronto	Toronto, Ont.	Liberal
Gustafson Leonard J.	Saskatchewan	Macoun, Sask.	Conservative
Harb, Mac	Ontario	Ottawa, Ont.	Liberal
Hervieux-Payette, Céline, P.C.	Bedford	Montreal, Que.	Liberal
Hubley, Elizabeth M.	Prince Edward Island	Kensington, P.E.I.	Liberal
Jaffer, Mobina S. B.	British Columbia	North Vancouver, B.C.	Liberal

Senator	Designation	Post Office Address	Political Affiliation
Johnson, Janis G.	Winnipeg-Interlake	Gimli, Man.	Conservative
Joyal, Serge, P.C.	Kennebec	Montreal, Que.	Liberal
Kenny, Colin	Rideau	Ottawa, Ont.	Liberal
Keon, Wilbert Joseph	Ottawa	Ottawa, Ont.	Conservative
Kinsella, Noël A., <i>Speaker</i>	Fredericton-York-Sunbury	Fredericton, N.B.	Conservative
Lapointe, Jean	Saurel	Magog, Que.	Liberal
Lavigne, Raymond	Montarville	Verdun, Que.	Liberal
LeBreton, Marjory, P.C.	Ontario	Manotick, Ont.	Conservative
Losier-Cool, Rose-Marie	Tracadie	Bathurst, N.B.	Liberal
Lovelace Nicholas, Sandra	New Brunswick	Tobique First Nations, N.B.	Liberal
Mahovlich, Francis William	Toronto	Toronto, Ont.	Liberal
Massicotte, Paul J.	De Lanaudière	Mont-Saint-Hilaire, Que.	Liberal
McCoy, Elaine	Alberta	Calgary, Alta.	Progressive Conservative
Meighen, Michael Arthur	St. Marys	Toronto, Ont.	Conservative
Mercer, Terry M.	Northend Halifax	Caribou River, N.S.	Liberal
Merchant, Pana	Saskatchewan	Regina, Sask.	Liberal
Milne, Lorna	Peel County	Brampton, Ont.	Liberal
Mitchell, Grant	Alberta	Edmonton, Alta.	Liberal
Moore, Wilfred P.	Stanhope St./South Shore	Chester, N.S.	Liberal
Munson, Jim	Ottawa/Rideau Canal	Ottawa, Ont.	Liberal
Murray, Lowell, P.C.	Pakenham	Ottawa, Ont.	Progressive Conservative
Nancy Ruth	Cluny	Toronto, Ont.	Conservative
Nolin, Pierre Claude	De Salaberry	Quebec, Que.	Conservative
Oliver, Donald H.	South Shore	Halifax, N.S.	Conservative
Pépin, Lucie	Shawinigan	Montreal, Que.	Liberal
Peterson, Robert W.	Saskatchewan	Regina, Sask.	Liberal
Phalen, Gerard A.	Nova Scotia	Glace Bay, N.S.	Liberal
Pitfield, Peter Michael, P.C.	Ottawa-Vanier	Ottawa, Ont.	Independent
Poulin, Marie-P.	Nord de l'Ontario/Northern Ontario	Ottawa, Ont.	Liberal
Poy, Vivienne	Toronto	Toronto, Ont.	Liberal
Prud'homme, Marcel, P.C.	La Salle	Montreal, Que.	Independent
Ringuette, Pierrette	New Brunswick	Edmundston, N.B.	Liberal
Rivest, Jean-Claude	Stadacona	Quebec, Que.	Independent
Robichaud, Fernand, P.C.	New Brunswick	Saint-Louis-de-Kent, N.B.	Liberal
Rompkey, William H., P.C.	North West River, Labrador	North West River, Labrador, Nfld. & Lab.	Liberal
St. Germain, Gerry, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.	Conservative
Segal, Hugh	Kingston-Frontenac-Leeds	Kingston, Ont.	Conservative
Sibbeston, Nick G.	Northwest Territories	Fort Simpson, N.W.T.	Liberal
Smith, David P., P.C.	Cobourg	Toronto, Ont.	Liberal
Spivak, Mira	Manitoba	Winnipeg, Man.	Independent
Stollery, Peter Alan	Bloor and Yonge	Toronto, Ont.	Liberal
Stratton, Terrance R.	Red River	St. Norbert, Man.	Conservative
Tardif, Claudette	Alberta	Edmonton, Alta.	Liberal
Tkachuk, David	Saskatchewan	Saskatoon, Sask.	Conservative
Trenholme Counsell, Marilyn	New Brunswick	Sackville, N.B.	Liberal
Watt, Charlie	Inkerman	Kuujuuaq, Que.	Liberal
Zimmer, Rod A.A.	Manitoba	Winnipeg, Man.	Liberal

SENATORS OF CANADA
BY PROVINCE AND TERRITORY
(May 1, 2008)

ONTARIO—24

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

SENATORS BY PROVINCE AND TERRITORY

QUEBEC—24

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Charlie Watt	Inkerman	Kuujuaq
2 Pierre De Bané, P.C.	De la Vallière	Montreal
3 Jean-Claude Rivest	Stadacona	Quebec
4 Marcel Prud'homme, P.C.	La Salle	Montreal
5 W. David Angus	Alma	Montreal
6 Pierre Claude Nolin	De Salaberry	Quebec
7 Lise Bacon	De la Durantaye	Laval
8 Céline Hervieux-Payette, P.C.	Bedford	Montreal
9 Lucie Pépin	Shawinigan	Montreal
10 Serge Joyal, P.C.	Kennebec	Montreal
11 Joan Thorne Fraser	De Lorimier	Montreal
12 Aurélien Gill	Wellington	Mashteuiatsh, Pointe-Bleue
13 Jean Lapointe	Saurel	Magog
14 Michel Biron	Milles Isles	Nicolet
15 Raymond Lavigne	Montarville	Verdun
16 Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire
17 Roméo Antonius Dallaire	Gulf	Sainte-Foy
18 Andrée Champagne, P.C.	Grandville	Saint-Hyacinthe
19 Dennis Dawson	Lauzon	Ste-Foy
20 Yoine Goldstein	Rigaud	Montreal
21 Francis Fox, P.C.	Victoria	Montreal
22 Michael Fortier, P.C.	Rougemont	Town of Mount Royal
23		
24		

SENATORS BY PROVINCE-MARITIME DIVISION

NOVA SCOTIA—10

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Gerald J. Comeau	Nova Scotia	Saulnierville
2 Donald H. Oliver	South Shore	Halifax
3 Wilfred P. Moore	Stanhope St./South Shore	Chester
4 Jane Cordy	Nova Scotia	Dartmouth
5 Gerard A. Phalen	Nova Scotia	Glace Bay
6 Terry M. Mercer	Northend Halifax	Caribou River
7 James S. Cowan	Nova Scotia	Halifax
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NEW BRUNSWICK—10

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

PRINCE EDWARD ISLAND—4

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

SENATORS BY PROVINCE-WESTERN DIVISION

MANITOBA—6

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

BRITISH COLUMBIA—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Gerry St. Germain, P.C.	Langley-Pemberton-Whistler	Maple Ridge
2 Mobina S.B. Jaffer	British Columbia	North Vancouver
3 Larry W. Campbell	British Columbia	Vancouver
4	
5	
6	

SASKATCHEWAN—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 A. Raynell Andreychuk	Saskatchewan	Regina
2 Leonard J. Gustafson	Saskatchewan	Macoun
3 David Tkachuk	Saskatchewan	Saskatoon
4 Pana Merchant	Saskatchewan	Regina
5 Robert W. Peterson	Saskatchewan	Regina
6 Lillian Eva Dyck	Saskatchewan	Saskatoon

ALBERTA—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Joyce Fairbairn, P.C.	Lethbridge	Lethbridge
2 Tommy Banks	Alberta	Edmonton
3 Claudette Tardif	Alberta	Edmonton
4 Grant Mitchell	Alberta	Edmonton
5 Elaine McCoy	Alberta	Calgary
6 Bert Brown	Alberta	Kathryn

SENATORS BY PROVINCE AND TERRITORY

NEWFOUNDLAND AND LABRADOR—6

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

NORTHWEST TERRITORIES—1

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

NUNAVUT—1

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

YUKON—1

Senator	Designation	Post Office Address
THE HONOURABLE		
1		

ALPHABETICAL LIST OF STANDING, SPECIAL AND JOINT COMMITTEES

(As of May 1, 2008)

*Ex Officio Member

ABORIGINAL PEOPLES

Chair: Honourable Senator St. Germain, P.C.

Deputy Chair: Honourable Senator Sibbeston

Honourable Senators:

Campbell,	Gustafson,	* LeBreton, P.C. (or Comeau),	St. Germain, P.C.
Dallaire,	* Hervieux-Payette, P.C. (or Tardif),	Lovelace Nicholas,	Segal,
Dyck,	Hubley,	Peterson,	Sibbeston.
Gill,			

Original Members as nominated by the Committee of Selection

*Campbell, Carney, P.C., Dallaire, Dyck, Gill, Gustafson, *Hervieux-Payette, P.C. (or Tardif),
Hubley, *LeBreton, P.C. (or Comeau), Lovelace Nicholas, Peterson,
St. Germain, P.C., Segal, Sibbeston.*

AGRICULTURE AND FORESTRY

Chair: Honourable Senator Fairbairn, P.C.

Deputy Chair: Honourable Senator Gustafson

Honourable Senators:

Baker, P.C.,	Gustafson,	Mahovlich,	St. Germain, P.C.,
Callbeck,	* Hervieux-Payette, P.C. (or Tardif),	Mercer,	Segal.
Fairbairn, P.C.,	* LeBreton, P.C. (or Comeau),	Peterson,	

Original Members as nominated by the Committee of Selection

*Bacon, Baker, P.C., Callbeck, , P.C. Carney, Cowan, Fairbairn, P.C., Gustafson, *Hervieux-Payette, P.C.
(or Tardif), *LeBreton, P.C. (or Comeau), Mahovlich, Mercer, Peterson, Segal, St. Germain, P.C.*

BANKING, TRADE AND COMMERCE

Chair: Honourable Senator Angus

Deputy Chair: Honourable Senator Goldstein

Honourable Senators:

Angus,	Goldstein,	* LeBreton, P.C. (or Comeau),	Moore,
Biron,	Harb,	Massicotte,	Ringuette,
Eyton,	* Hervieux-Payette, P.C. (or Tardif),	Meighen,	Tkachuk.
Fox, P.C.,	Jaffer,		

Original Members as nominated by the Committee of Selection

*Angus, Biron, Cowan, Eyton, Fitzpatrick, Goldstein, Grafstein, Harb,
*Hervieux-Payette, P.C. (or Tardif), *LeBreton, P.C. (or Comeau),
Massicotte, Meighen, Ringuette, Tkachuk.*

CONFLICT OF INTEREST FOR SENATORS**Chair: Honourable Senator Joyal, P.C.****Deputy Chair: Honourable Senator Andreychuk****Honourable Senators:**Andreychuk,
Angus,

Carstairs, P.C.,

Joyal, P.C.,

Robichaud, P.C.

Original Members agreed to by Motion of the Senate*Andreychuk, Angus, Carstairs, P.C., Joyal, P.C., Robichaud, P.C.***ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES****Chair: Honourable Senator Banks****Deputy Chair:****Honourable Senators:**Adams,
Banks,
Brown,
Cochrane,* Hervieux-Payette, P.C. (or Tardif),
Kenny,
* LeBreton, P.C. (or Comeau),
McCoy,Milne,
Mitchell,
Nolin,Sibbeston,
Spivak,
Trenholme Counsell.***Original Members as nominated by the Committee of Selection****Adams, Banks, Brown, Campbell, Cochrane, *Hervieux-Payette, P.C. (or Tardif), Kenny,
*LeBreton, P.C. (or Comeau), Milne, Mitchell, Nolin, Sibbeston, Spivak, Trenholme Counsell.***FISHERIES AND OCEANS****Chair: Honourable Senator Rompkey, P.C.****Deputy Chair: Honourable Senator Cochrane****Honourable Senators:**Adams,
Cochrane,
Comeau,
Cook,Cowan,
Gill,
* Hervieux-Payette, P.C. (or Tardif),
Hubley,Johnson,
* LeBreton, P.C. (or Comeau),
Meighen,Robichaud, P.C.,
Rompkey, P.C.,
Watt.***Original Members as nominated by the Committee of Selection****Adams, Campbell, Cochrane, Comeau, Cowan, Gill, *Hervieux-Payette, P.C. (or Tardif), Hubley,
Johnson, *LeBreton, P.C. (or Comeau), Meighen, Robichaud, P.C., Rompkey, P.C., Watt.*

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

Chair: Honourable Senator Di Nino

Deputy Chair: Honourable Senator Stollery

Honourable Senators:

Corbin,	Downe,	* LeBreton, P.C. (or Comeau),	Rivest,
Dawson,	Grafstein,	Mahovlich,	Smith, P.C.,
De Bané, P.C.,	* Hervieux-Payette, P.C. (or Tardif),	Nolin,	Stollery.
Di Nino,	Johnson,		

Original Members as nominated by the Committee of Selection

*Corbin, Dawson, De Bané, P.C., Di Nino, Downe, *Hervieux-Payette, P.C. (or Tardif), Jaffer, Johnson,
LeBreton, P.C. (or Comeau), Mahovlich, Nolin, Rivest, Smith, P.C., Stollery.

HUMAN RIGHTS

Chair: Honourable Senator Andreychuk

Deputy Chair: Honourable Senator Jaffer

Honourable Senators:

Andreychuk,	* Hervieux-Payette, P.C. (or Tardif),	Lovelace Nicholas,	Oliver,
Dallaire,	Jaffer,	Munson,	Poy.
Di Nino,	* LeBreton, P.C. (or Comeau),		

Original Members as nominated by the Committee of Selection

*Andreychuk, Dallaire, *Hervieux-Payette, P.C. (or Tardif), Jaffer, Kinsella,
LeBreton, P.C. (or Comeau), Lovelace Nicholas, Munson, Oliver, Pépin, Poy.

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

Chair: Honourable Senator Furey

Deputy Chair: Honourable Senator Stratton

Honourable Senators:

Comeau,	Goldstein,	Massicotte,	Robichaud, P.C.,
Cook,	* Hervieux-Payette, P.C. (or Tardif),	Nancy Ruth,	Stollery,
Cowan,	Jaffer,	Phalen,	Stratton.
Downe,	Kinsella,	Prud'homme, P.C.,	
Furey,	* LeBreton, P.C. (or Comeau),		

Original Members as nominated by the Committee of Selection

*Comeau, Cook, Cowan, Downe, Furey, Goldstein, *Hervieux-Payette, P.C. (or Tardif), Jaffer, Kinsella,
*LeBreton, P.C. (or Comeau), Massicotte, Nancy Ruth, Phalen, Prud'homme, P.C.,
Robichaud, P.C., Stollery, Stratton.*

LEGAL AND CONSTITUTIONAL AFFAIRS

Chair: Honourable Senator Fraser

Deputy Chair: Honourable Senator Andreychuk

Honourable Senators:

Andreychuk,	Fraser,	* LeBreton, P.C. (or Comeau),	Oliver,
Baker, P.C.,	* Hervieux-Payette, P.C. (or Tardif),	Merchant,	Stratton,
Campbell,	Joyal, P.C.,	Milne,	Watt.
Di Nino,			

Original Members as nominated by the Committee of Selection

*Andreychuk, Baker, P.C., Bryden, Carstairs, P.C., Di Nino, Fraser, Furey,
*Hervieux-Payette, P.C. (or Tardif), Joyal, P.C., *LeBreton, P.C. (or Comeau),
Milne, Oliver, Stratton, Watt.*

LIBRARY OF PARLIAMENT (Joint)

Joint Chair: Honourable Senator Trenholme Counsell

Honourable Senators:

Lapointe,	Oliver,	Rompkey, P.C.,	Trenholme Counsell.
Murray, P.C.,			

Original Members agreed to by Motion of the Senate

Lapointe, Murray, P.C., Oliver, Rompkey, P.C., Trenholme Counsell.

NATIONAL FINANCE

Chair: Honourable Senator Day

Deputy Chair: Honourable Senator Stratton

Honourable Senators:

Biron,	De Bané, P.C.,	* Hervieux-Payette, P.C. (or Tardif),	Nancy Ruth,
Chaput,	Di Nino,	* LeBreton, P.C. (or Comeau),	Ringuette,
Cowan,	Eggleton, P.C.,	Murray, P.C.	Stratton.
Day,			

Original Members as nominated by the Committee of Selection

*Biron, Cowan, Day, De Bané, P.C., Di Nino, Eggleton, P.C., *Hervieux-Payette, P.C. (or Tardif),
LeBreton, P.C. (or Comeau), Mitchell, Moore, Murray, P.C., Nancy Ruth, Ringuette, Stratton.

NATIONAL SECURITY AND DEFENCE**Chair: Honourable Senator Kenny****Deputy Chair: Honourable Senator Tkachuk****Honourable Senators:**

Banks,	Kenny,	Mitchell,	Tkachuk,
Day,	* LeBreton, P.C. (or Comeau),	Moore,	Zimmer.
* Hervieux-Payette, P.C. (or Tardif),	Meighen,	Nancy Ruth,	

Original Members as nominated by the Committee of Selection

*Atkins, Banks, Day, *Hervieux-Payette, P.C. (or Tardif), Kenny, *LeBreton, P.C. (or Comeau), Meighen, Moore, Nancy Ruth, Tkachuk, Zimmer.*

SUBCOMMITTEE VETERANS AFFAIRS**Chair: Honourable Senator Meighen****Deputy Chair: Honourable Senator Day****Honourable Senators:**

Banks,	Kenny,	Meighen,	Nancy Ruth.
Day,			

OFFICIAL LANGUAGES**Chair: Honourable Senator Chaput****Deputy Chair: Honourable Senator Champagne, P.C.****Honourable Senators:**

Champagne, P.C.,	De Bané, P.C.,	* LeBreton, P.C. (or Comeau),	Poulin,
Chaput,	Goldstein,	Losier-Cool,	Tardif.
Comeau,	* Hervieux-Payette, P.C. (or Tardif),	Murray, P.C.,	

Original Members as nominated by the Committee of Selection

*Champagne, P.C., Chaput, Comeau, De Bané, P.C., Goldstein, Harb, *Hervieux-Payette, P.C. (or Tardif), *LeBreton, P.C. (or Comeau), Losier-Cool, Murray, P.C., Tardif.*

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

Chair: Honourable Senator Keon

Deputy Chair: Honourable Senator Smith, P.C.

Honourable Senators:

Andreychuk,	Corbin,	* Hervieux-Payette, P.C. (or Tardif),	Losier-Cool,
Angus,	Cordy,	Joyal, P.C.,	McCoy,
Brown,	Fraser,	Keon,	Robichaud, P.C.,
Champagne, P.C.,	Furey,	* LeBreton, P.C. (or Comeau),	Smith, P.C.
Cools,			

Original Members as nominated by the Committee of Selection

*Andreychuk, Angus, Brown, Champagne, P.C., Corbin, Cordy, Fraser, Furey, Grafstein,
*Hervieux-Payette, P.C. (or Tardif), Joyal, P.C., Keon, *LeBreton, P.C. (or Comeau),
Losier-Cool, McCoy, Robichaud, P.C., Smith, P.C.*

SCRUTINY OF REGULATIONS (Joint)

Joint Chair: Honourable Senator Eyton

Honourable Senators:

Bacon,	Bryden,	Harb,	Nolin,
Biron,	Eyton,	Moore,	St. Germain, P.C.

Original Members as agreed to by Motion of the Senate

Biron, Bryden, Cook, Eyton, Harb, Moore, Nolin, St. Germain, P.C.

SELECTION

Chair: Honourable Senator Segal

Deputy Chair: Honourable Senator Cowan

Honourable Senators:

Bacon,	Fraser,	Nancy Ruth,	Stratton,
Cowan,	* Hervieux-Payette, P.C. (or Tardif),	Robichaud, P.C.,	Tkachuk.
Fairbairn, P.C.,	* LeBreton, P.C. (or Comeau),	Segal,	

Original Members agreed to by Motion of the Senate

*Bacon, Cowan, Fairbairn, P.C., Fraser, *Hervieux-Payette, P.C. (or Tardif),
LeBreton, P.C. (or Comeau), Nancy Ruth, Robichaud, P.C., Segal, Stratton, Tkachuk.

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY**Chair: Honourable Senator Eggleton, P.C.****Deputy Chair: Honourable Senator Keon****Honourable Senators:**

Brown,	Cook,	* Hervieux-Payette, P.C. (or Tardif),	Munson,
Callbeck,	Cordy,	Keon,	Pépin,
Champagne, P.C.,	Eggleton, P.C.,	* LeBreton, P.C. (or Comeau),	Trenholme Counsell.
Cochrane,	Fairbairn, P.C.,		

Original Members as nominated by the Committee of Selection

*Brown, Callbeck, Champagne, P.C., Cochrane, Cook, Cordy, Eggleton, P.C., Fairbairn, P.C.,
 *Hervieux-Payette, P.C. (or Tardif), Keon, *LeBreton, P.C. (or Comeau),
 Munson, Pépin, Trenholme Counsell.*

SUBCOMMITTEE ON CITIES**Chair: Honourable Senator Eggleton, P.C.****Deputy Chair: Honourable Senator Champagne, P.C.****Honourable Senators:**

Champagne, P.C.,	Eggleton, P.C.,	Munson,	Trenholme Counsell.
Cordy,	Keon,		

SUBCOMMITTEE ON POPULATION HEALTH**Chair: Honourable Senator Keon****Deputy Chair: Honourable Senator Pépin****Honourable Senators:**

Brown,	Cochrane,	Fairbairn, P.C.,	Pépin.
Callbeck,	Cook,	Keon,	

TRANSPORT AND COMMUNICATIONS**Chair: Honourable Senator Bacon****Deputy Chair: Honourable Senator Oliver****Honourable Senators:**

Adams,	Fox, P.C.,	* LeBreton, P.C. (or Comeau),	Oliver,
Bacon,	* Hervieux-Payette, P.C. (or Tardif),	Mercer,	Tkachuk,
Dawson,	Johnson,	Merchant,	Zimmer.
Eyton,			

Original Members as nominated by the Committee of Selection

*Adams, Bacon, Dawson, Eyton, Fox, P.C., *Hervieux-Payette, P.C. (or Tardif), Johnson, *LeBreton,
 P.C. (or Comeau), Mercer, Merchant, Oliver, Phalen, Tkachuk, Zimmer.*

AGING (SPECIAL)**Chair: Honourable Senator Carstairs, P.C.****Deputy Chair: Honourable Senator Keon**

Carstairs, P.C.,
Chaput,
Cools,

Cordy,
* Hervieux-Payette, P.C. (or Tardif),

Keon,
* LeBreton, P.C. (or Comeau),

Mercer,
Stratton.

Original Members as nominated by the Committee of Selection

*Carstairs, P.C., Chaput, Cools, Cordy, *Hervieux-Payette, P.C. (or Tardif),
Johnson, *LeBreton, P.C. (or Comeau), Mercer, Nolin.*

ANTI-TERRORISM (SPECIAL)**Chair: Honourable Senator Smith, P.C.****Deputy Chair: Honourable Senator Nolin**

Andreychuk,
Baker, P.C.,
Day,

Fairbairn, P.C.,
* Hervieux-Payette, P.C. (or Tardif),
Jaffer,

Joyal, P.C.,
* LeBreton, P.C. (or Comeau),
Nolin,

Segal,
Smith, P.C.

Original Members as nominated by the Committee of Selection

*Andreychuk, Day, Fairbairn, P.C., Fraser, *Hervieux-Payette, P.C. (or Tardif), Jaffer,
Joyal, P.C., Kinsella, *LeBreton, P.C. (or Comeau), Nolin, Smith, P.C.*

THE SENATE OF CANADA PROGRESS OF LEGISLATION

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

(2nd Session, 39th Parliament)

Thursday, May 1st, 2008

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

GOVERNMENT BILLS (SENATE)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-2	An Act to amend the Canada-United States Tax Convention Act, 1984	07/10/18	07/11/13	Banking, Trade and Commerce	07/11/15	0	07/11/21	07/12/14	32/07
S-3	An Act to amend the Criminal Code (investigative hearing and recognizance with conditions)	07/10/23	07/11/14	Special Committee on Anti-terrorism	08/03/04	2	08/03/06		

GOVERNMENT BILLS (HOUSE OF COMMONS)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-2	An Act to amend the Criminal Code and to make consequential amendments to other Acts	07/11/29	07/12/12	Legal and Constitutional Affairs	08/02/27	0 observations	08/02/27	08/02/28	6/08
C-3	An Act to amend the Immigration and Refugee Protection Act (certificate and special advocate) and to make a consequential amendment to another Act	08/02/06	08/02/07	Special Committee on Anti-terrorism	08/02/12	0 observations	08/02/12	*08/02/14	3/08
C-8	An Act to amend the Canada Transportation Act (railway transportation)	08/01/29	08/02/12	Transport and Communications	08/02/14	0	08/02/14	08/02/28	5/08
C-9	An Act to implement the Convention on the Settlement of Investment Disputes between States and Nationals of Other States (ICSID Convention)	08/01/31	08/02/12	Foreign Affairs and International Trade	08/02/28	0	08/03/04	*08/03/13	8/08
C-10	An Act to amend the Income Tax Act, including amendments in relation to foreign investment entities and non-resident trusts, and to provide for the bilingual expression of the provisions of that Act	07/10/30	07/12/04	Banking, Trade and Commerce					

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-11	An Act to give effect to the Nunavik Inuit Land Claims Agreement and to make a consequential amendment to another Act	07/10/30	07/11/29	Legal and Constitutional Affairs	08/01/31	1 observations	08/02/07 Message from Commons-agree with Senate amendment 08/02/12	*08/02/14	2/08
C-12	An Act to amend the Bankruptcy and Insolvency Act, the Companies' Creditors Arrangement Act, the Wage Earner Protection Program Act and chapter 47 of the Statutes of Canada, 2005	07/10/30	07/11/15	Banking, Trade and Commerce	07/12/13	0 observations	07/12/13	07/12/14	36/07
C-13	An Act to amend the Criminal Code (criminal procedure, language of the accused, sentencing and other amendments)	07/10/30	07/11/21	Legal and Constitutional Affairs	07/12/11	6 observations	08/01/29 Message from Commons-agree with 4 amendments and disagree with 2 08/04/17		
C-15	An Act respecting the exploitation of the Donkin coal block and employment in or in connection with the operation of a mine that is wholly or partly at the Donkin coal block, and to make a consequential amendment to the Canada–Nova Scotia Offshore Petroleum Resources Accord Implementation Act	07/11/21	07/11/29	Energy, the Environment and Natural Resources	07/12/13	0	07/12/13	07/12/14	33/07
C-18	An Act to amend the Canada Elections Act (verification of residence)	07/12/13	07/12/14	Committee of the Whole	07/12/14	0	07/12/14	07/12/14	37/07
C-28	An Act to implement certain provisions of the budget tabled in Parliament on March 19, 2007 and to implement certain provisions of the economic statement tabled in Parliament on October 30, 2007	07/12/13	07/12/13	Pursuant to rule 74(1) subject-matter 07/12/12 National Finance	Report on subject-matter 07/12/13	—	07/12/13	07/12/14	35/07
C-31	An Act to amend the Judges Act	08/04/15							
C-35	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2008 (<i>Appropriation Act No. 3, 2007-2008</i>)	07/12/11	07/12/11	—	—	—	07/12/13	07/12/14	34/07
C-37	An Act to amend the Citizenship Act	08/02/26	08/03/04	Social Affairs, Science and Technology	08/04/16	0 observations	08/04/16	*08/04/17	14/08
C-38	An Act to permit the resumption and continuation of the operation of the National Research Universal Reactor at Chalk River	07/12/12	07/12/12	Committee of the Whole	07/12/12	0	07/12/12	*07/12/12	31/07

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-40	An Act to amend the Canada Labour Code, the Canada Student Financial Assistance Act, the Canada Student Loans Act and the Public Service Employment Act	08/02/14	08/03/04	National Security and Defence	08/04/16	0 observations	08/04/16	*08/04/17	15/08
C-41	An Act respecting payments to a trust established to provide provinces and territories with funding for community development	08/02/05	08/02/05	National Finance	08/02/07	0	08/02/07	*08/02/07	1/08
C-42	An Act to amend the Museums Act and to make consequential amendments to other Acts	08/02/14	08/02/26	Human Rights	08/03/04	0	08/03/05	*08/03/13	9/08
C-44	An Act to amend the Agricultural Marketing Programs Act	08/02/26	08/02/27	Agriculture and Forestry	08/02/28	0	08/02/28	08/02/28	7/08
C-48	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2008 (<i>Appropriation Act No. 4, 2007-2008</i>)	08/03/12	08/03/13	—	—	—	08/03/13	*08/03/13	10/08
C-49	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2009 (<i>Appropriation Act No. 1, 2008-2009</i>)	08/03/12	08/03/13	—	—	—	08/03/13	*08/03/13	11/08

COMMONS PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-253	An Act to amend the Income Tax Act (deductibility of RESP contributions)	08/03/06							
C-280	An Act to Amend the Immigration and Refugee Protection Act (coming into force of sections 110, 111 and 171)	07/10/17	08/03/04	Human Rights					
C-287	An Act respecting a National Peacekeepers' Day	07/11/22	08/02/26	National Security and Defence					
C-292	An Act to implement the Kelowna Accord	07/10/17	07/12/11	Aboriginal Peoples	08/04/29	0			
C-293	An Act respecting the provision of official development assistance abroad	07/10/17	07/12/12	Foreign Affairs and International Trade	08/04/03	0 observations + 4 at 3rd	08/04/16		
C-298	An Act to add perfluorooctane sulfonate (PFOS) and its salts to the Virtual Elimination List under the Canadian Environmental Protection Act, 1999	07/12/04	08/03/11	Energy, the Environment and Natural Resources	08/04/10	0	08/04/15	*08/04/17	13/08
C-299	An Act to amend the Criminal Code (identification information obtained by fraud or false pretence)	07/10/17							
C-307	An Act respecting bis(2-ethylhexyl)phthalate, benzyl butyl phthalate and dibutyl phthalate	07/11/29							

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-343	An Act to amend the Criminal Code (motor vehicle theft)	08/02/28	08/04/10	Legal and Constitutional Affairs					
C-428	An Act to amend the Controlled Drugs and Substances Act (methamphetamine)	08/02/12							

SENATE PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-201	An Act to amend the Financial Administration Act and the Bank of Canada Act (quarterly financial reports) (Sen. Segal)	07/10/17	07/11/28	National Finance	08/02/27	4	08/03/06		
S-202	An Act to amend certain Acts to provide job protection for members of the reserve force (Sen. Segal)	07/10/17	Dropped from Order Paper pursuant to Rule 27(3) 08/04/01						
S-203	An Act to amend the Criminal Code (cruelty to animals) (Sen. Bryden)	07/10/17	07/11/13	Legal and Constitutional Affairs	07/11/22	0	07/11/27	*08/04/17	12/08
S-204	An Act respecting a National Philanthropy Day (Sen. Grafstein)	07/10/17	08/02/13	Social Affairs, Science and Technology	08/04/17	0	08/04/29		
S-205	An Act to amend the Bankruptcy and Insolvency Act (student loans) (Sen. Goldstein)	07/10/17	08/03/05	Banking, Trade and Commerce					
S-206	An Act to amend the Food and Drugs Act (clean drinking water) (Sen. Grafstein)	07/10/17	08/04/03	Energy, the Environment and Natural Resources					
S-207	An Act to repeal legislation that has not come into force within ten years of receiving royal assent (Sen. Banks)	07/10/17	07/11/28	Legal and Constitutional Affairs	07/12/06	0	07/12/11		
S-208	An Act to require the Minister of the Environment to establish, in co-operation with the provinces, an agency with the power to identify and protect Canada's watersheds that will constitute sources of drinking water in the future (Sen. Grafstein)	07/10/17		Subject matter 07/11/13 Energy, the Environment and Natural Resources	Report on subject-matter 08/02/28				
S-209	An Act to amend the Criminal Code (protection of children) (Sen. Hervieux-Payette, P.C.)	07/10/17	08/03/13	Legal and Constitutional Affairs					
S-210	An Act to amend the Criminal Code (suicide bombings) (Sen. Grafstein)	07/10/17	08/02/28	Legal and Constitutional Affairs	08/04/17	0			
S-211	An Act to regulate securities and to provide for a single securities commission for Canada (Sen. Grafstein)	07/10/17							
S-212	An Act to amend the Parliamentary Employment and Staff Relations Act (Sen. Joyal, P.C.)	07/10/18	08/04/17	Rules, Procedures and the Rights of Parliament					
S-213	An Act to amend the Criminal Code (lottery schemes) (Sen. Lapointe)	07/10/23	07/12/06	Legal and Constitutional Affairs	08/01/31	0	08/02/05		

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-214	An Act to amend the Income Tax Act and the Excise Tax Act (tax relief for Nunavik) (Sen. Watt)	07/10/24	08/04/01	National Finance					
S-215	An Act to protect heritage lighthouses (Sen. Carney, P.C.)	07/10/30	07/12/06	National Finance	07/12/13 Report amended 07/12/13	19	07/12/13		
S-216	An Act to amend the Access to Information Act and the Canadian Wheat Board Act (Sen. Mitchell)	07/10/30	Dropped from Order Paper pursuant to Rule 27(3) 08/03/13						
S-217	An Act to amend the International Boundary Waters Treaty Act (bulk water removal) (Sen. Carney, P.C.)	07/10/31							
S-218	An Act to amend the Immigration and Refugee Protection Act and to enact certain other measures, in order to provide assistance and protection to victims of human trafficking (Sen. Phalen)	07/10/31	08/03/05	Human Rights					
S-219	An Act to amend the Public Service Employment Act (elimination of bureaucratic patronage and establishment of national area of selection) (Sen. Ringuette)	07/11/13	07/12/11	National Finance	08/04/03	1	08/05/01		
S-220	An Act respecting a National Blood Donor Week (Sen. Mercer)	07/11/15	07/11/27	Social Affairs, Science and Technology	07/11/29	0	07/12/04	*08/02/14	4/08
S-221	An Act concerning personal watercraft in navigable waters (Sen. Spivak)	07/11/28	08/04/15	Transport and Communications					
S-222	An Act to establish and maintain a national registry of medical devices (Sen. Harb)	07/12/04	08/04/15	Social Affairs, Science and Technology					
S-223	An Act to amend the Non-smokers' Health Act (Sen. Harb)	07/12/04	08/03/13	Social Affairs, Science and Technology					
S-224	An Act to amend the Parliament of Canada Act (vacancies) (Sen. Moore)	07/12/13	08/03/04	Legal and Constitutional Affairs					
S-225	An Act to amend the State Immunity Act and the Criminal Code (detering terrorism by providing a civil right of action against perpetrators and sponsors of terrorism) (Sen. Tkachuk)	07/12/14	08/04/09	Legal and Constitutional Affairs					
S-226	An Act to amend the Business Development Bank of Canada Act (municipal infrastructure bonds) and to make a consequential amendment to another Act (Sen. Grafstein)	08/01/29							
S-227	An Act to amend the National Capital Act (establishment and protection of Gatineau Park) (Sen. Spivak)	08/02/12							

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