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**Thursday, May 14, 2009**



THE HONOURABLE NOËL A. KINSELLA  
SPEAKER

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

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## THE SENATE

Thursday, May 14, 2009

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

Prayers.

[Translation]

### TRANSPORTATION OF DANGEROUS GOODS ACT, 1992

BILL TO AMEND—MESSAGE FROM COMMONS—  
SENATE AMENDMENTS CONCURRED IN

The **Hon. the Speaker** informed the Senate that a message had been received from the House of Commons returning Bill C-9, An Act to amend the Transportation of Dangerous Goods Act, 1992, and acquainting the Senate that the House of Commons has agreed to the amendment made by the Senate to this bill, without amendment.

[English]

## SENATORS' STATEMENTS

### ST. PETER'S COLLEGE

**Hon. Rod A.A. Zimmer:** Honourable senators, it was with great honour and pride that I learned that my alma mater, St. Peter's College, will be receiving the award of excellence for Best Program — Small Shops/Independent School. This Gold Medal of Excellence Award will be bestowed on Monday, June 9, in Hamilton by the Canadian Council for the Advancement of Education, CCAE. The award only confirms what I have known since my very own passage as a student; St. Peter's continues to raise the standard of rural education. This award proves that great things can come in small packages — like our very own colleague, Senator Munson.

• (1335)

As Canada's only Royal Benedictine College in Canada, St. Peter's develops the leaders and professionals of tomorrow by providing a strong academic foundation, exciting activities and a variety of leadership opportunities in a supportive environment.

Last September, St. Peter's hosted a gala fundraising dinner and ceremony with the Honourable Belinda Stronach as the guest speaker. This event guaranteed the long-term success of these goals. The Key to Success Gala and Awards Ceremony set the path for the future generations of students to come. The funds secured through this initiative will help renovate Michael Hall, one of the institution's fundamental teaching structures. From this night to remember, over \$3 million was committed to the Key to Success campaign and new programs were launched thanks to key supporters.

Honourable senators, I congratulate St. Peter's College on its success, and I thank the CCAE for this outstanding recognition by awarding the college the Gold Medal of Excellence. Long live St. Peter's.

### KELOWNA ACCORD

**Hon. Patrick Brazeau:** Honourable senators, I rise in this chamber today on a matter of public consequence. Our government currently spends over \$10 billion annually in support of programs and services for Canada's Aboriginal peoples. Despite this considerable degree of investment for our Aboriginal peoples, there are some who call for the adoption of the so-called Kelowna Accord.

Honourable senators, Canadian citizens and, in particular, our Aboriginal community from coast to coast, need to learn the real story behind Kelowna. I was asked — and quite vocally, I might add — by my honourable colleague Senator Smith to refer to this matter last week. I am glad to do so on this date because I was there in Kelowna.

The so-called accord was a news release listing promised funding over five years of an additional \$5.1 billion. In the February 2004 Address in Reply to the Speech from the Throne, the Martin government pledged that:

With our partners, we will tackle head on the particular problems faced by the increasing number of urban Aboriginals and Métis.

Off-reserve First Nations peoples and Aboriginal women were fiscally marginalized when Kelowna's proposed investments were spelled out in what was a grandiose pre-election promise.

These were promising words, as were these, uttered by Mr. Martin in April 2004 when he launched the round table initiative that began the machinery process, ultimately concluding in the first ministers' meeting in November 2005:

... we must hold ourselves to account — in what we're doing well and what we're not doing so well. We need a manageable and transparent Aboriginal Report Card to set clear targets for achievement — and to measure our progress and success in getting there.

Honourable senators, can I tell this chamber that the fabled accord fully included accountability measures for a report card? Can I affirm that each of the national Aboriginal organizations received equal accommodation to the funding Kelowna sought to deliver? More importantly, would Canada's Aboriginal citizens directly benefit from the lion's share of Kelowna's investments as promised by Mr. Martin?

The sad truth can be summed up in two words: no and no.

In the end, Kelowna was all about money, and lots of it, thrown toward Aboriginal leaders and their organizations in return for their political support. Worst of all, all pursuit of any type of

accountability around the proposed investments was purposefully and quietly extinguished by the former Martin government only days prior to the first ministers' meeting. That is the sad truth around the fiction that is and was the Kelowna Accord.

Honourable senators, our government, through passage of the Federal Accountability Act, sought to ensure that government investment of public funds was subject to rigour in ensuring its transparency, accountability and responsibility. Some term our government's position on Kelowna as missed opportunity, when in fact it was nothing more than an opportunistic myth.

• (1340)

#### THE HONOURABLE DAVID P. SMITH, P.C.

**Hon. Jim Munson:** Honourable senators, I have a special tribute to give to a senator, a friend of ours. I think he will have a birthday very soon. His name is Senator Smith.

What can we say about Good Senator Smith  
We could write a book about him, that is no myth  
Let's take a small look at just what he has done  
For people here, there — in fact for everyone

As a young man, he got the political itch  
And thus began his odyssey and there was never a glitch  
A political wizard he has always been  
And he dishes out his genius with a great big grin

Ne'er has there been a successful campaign without his  
direction  
Generations of Liberal Party leaders have relied on his  
perfection  
Three Liberal majorities are under his belt  
And he makes many women swoon and melt.

But there is so much more to this amazing man  
So listen, learn more, and you too will become a fan

Before he took on Ottawa and the federal level  
He was a legend in Toronto — they got to revel  
In having Mr. Smith as Councillor, President and  
Deputy Mayor  
David has always been a real team player

We haven't even mentioned his life in law  
Yet again, in that field he inspires awe  
Supremely successful, smart — short — and full of many  
graces  
In his crisp shirts and many-coloured braces

Early 20th century music he sings with delight  
Gospel music too he can sing it just right  
Not to mention the Gospel itself — a true preacher's son  
he is  
Reciting the Book like a true real whiz

Without a doubt, the most important elements in his life  
Are his three fabulous children and most incredible wife  
He adores them all with love and dedication  
They are the most amazing family — in fact, they  
are a sensation!

So here's to you Senator Smith, the world salutes you  
We love you, adore you and admire you too  
Of all you have achieved and done so far  
In this crazy old world you are one real star.

#### COMMERCIAL SEAL HUNT

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, on May 5 of last week, on the anniversary date of the liberation of Holland, politicians of the European Parliament voted to ban seal products from Canada. It made me reflect on how differently their parents and grandparents might have viewed the Canadians who made the liberation possible and ensured victory in Europe.

Last week, these modern-day politicians may have spent a pleasant afternoon at a bullfight, followed by a dinner of foie gras — caviar, possibly — veal, young horse meat or steak tartare. Then they might have donned their leather coats to ward off the chill of the evening, their biggest concern in life being how they can stop Canadian fishermen from earning an honest living. Their heroes are sex kitten Brigitte Bardot, rock singer Paul McCartney, boating enthusiast Paul Watson and Ottawa Senator Mac Harb.

Contrast this self-indulgent lifestyle with their parents and grandparents. Who did the Europeans turn to in their hour of need? Brigitte Bardot was not there with her tremendous acting abilities to stop the Nazi regime. Paul McCartney's singing talents did not bring peace, and Paul Watson was not there to deliver vital supplies by ship.

The real heroes were the Newfoundlanders and Labradorians, the Acadians of Madeleine Islands, the Cape Bretoners and Inuit who left their homes and loved ones, sacrificing their youth, their health and their lives to help the parents and grandparents of the European parliamentarians.

To this day, Newfoundlanders still cannot properly celebrate Canada Day on July 1 because of the overwhelming losses commemorated at Beaumont-Hamel in the First World War.

If ever I find myself in a jam, like the Europeans were in the First and Second World Wars, and I have to choose who I want on my side, I will take the Newfoundlanders, the Cape Bretoners, the Madelinots and the Inuit. God bless them; they are my heroes.

**Hon. Senators:** Hear, hear!

#### PARLIAMENT HILL GOAT CHALLENGE

**Hon. Jane Cordy:** As a Cape Bretoner, I thank you, senator.

This month, parliamentarians and senators were engaged in the friendly Parliament Hill Goat Challenge. The campaign's goal was to sell 1,000 "goats" to raise money to support the expansion

of a nutrition program at the Nazareth Children's Centre in Ethiopia. The challenge pitted political parties against each other in a fundraising drive through the selling of goats.

The goats were sold in the form of buttons. The party that sold the most goats and had the largest goat herd won the opportunity to name the ceremonial goat for the following year. I am sure that could allow us to have some pretty innovative names.

Last year, the children's goat foundation gala raised nearly \$100,000 to start a nutrition and education program for 250 orphaned children in Ethiopia. The funds raised this year will be used to expand the nutrition program at the Nazareth Children's Centre in Ethiopia to an existing 750 children who are currently on the waiting list.

• (1345)

The nutrition program at the Nazareth Children's Centre in Ethiopia is only one of many programs that the Children's Bridge Foundation organizes in aid of orphaned and abandoned children in poorer areas around the world.

The Children's Bridge Foundation was established by a group of parents who had completed their families through international adoption. In 2003, the CBF was incorporated as a volunteer-based charitable organization with a mission to give aid to orphaned and abandoned children. The CBF is a non-governmental organization with no religious or political affiliation. The CBF has helped children in China, Vietnam, Korea, Kazakhstan, India and Ethiopia.

I express my sincere gratitude to all honourable senators for their generosity in support of such a worthy cause. I also remind senators that it is not too late and "goats" can be purchased from me for only \$20. The funds go to a worthwhile cause.

[Translation]

#### THE LATE RENÉE MORISSET-BOUCHARD, O.C.

**Hon. Andrée Champagne:** Honourable senators, we could not possibly close out the week without mentioning the passing of a great musician who left her mark on Canadian music.

Renée Morisset-Bouchard left us this week. She and her husband, Victor Bouchard, were the foremost piano duo in Canadian classical music. These Quebec duettists represented our country all over the world, in the Americas, Europe, Russia and even Asia.

Ms. Morisset was an Officer of the Order of Canada, a Chevalier of the Ordre national du Québec, a member of the Académie des Grands Québécois, and one of our very own leading ladies of music. She will be greatly missed.

On Sunday, people will gather at the Palais Montcalm in Quebec City to pay tribute to her one last time. We would also like to assure her husband, Victor Bouchard, former general director of the Conservatoire de musique du Québec, that we will never forget them. The memory of the Bouchard-Morisset duo is indelible and undying. Farewell, Renée Morisset.

#### AL JAZEERA

**Hon. Marcel Prud'homme:** Honourable senators, one of the greatest assets of our democracy is the quantity and diversity of news sources. At a time when local and international newspapers are experiencing serious difficulties, we must work particularly hard, as legislators, to ensure that Canadians continue to have access to more news sources than ever before.

That is why I wish to join with those who are calling on the Canadian Radio-television and Telecommunications Commission to grant Al Jazeera English permission to broadcast in Canada. I could speak at length about Al Jazeera, but in just a few words, I would like to tell you about the extraordinary work accomplished by that television network in delivering the latest important news from around the world, some of which is all too often overlooked by the media in the west, to over 100 countries and nearly 140 million homes.

News from areas such as Africa, Asia and South America is delivered with a professionalism that rivals that of the largest networks on the planet. Within the Arab world, Al Jazeera has been absolutely revolutionary. Consider for a moment that, prior to Al Jazeera, most Arab countries were limited to national television channels dedicated to propaganda and doublespeak.

Al Jazeera has been a real breath of fresh air for news in those areas of the world. Populations that have been starved for information can finally know what has been going on, not only in the Arab world, but around the globe. The free flow of information is the cornerstone of any democratic process. In that regard, Al Jazeera plays an invaluable role in the Middle East. Think about the new insights and the wealth of information that Al Jazeera English could offer Canadians, with its 1,200 journalists from some 50 different countries.

Personally, and many Canadians would agree, I do not see why I should be denied access to Al Jazeera. Since its arrival in Great Britain, this channel has remained consistently successful.

• (1350)

In the two years it has been on the air, no serious complaints have been filed against the network. Al Jazeera is a completely independent television network, with a strict code of ethics governing its journalistic practices.

Enlightened Canadians may or may not agree with the content of certain reports, but is that not true of all television networks? We need to let popular wisdom take its course. The government is not in the censorship business. Finally, need I add that if Al Jazeera is broadcasting in Great Britain, the United States, Israel and elsewhere, there is no reason it should not broadcast in Canada? If we want Canadians to be up on all the latest news, I see no reason why Al Jazeera should not join the ranks of television networks such as TV5, CNN, Euronews, BBC, Fox, CTV News, RDI, LCN, Newsworld and other respected networks, because we would all benefit. I repeat: we would all benefit.

## ROUTINE PROCEEDINGS

### THE ESTIMATES, 2009-10

#### SUPPLEMENTARY ESTIMATES (A) TABLED

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I have the honour to table, in both official languages, the Supplementary Estimates (A) for the fiscal year ending March 31, 2010.

[*English*]

#### NATIONAL PHILANTHROPY DAY BILL

##### SIXTH REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE PRESENTED

**Hon. Art Eggleton**, Chair of the Standing Senate Committee on Social Affairs, Science and Technology, presented the following report:

Thursday, May 14, 2009

The Standing Senate Committee on Social Affairs, Science and Technology has the honour to present its

##### SIXTH REPORT

Your committee, to which was referred Bill S-217, An Act respecting a National Philanthropy Day, has, in obedience to its order of reference of May 5, 2009, examined the said Bill and now reports the same with the following amendments:

##### 1. *Preamble, page 1:*

##### (a) Add after line 14 the following:

“Whereas through the dedicated work of caring individuals and organizations, November 15th has come to be known throughout Canada as National Philanthropy Day;” and

##### (b) Replace lines 17 and 18 with the following:

“giving by recognizing National Philanthropy Day;” and

##### 2. *New clause 3, page 1:* Add after line 27 the following:

“3. The Minister of Canadian Heritage and Official Languages shall make a declaration that the 15th day of November in each and every year be recognized throughout Canada as “National Philanthropy Day”.”.

Respectfully submitted,

ART EGGLETON,  
*Chair*

**The Hon. the Speaker:** Honourable senators, when shall this report be taken into consideration?

(On motion of Senator Eggleton, report placed on the Orders of the Day for consideration at the next sitting of the Senate.)

### WORLD AUTISM AWARENESS DAY BILL

#### SEVENTH REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE PRESENTED

**Hon. Art Eggleton**, Chair of the Standing Senate Committee on Social Affairs, Science and Technology, presented the following report:

Thursday, May 14, 2009

The Standing Senate Committee on Social Affairs, Science and Technology has the honour to present its

##### SEVENTH REPORT

Your committee, to which was referred Bill S-210, An Act respecting World Autism Awareness Day, has, in obedience to its order of reference of March 3, 2009, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

ART EGGLETON  
*Chair*

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

(On motion of Senator Eggleton, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.)

[*Translation*]

### THE ESTIMATES, 2009-10

#### NOTICE OF MOTION TO AUTHORIZE NATIONAL FINANCE COMMITTEE TO STUDY SUPPLEMENTARY ESTIMATES (A)

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Supplementary Estimates (A) for the fiscal year ending March 31, 2010.

## BUSINESS OF THE SENATE

### NOTICE OF MOTION FOR ADJOURNMENT

**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 26, 2009, at 2 p.m.

**The Hon. the Speaker:** Honourable senators, is leave granted?

• (1355)

[English]

**The Hon. the Speaker:** Honourable senators, we have a notice from the Deputy Leader of the Government concerning the adjournment motion. Do we have leave to consider that motion?

**Some Hon. Senators:** Agreed.

**Some Hon. Senators:** No.

**The Hon. the Speaker:** Leave is not granted, then.

**Senator Comeau:** Might I try this one, then, honourable senators?

With leave of the Senate and notwithstanding rule 58(1)(h), I give notice that, later this day, I will move:

That when the Senate adjourns today, it do stand adjourned until Tuesday, May 26, 2009, at 2 p.m.

I wish to advise honourable senators that if this motion does not pass, they might as well get on their BlackBerrys and call their offices to cancel all their appointments for tomorrow and for next week because we will have to sit.

**An Hon. Senator:** That is a threat.

**An Hon. Senator:** Shame!

**Senator Comeau:** That is not a threat. Let me finish.

All honourable senators know the *Rules of the Senate*. We sit every day except for three or four holidays during the year. If we do not get permission to adjourn at a certain time, then we continue to sit.

I wish to pass this on. I just heard Senator Campbell say that we would continue sitting. Obviously, if he does not wish to sit while the Senate is sitting, that is his view. I just offer factual information; that is all it is. You may wish to get on your BlackBerrys pretty soon.

**The Hon. the Speaker:** All that is before the house at this juncture, honourable senators, is the request for leave to consider this matter later this day. Is leave granted?

**Some Hon. Senators:** Agreed.

**Some Hon. Senators:** No.

**The Hon. the Speaker:** There must be unanimous consent. Senator Moore is indicating no.

**Senator Comeau:** Get on your BlackBerrys. Senator Moore said “no.”

**Hon. Marcel Prud’homme:** Your Honour, one person said “no” but seems now to think that he said “no” to the latest part of what Senator Comeau said. Perhaps you could ask the question again. We will debate that later. We should say “yes” at this time, subject to saying “no” later on. Your Honour, I beg you to ask the question again.

**Hon. Wilfred P. Moore:** Honourable senators, maybe I could speak here to clarify the situation. I have a motion on the Order Paper. It is the last item and I would like to have it voted on today. I want to ensure that happens. After that is dealt with, we can revert and entertain Senator Comeau’s motion.

**Senator Comeau:** Leave has been denied.

**The Hon. the Speaker:** Honourable senators, my job is to make it perfectly clear that Senator Comeau has asked the permission of the house to revert to Government Notices of Motions. That requires unanimous consent. I will ask the house once more: Is there unanimous consent to revert to this matter later this day?

**Senator Moore:** Your Honour, I want some clarification.

**Some Hon. Senators:** Agreed.

**Senator Ringuette:** At the end of the Order Paper.

**Senator Moore:** At the very end of the Order Paper today, yes.

**The Hon. the Speaker:** I think there is agreement that at the end of the Order Paper, leave is granted to revert to the notice to which the honourable senator has referred. Is it agreed?

**Hon. Senators:** Agreed.

## ENVIRONMENTAL ENFORCEMENT BILL

### FIRST READING

**The Hon. the Speaker** informed the Senate that a message had been received from the House of Commons with Bill C-16, An Act to amend certain Acts that relate to the environment and to enact provisions respecting the enforcement of certain Acts that relate to the environment.

(Bill read first time.)

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

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

• (1400)

[Translation]

## MARINE LIABILITY ACT FEDERAL COURTS ACT

### BILL TO AMEND—FIRST READING

**The Hon. the Speaker** informed the Senate that a message had been received from the House of Commons with Bill C-7, An Act to amend the Marine Liability Act and the Federal Courts Act and to make consequential amendments to other Acts, to which they desire the concurrence of the Senate.

(Bill read first time.)

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

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

[English]

## QUESTION PERIOD

### HEALTH

#### NATIONAL PHARMACEUTICALS STRATEGY

**Hon. Catherine S. Callbeck:** Honourable senators, my question is to the Leader of the Government in the Senate. In September 2006, the federal, provincial and territorial ministerial task force on the National Pharmaceuticals Strategy released its progress report. That report contained many recommendations about the various steps to follow to implement this strategy. It was agreed by the health ministers of the federal, provincial and territorial governments to proceed with the second phase in December of that year.

That was roughly two and a half years ago. Can the Leader of the Government in the Senate give a progress update on this National Pharmaceuticals Strategy?

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** I will take the honourable senator's question as notice.

**Senator Callbeck:** I thank the leader for taking my question as notice. I will be interested to hear what the federal government says on the subject.

I am particularly concerned about the catastrophic drug policy that is part of that strategy. Every day, Canadians are finding themselves in severe financial binds because of the expensive medication they must take to keep themselves alive.

During the last meeting, in September 2008, the provincial and territorial ministers issued a public statement that they were “disappointed by the lack of commitment” from the federal government and hoped their governments would soon “fully engage as equal partners” in the National Pharmaceuticals Strategy.

When will this government finally commit to working with the provinces and territories as equal partners on the National Pharmaceuticals Strategy?

**Senator LeBreton:** I thank the honourable senator for the question. I will draw her concerns to the attention of my colleague, the Minister of Health, the Honourable Leona Aglukkaq.

• (1405)

As the honourable senator will remember, we served on a Senate committee studying the issue of catastrophic drugs and pharmaceuticals in general.

The health care system in this country is administered by the provinces and, in some areas, the territories, although the Inuit and First Nations people fall under the federal government.

As we learned in the Senate study, there are pharmaceuticals that fall under the catastrophic drugs heading. Some provinces cover them, some do not but there is no unanimity between the provinces because each one administers its own health care system. I will be very happy to ask my colleague whether she has had further discussions with the provinces on this issue.

### NATURAL RESOURCES

#### SOFTWOOD LUMBER—BLACK LIQUOR SUBSIDIES

**Hon. Terry M. Mercer:** Honourable senators, last week I asked Senator LeBreton about black liquor subsidies in the United States. I hope Senator LeBreton has had time to review her information on the subject as she did not know much about it last week. I am sure the leader has taken the time to familiarize herself with this important problem. That lack of response is cold comfort for the 250,000 employees who have lost their jobs in the 300 forest-dependent communities across Canada.

American legislation intended to encourage environmentally clean fuels is giving U.S. forestry mills unfair advantage over Canadians. In provinces like New Brunswick, for example, forestry accounts for 12 per cent of the GDP, a greater percentage than the auto sector does in Ontario, and they are being hurt by black liquor subsidies.

Are the Americans in violation of the Softwood Lumber Agreement that the leader's government negotiated? What is being done to stop these subsidies, and how much money will be left on the table as billions have already been left in the hands of the Americans?

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** I thank Senator Mercer for the question. Regarding his question on the black liquor, I apologize to my colleagues on both sides of the chamber for not being up to date



on this issue. However, in my own defence, in his question last week, I believe Senator Mercer said something about mixing the black liquor with Diet Coke. That remark threw me off completely. I am not a great expert on the whole question of liquor. As a matter of fact, every time I hear the word “liquor,” I have a bit of an aversion to it.

Honourable senators, this matter is serious and it has serious consequences for the forestry industry. The Minister of Natural Resources is seized with this matter and is particularly concerned about the impact this tax credit is having on Canada’s forestry sector. Minister Raitt has written to her U.S. counterpart, Energy Secretary Steven Chu, asking the Obama administration to correct the negative effects of the measure and end the loophole that is currently being exploited.

Senator Baucus of Montana, the chair of the U.S. Senate Committee on Finance, has said the loophole needs to be closed. Canada agrees and we are working with the industry and with our counterparts in the United States to correct this serious matter.

• (1410)

**Senator Mercer:** I thank the minister for her response, and I am glad she updated herself on this serious problem, as are all my colleagues, I am sure.

The Canadian forestry sector lost 50,000 jobs, and more than 250 mills have closed or suspended operations over the past two years. These black liquor subsidies, at somewhere in the range of \$200 and \$300 per ton, are threatening the industry further. We need to stop these subsidies and we need a timeline as to when they will stop.

AbitibiBowater recently announced thousands more layoffs in Canada, in provinces like Newfoundland and Labrador, Quebec and Nova Scotia, yet we hear that the company earned — listen to this number — over \$100 million last year in black liquor subsidies in the United States. The total windfall for 30 paper-producing companies in the United States may total \$6.6 billion and could rise to as high as \$10 billion. These subsidies are serious business.

What I need to know, and what Canadians need to know and what tens of thousands of unemployed paperworkers need to know is: What is the timeline. Has the Minister of International Trade sat down with his counterpart in Washington and determined a timeline as to when these black liquor subsidies will end so we will be finally working on a level playing field?

**Senator LeBreton:** I assure honourable senators that the Minister of International Trade has had several meetings on this matter with his U.S. counterparts. I believe a date has been set for later this year. I cannot confirm the exact date, but I will obtain that information for Senator Mercer.

I know Minister Day has raised this matter. He and the Minister of Natural Resources fully understand, and the Canadian government fully understands, the implications of the use of this loophole on the American side of the border, which has serious consequences for our industry. The government is committed to resolving the problem as quickly as possible.

We are encouraged, as I mentioned in my first answer, that a leading U.S. legislator also recognizes it as a loophole that must be closed.

## TREASURY BOARD

### REPORT OF THE AUDITOR GENERAL— GENDER-BASED ANALYSIS

**Hon. Joan Fraser (Acting Deputy Leader of the Opposition):** Honourable senators, on February 3, I put a question to the Leader of the Government in the Senate about gender-based analysis. Her answer — how shall I put this — lacked specificity. However, this week the Auditor General of Canada provided some specifics.

In her most recent report, the Auditor General found that despite the fact that the Government of Canada has been committed to gender-based analysis since 1995, and that Canada bragged in a formal report to the United Nations last October about gender-based analysis being implemented across the federal government, there is no government-wide policy requiring departments and agencies to perform gender-based analysis. The Auditor General looked at 68 initiatives from various departments and only in four of them — less than 10 per cent — was there any evidence that gender-based analysis had been integrated into the policy development process.

Given the importance for all Canadians, but particularly for the women of Canada who represent more than half the population, of ensuring government policies are fair to persons of both genders, will the government begin by apologizing to the women of Canada for this grievous lack?

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** Honourable senators, if anyone is to apologize it would be the previous government, which absolutely showed no progress and a total lack of action on the whole issue of gender-based analysis.

We have the Auditor General’s report. We agree with her that gender-based analysis is important. I point out that the Auditor General did not say that gender-based analysis is not being done. It was our government — and I think I pointed that out. I think it was especially in relation to budget preparation — that issued a directive required that all memoranda to cabinet include a gender-based analysis. That directive was issued by our government and not by the previous one.

• (1415)

As the Secretary of the Treasury Board said, officials perform their function every day as part of their day-to-day work with many departments and agencies, often verbally and within tight time frames. They then provide their analysis and advice to ministers to ensure that we have all the information we need to make decisions.

That is not to say that there is not a considerable amount of improvement to be made in this area. We recognize that. We appreciate the report of the Auditor General, and we are committed to ensuring that the Auditor General has access to the materials she needs.

In November 2006, our government increased the access to documents for the Auditor General. We appreciate her report. Unlike the government before us, we are taking action and will improve in this area.

**Senator Fraser:** The actions in question are, with respect, not all that impressive in the end. The formal responses, which are included in the Auditor General's report, as the honourable senator knows, because the different departments have access to her recommendations ahead of time so that they may provide responses. The actual responses are somewhat disappointing.

In reference to the leader's mention of memoranda to cabinet, the Auditor General says that her department found no reference to gender impacts in 15 out of 28 — more than half — memoranda to cabinet, no reference at all, and no reference at all in 8 of 21 Treasury Board submissions.

She also found that the 2008 guide on drafting memoranda to cabinet has not clarified how and when gender impacts are to be considered and reported to cabinet in policy proposals.

As I gather from her answer, the leader is aware the Auditor General recommended that the central agencies — the Treasury Board, the Privy Council and the Department of Finance — should document what the Auditor General calls their challenge function on gender-based analysis. The response of the agencies was, roughly, as the leader suggested: No, these things are better handled in informal discussions.

Informal discussions have not achieved the goal for 2,000 years, and I do not know why they would now. More to the point, the goal of analysis of the kind we are talking about here is to provide documented evidence. Informal discussions do not provide documented evidence of what challenges may have been made and what conclusions may have been reached.

If one cannot measure gender impact, one cannot change it; and if it is not documented, one cannot measure it.

It seems to me that what the Treasury Board, the Privy Council Office and the Department of Finance have said is: Let the status of women department play with this if they want; we will even give them a few more resources, but do not expect us to include this in our serious work.

**Senator LeBreton:** I think Senator Fraser was probably enacting a scenario that was the case under the previous government, not under this government.

I point out again that the Auditor General did not say that gender-based analysis is not being done. Even the statistics Senator Fraser cites, while not perfect, are an improvement over what was the case in the past. The government recognizes the work of the Auditor General, appreciates the work and the government will take her report seriously.

Obviously, we have made improvements in this area. There is still much to be done, but again, I point out that this government has accomplished a great deal more than the previous government accomplished. I have been in this chamber for a while, and I do

not remember people, when we were on that side and the honourable senator was on this side, ever getting up and acknowledging that this issue was huge prior to February 6, 2006.

• (1420)

Honourable senators, the government takes this issue seriously. As Senator Fraser commented, women make up more than one half of the population.

I invite honourable senators to look at the number of women who have been promoted to senior levels in the public service since this government came into office. I think honourable senators will be impressed at some of the great work that has been done and at how many women are at senior levels within the public service and in this government, in the bureaucracy and on the political side as well.

**Senator Fraser:** I think the minister does not get it. I was not talking about the number of women in the civil service. I was talking about the integration of gender-based analysis into policy development and implementation — policy affecting all Canadians, not just civil servants.

With respect to the minister, her government has been in office for close to three and one-half years now. It is getting a little thin to say that the Liberal government was not as good as it should have been.

**Senator Rompkey:** Much too long.

**Senator Fraser:** We can address that separate issue another day, perhaps.

## SENIORS

### GENDER-BASED ANALYSIS

**Hon. Joan Fraser (Acting Deputy Leader of the Opposition):** What does the minister's department do? Does the minister integrate gender-based analysis into policy development? Do the minister's memoranda to cabinet include gender-based analysis of the policy proposals that she is putting forward?

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** Honourable senators, I get tired of Senator Fraser's editorializing. Senator Fraser knows, and I have said it before, I understand what gender-based analysis is and how it applies to government policy. While I added the portion about how well women have done, I fully understand that has nothing to do with gender-based analysis. I only added that to add some encouragement. I was trying to comment that being a female in politics or in government is not quite the detracting statistic that it might have been many years ago.

Regarding the officials in my department, as honourable senators know, my departmental responsibilities fall within the Department of Human Resources and Skills Development. I happen to be fortunate in that many of the policy areas in which I work the gender-based analysis is a given and it is done. I would be happy to provide the honourable senator with some of the work that the Department of Human Resources and Skills Development has done in this area.

Again, I point out that the Auditor General did not say that we are not doing this. She said that improvement is needed. Senator Fraser is correct. The President of the Treasury Board has said that some of this is verbal. The Auditor General said that it is much better to have these documented. I am sure that all officials in the government will take note of the Auditor General's recommendations. Remember that this report is a result of direct reference by the committee in the other place on status of women. This report was conducted at that committee's request.

I am satisfied with what the Auditor General had to say; I agree with her that more needs to be done. I also believe that this government has done more in this area than governments in the past.

**Senator Mercer:** No editorial comments there.

• (1425)

## JUSTICE

### CASE OF OMAR KHADR

**Hon. Mobina S.B. Jaffer:** Honourable senators, my question is for the Leader of the Government in the Senate. The Conservative government has taken the position that Omar Khadr should be tried in the United States and is taking no steps to bring him back home, even though he is a child soldier. However, I understand that the government has always taken the position that Mr. Khadr is entitled to counsel of his choice.

The notion of counsel of his choice is now in jeopardy. Lieutenant Commander William Kuebler, who was defending Mr. Khadr, has been fired by his boss, and the federal court asked that he be reinstated. What is the Conservative government doing to ensure that Omar Khadr receives a fair trial?

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** My answer on Mr. Khadr has not changed, honourable senators. As has been well stated, he does face serious charges, including murder, attempted murder, conspiracy, material support for terrorism and spying, all in violation of the laws of war. He is accused of killing Sergeant Christopher Speer, an American medic in Afghanistan.

As honourable senators know, the U.S. administration has recently taken decisions to proceed with the closure of Guantanamo Bay, halt the judiciary process and evaluate each of the cases. Mr. Khadr's case is in the paper even today.

President Obama has started a process, and we are respecting the President's decision. We have decided to appeal the federal court decision. As the matter is currently under litigation, I will not and cannot make comments in specific reference to the honourable senator's question.

**Senator Jaffer:** I did not ask about the court case at the moment. I asked what the government will do to provide assistance to Mr. Khadr so that he has counsel of his choice in the United States.

**Senator LeBreton:** This matter is in the U.S. judicial system. I am not certain what more I can say, but I will take that specific question as notice.

**Senator Jaffer:** May I ask something that is within the jurisdiction of the Conservative government? Are consular staff being provided to young Mr. Khadr, and exactly what kind of help is he receiving from Canada at this terrible time?

**Senator LeBreton:** Not to mention the terrible time for the family of Christopher Speer.

I will also take that question as notice.

In the past, I know that Mr. Khadr was visited and received consular assistance. I believe that is still the case, but I will seek clarification.

**Senator Jaffer:** I am very concerned with the way the leader is answering. In our great country, a person is innocent until proven guilty, and in our country, we provide assistance to Canadians abroad. I want to know exactly what kind of assistance we are providing to this young man.

**Senator LeBreton:** Honourable senators, I am repeatedly on the record explaining that Canadian officials have visited Mr. Khadr many times. They assured themselves that he was being well treated, and I have no reason to believe that that is not the case.

I reiterate that Mr. Khadr faces serious charges. This matter is being handled by the U.S. government. This used to be blamed on the previous administration. President Obama has indicated that Guantanamo will be closed.

This is a process that is under way in the United States, and we respect that. We must let the new Obama administration and the American judicial system decide how they will handle the cases of these prisoners before we start second guessing what President Obama and his administration will do.

• (1430)

I believe it is their right to handle cases like this that involve incidents with regard to their military.

## ENVIRONMENT

### WIND ENERGY

**Hon. Jane Cordy:** Honourable senators, the American Wind Energy Association conference was held in Chicago last week. Seventeen thousand delegates and several levels of government from around the world attended. Fifteen hundred industry booths were set up. Ontario had a booth and Quebec had an entire pavilion; yet, the Canadian government was absent. Could the Leader of the Government please tell this chamber where Canada was?

**Senator Mockler:** Working with the provinces.

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** I am not familiar with the conference. I do not have the information the honourable senator requests, but I will be happy to find out.

**Senator Cordy:** It is truly unfortunate that we were not represented.

The United States government is pouring investment into hundreds of post-secondary institutions to start building the green careers of tomorrow, including wind energy. The Canadian government does not believe in evolution; it does not believe in research; but does it believe in green energy, such as wind energy? Does this government not see this as a priority opportunity to green its technologies?

**Senator LeBreton:** I take strong offence to the honourable senator's remark that we do not believe in evolution. This is old Liberal spin. The honourable senator is reading Warren Kinsella's blogs too often.

### PAGES EXCHANGE PROGRAM WITH HOUSE OF COMMONS

**The Hon. the Speaker:** Honourable senators, I am pleased to introduce two House of Commons pages who are participating in the page exchange this week.

Karisa Karmali is from Orleans, Ontario.

[Translation]

She is studying political science and common law at the University of Ottawa's Faculty of Political Science.

[English]

Natasha Peters is from Calgary, Alberta. She is enrolled in the Faculty of Social Sciences, also at the University of Ottawa. Natasha is majoring in political science.

Welcome to the Senate.

**Hon. Senators:** Hear, hear!

[Translation]

### DELAYED ANSWER TO ORAL QUESTION

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** I have the honour of presenting a delayed answer to a question raised by Senator Eggleton on March 31, 2009, concerning Foreign Affairs, the United Nations Convention on the Rights of Persons with Disabilities.

### FOREIGN AFFAIRS

#### UNITED NATIONS CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

*(Response to question raised by Hon. Art Eggleton on March 31, 2009)*

Canada is proud to have participated with other nations and civil society in the development of the Convention and to have been among the first countries to sign it in March 2007. Canada's signature of the Convention is a signal of our already strong commitment to further reducing barriers to full participation by persons with disabilities in Canadian society.

The Government of Canada is currently giving priority consideration to ratification of the Convention.

The core obligation in the Convention is to promote and ensure the right to equality and non-discrimination of persons with disabilities, including the duty to provide reasonable accommodation. All jurisdictions in Canada currently have in place strong equality rights protections for persons with disabilities. In addition, human rights legislation at the federal, provincial and territorial levels provide additional equality and non-discrimination protections that are largely consistent with the way these rights are defined in the Convention. That said, the Convention covers a great many areas and therefore requires extensive review by all levels of government.

While the Government of Canada has jurisdiction under the Canadian Constitution to enter into human rights treaties on behalf of Canada, the implementation of many of the obligations under these treaties falls within the jurisdiction of the provinces and territories. Given the importance Canada places on being in compliance with international treaties before ratifying, the Government of Canada therefore consults with provincial and territorial governments on matters involving their law making authority prior to ratification. At present, governments are nearing completion of their compliance analysis. Where any gaps or inconsistencies are identified, measures to address them may need to be taken prior to ratification. Canada is also seeking the views of self-governing Aboriginal groups in respect of the Convention.

As is Canada's practice for human rights treaties, the Government of Canada will seek the formal support of provincial and territorial governments once their internal reviews are completed and following a decision by the federal Cabinet with respect to ratification. This process reflects the Government's commitment to flexible, inclusive federalism.

The issues addressed by the Convention are of great importance to Canadian society. Consequently, the Government of Canada is engaging with a broad range of Canadian stakeholders. Their views will play an important role in informing the Government of Canada's decision in respect of ratification of the Convention. Input from civil society will also be of assistance in informing any measures that may be taken post-ratification at the federal level to further implement the Convention. The civil society engagement process will include an internet-based consultation as well as an invitational roundtable. Contractors have been secured to develop and manage the consultations in collaboration with the Department of Human Resources and Skills Development. Entrusting part of the consultation process to experts with prior experience in online and in-person consultations pertaining to persons with disabilities is helpful to ensuring that the consultation activities are as accessible as possible. The online consultations are expected to be launched in May. It is anticipated that the invitational roundtable will be held in late June, prior to the completion of the on-line consultation.

## ORDERS OF THE DAY

### GOVERNANCE OF CANADIAN BUSINESSES EMERGENCY BILL

#### SECOND READING—DEBATE ADJOURNED

**Hon. Céline Hervieux-Payette** moved that Bill S-235, An Act to provide the means to rationalize the governance of Canadian businesses during the period of national emergency resulting from the global financial crisis that is undermining Canada's economic stability, be read the second time.

She said: Honourable senators, it is my great pleasure to speak today at second reading of Bill S-235, the Governance of Canadian Businesses Emergency Act, 2009. This bill provides the means to rationalize the governance of Canadian businesses during the period of national emergency resulting from the global financial crisis and undermining Canada's economic stability. This bill is in line with the commitments made by G20 nations at the London meeting in early April.

The Communiqué from the London Summit focuses on the fact that major failures in the financial sector and in financial regulation and supervision were among the fundamental causes of the crisis.

I would like to read one of the major commitments world leaders made in London.

Strengthened regulation and supervision must promote propriety, integrity and transparency; guard against risk across the financial system; dampen rather than amplify the financial and economic cycle; reduce reliance on inappropriately risky sources of financing; and discourage excessive risk-taking.

To that end, the G20 adopted two specific measures.

On the one hand, regulation and oversight will be extended to all systemically important financial institutions, instruments and markets. This will include, for the first time, hedge funds. On the other hand, tough new principles on pay and compensation will be implemented to support sustainable compensation schemes and promote the corporate social responsibility of all firms.

The first part of Bill S-235 relates to public companies that receive financial relief from the Canadian government in times of crisis. Canadian taxpayers will invest billions of dollars in struggling industries to protect Canadian businesses and jobs. It is therefore only natural that the recipient companies and their officers should be accountable to the public. This bill prohibits those companies from paying dividends to their shareholders during the relief period in order to ensure that all revenues go towards recovery.

Officers are also subject to other measures. As is being done in the United States and in Germany, the annual salaries of the officers of recipient companies will be capped at \$500,000 in Canadian funds. Their remuneration could be enhanced by a bonus, for instance, but that bonus may not exceed a third of their salary.

The companies affected are those that receive relief from the government and operate in key industries in the Canadian economy, specifically, financial services, the forestry industry, the agri-food industry, shipyards, automotive parts and manufacturing, and the aerospace sector.

It is true that the problems Canada is experiencing originated in the United States and Europe, and that they stemmed from the collapse of the housing market in certain countries and the collapse of major international financial institutions. However, great leaders are stepping up to correct the current slump. How can we not commend the intelligence and determination shown by President Barack Obama, who, with exceptional speed, wants to restore the dignity of struggling Americans and who has no qualms about shaking up the financial elite who were too greedy.

Just a few days ago, in a lengthy interview with the *New York Times*, the top man in the White House shared his reflections on the current crisis, on the profound change he hopes to see during his presidency and on his vision for a new industrial financial world:

[English]

What I think will change, what I think was an aberration, was a situation where corporate profits in the financial sector were such a heavy part of our overall profitability over the last decade. That I think will change. And so part of that has to do with the effects of regulation that will inhibit some of the massive leveraging and the massive risk-taking that had become so common. . . . And I actually think that's healthy. We don't want every single college grad with mathematical aptitude to become a derivatives trader. We want some of them to go into engineering, and we want some of them to be going into computer design.

You will see some shift, but we will not lose the enormous advantages that come from the transparency, openness and reliability of our markets. If anything, a more vigorous regulatory regime will help restore confidence, and you will still see a great deal of global capital wanting to park itself in the United States.

• (1440)

Mr. Obama gave meaningful thought to Canadian regulation. The president compares our country to his using the example of the AIG failure. Mr. Obama said the following:

Even with the best regulators, if you start having so much differentiation of functions and products within a single company, a single institution, a conglomerate, essentially, things could potentially slip through the cracks. And people just don't know what they're getting into. I mean, I guarantee you that the average A.I.G. insurance policyholder had no idea that this stuff was going on. And in that sense I think you can make an argument that there may be a breaking point in which functions are so different that you don't want a single company doing everything.

But when it comes to something like investment banking versus commercial banking, the experience in a country like Canada would indicate that good, strong regulation that

focuses less on the legal form of the institution and more on the functions that they're carrying out is probably the right approach to take.

[Translation]

In fact, the robustness of Canada's banks was often the envy of other countries while major institutions abroad were losing most of their value. Canada now has 5 of the 50 largest banks in the world. Ten years ago, it did not have any.

Experts rightly pointed to the fact that Canada has been farsighted in the way it regulates its banking system.

As a member of the Standing Senate Committee on Banking, Trade and Commerce, I took part with pride and keen interest in the major reform of the Bank Act in 1997. By the way, the committee should soon be called on to look at this act again, since legislation is usually updated after 10 years, and it has now been 12 years.

Despite all our precautions, our financial institutions behaved negligently as well. In addition, the directors and executives of Canadian businesses often acted inappropriately, and this had a negative impact on the economy and on Canadians.

A number of Canadian banks lost colossal sums of money as a result of losses on assets they held in the United States, and they had to post enormous losses on their balance sheets. Many large insurance companies also posted losses in 2008 because of risky investment management.

Unfortunately, thousands of Canadian retirees lost everything. In a moving interview on CBC television, a retired woman from Toronto, who was visibly shattered, said:

My retirement savings are all gone. At 71, I am being forced to go back to work, and I don't think it's funny.

We cannot keep on compensating companies for failures and abuses. It is the government's responsibility to oversee the management of our corporations, and that inevitably means controlling the compensation paid to executives of corporations that receive assistance out of Canadian taxpayers' dollars.

If we wish to correct the management shortcomings of our corporations we must diligently put in place a new code of conduct for the boards of public companies and those listed on the stock exchange.

For that reason, my bill contains provisions applicable to all public companies listed on the stock exchange. Certain measures will increase board members' responsibilities and they will have to better inform shareholders of their decisions given that they represent the latter.

The legislation contains a measure whereby an individual may not sit on the board of directors of more than four corporations.

The board of directors shall present, at the shareholders' meeting, the principles and structures for the remuneration of its officers. These shall be subject to a mandatory, advisory vote.

[ Senator Hervieux-Payette ]

The annual report submitted to shareholders shall contain a statement of benefits including remuneration, travel expenses, attendance at conventions, use of motor vehicles and others.

And, as the renowned American economist, Jeffrey Sachs, so aptly stated at the Montreal Millennium Summit:

We were derailed by the values that guided us over the past 25 years.

This is his explanation of the current crisis:

We stopped regulating financial markets, we stopped paying attention to the problems of the poor and we failed to address the environmental challenge. What is happening today has not been caused by technical errors but by our abandonment of fundamental social principles.

In his latest bestseller, *The Ascent of Money*, British historian Niall Ferguson uses a few figures to show the evolution of the economy and finance, which perfectly illustrate the downturn.

In 2006, the global economy was valued at US \$47,000 billion. The global value of all corporations listed on stock exchanges was \$51,000 billion, or 6 per cent higher. The value of domestic and international debt, \$68,000 billion, was 50 per cent higher. The value of all derivatives was \$473,000 billion, which was 10 times the value of the global economy.

"Planet Finance", he said, "was beginning to dwarf Planet Earth".

Honourable senators, Bill S-325 opens an important and fundamental debate on our economy and the social values we wish to uphold for ourselves, our children and our grandchildren.

As parliamentarians, we have the power to change things and correct the abuses that have done such harm to our fellow citizens.

I will close with some words from a recent publication by legendary Canadian novelist and essayist, Margaret Atwood. Talking about her latest book, *Payback: Debt and the Shadow Side of Wealth*, she said:

Money is a recent arrival in the annals of human history. Its original purpose was to make it easier to exchange goods.

Then money mutated and spawned the financial system we are familiar with today. And here we are.

Our creation is now out of control, much like Frankenstein's monster. It works well at first but then things get scary.

This bill is the first in a series of changes to our financial system. Other legislation will be introduced. Honourable senators, I invite you to participate in the monumental debate going on around the world. Let us hope that nothing will be as it was.

[English]

**Hon. Fred J. Dickson:** Will the honourable senator permit a question?

Is the honourable senator enunciating Liberal policy? I am curious. It is shocking to me. In the short time I have been here, I have learned many positive things from the other side, but today I am shocked.

**Senator Hervieux-Payette:** Maybe my young new colleague will learn that senators are independent, because they are appointed, and they can say whatever they want. They are not obliged to run in the next election. People who know me know that I am independent minded, and that I consult the population to tell us what we can expect in the years to come and also to ask why the government has not acted as the government did the United States. The president of General Motors in the United States is limited to a salary of \$500,000, but the salary of the president of General Motors in Canada is not limited.

This government should take action immediately, and I am proud of what I have tabled.

(On motion of Senator Comeau, debate adjourned.)

• (1450)

## CANADA ELECTIONS ACT PARLIAMENT OF CANADA ACT

### BILL TO AMEND—SECOND READING— MOTION IN AMENDMENT—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Moore, seconded by the Honourable Senator Day, for the second reading of Bill S-224, An Act to amend the Canada Elections Act and the Parliament of Canada Act (vacancies);

And on the motion in amendment of the Honourable Senator Segal, seconded by the Honourable Senator Nancy Ruth, that Bill S-224 be not now read a second time but that the subject matter thereof be referred to the Standing Senate Committee on Legal and Constitutional Affairs;

That the committee report back no later than September 22, 2009; and

That the Order to resume debate on the motion for the second reading of the bill not appear on the *Order Paper and Notice Paper* until the committee has tabled its report on the subject matter of the bill.

**Hon. David Tkachuk:** Honourable senators, I am interested in Senator's Moore's bill.

### MOTION IN SUB-AMENDMENT

**Hon. David Tkachuk:** Therefore, I move:

That the motion in amendment be further amended by replacing the words "September 22, 2009" with "October 1, 2009".

I want to speak on that amendment and therefore I want to adjourn the debate.

**The Hon. the Speaker *pro tempore*:** Is this No. 3, Senator Tkachuk, Bill S-224?

**Senator Tkachuk:** Yes.

**The Hon. the Speaker *pro tempore*:** Does the Honourable Senator Tkachuk wish to speak on the motion in amendment?

**Senator Tkachuk:** I move the adjournment of the debate.

**The Hon. the Speaker *pro tempore*:** It is moved by the Honourable Senator Tkachuk, seconded by the Honourable Senator Comeau, that further debate be adjourned until the next sitting of the Senate.

Is it your pleasure, honourable senators, to adopt the motion?

**Some Hon. Senators:** Agreed.

**Senator Moore:** On division.

(On motion of Senator Tkachuk, debate adjourned, on division.)

## PATENT ACT

### BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Goldstein, seconded by the Honourable Senator Cordy, for the second reading of Bill S-232, An Act to amend the Patent Act (drugs for international humanitarian purposes) and to make a consequential amendment to another Act.

**Hon. Sharon Carstairs:** Honourable senators, I know this order is adjourned in the name of Senator Comeau, and I am prepared to keep it in the name of Senator Comeau, but I want to speak to Bill S-232 this afternoon.

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** I have no objection if Senator Carstairs speaks now. All I ask is that I reserve the 45 minutes for the critic.

**Senator Carstairs:** Yes, absolutely.

Honourable senators, the reason I wish to speak to this particular piece of legislation today is that this is the fifth anniversary that Royal Assent was given to the bill establishing Canada's Access to Medicines Regime, CAMR. This bill, unanimously supported by all parties in both houses, addressed the compulsory licensing of pharmaceuticals for the purpose of exporting more affordable generic medicines to developing countries. It was a good bill in principle and worthy of the all-party support that it received.

Unfortunately, over the last five years, we have learned to our great disappointment that this law is deeply flawed. As an example of that failure, in five years it has been used only one time. This piece of legislation was supposed to make it possible for those people living in developing countries who lacked the adequate drugs to deal with huge and growing disease problems to be able to obtain those drugs. I believe the intention of everyone was positive, and that is the reason everyone supported it. It is important, therefore, to ask two questions: Why is the present legislation not being used effectively? Why is Bill S-232 needed?

Honourable senators, the United Nations estimated in 2007 that 33 million people worldwide were living with HIV, including 2.5 million children under the age of 15. It was estimated that 95 per cent of these sufferers live in developing nations, and 90 per cent live in sub-Saharan Africa.

Over 8,000 people die of HIV/AIDS each day. That is five persons every single minute. Our chamber would be wiped out in 20 minutes. Think about that; in 20 minutes we would all be gone if we were living in a society where we were infected with HIV/AIDS, as so many are in sub-Saharan Africa.

Of the estimated 780,000 persons in need of antiretroviral treatment, only 15 per cent of them are on this treatment, and almost all of them live in the developed world. Only 6 per cent in sub-Saharan Africa receive the treatment they need. Yet, early treatment is successful. In South Africa, mortality was reduced by 75 per cent in HIV-infected infants who were treated before they reached 12 weeks of age. Instead of 75 per cent of these children dying before the age of two, they were treated, not cured of the disease but treated, to the point where they could live a normal lifespan.

HIV/AIDS is only one of the diseases for which these drugs are desperately needed. Malaria is another one that is, again, so prevalent in sub-Saharan Africa.

The law as it exists has severe shortcomings. The main shortcoming is that companies making these generic drugs, as well as the developing countries that need these drugs, are reluctant to face the bureaucratic burden of the current law. Organizations have made representations to Parliament, particularly over the last two years, as to how this legislation can be streamlined and simplified.

Today, on the fifth anniversary of this bill having received Royal Assent, 39 organizations released a press release again calling upon this Parliament to change the regulations in this bill. They called their press release, "Dying for lack of medicines in developing countries."

Fortunately, our former colleague, the Honourable Yoine Goldstein, who sadly retired last week because he had reached the magical age of 75, introduced this bill. I assure senators that this bill will not die because Senator Goldstein has retired. I was so impressed with this legislation that I will continue his sponsorship because it is essential that this matter be addressed.

Honourable senators, if this legislation that was passed five years ago had worked, it would not have taken four and a half years for one country, Rwanda, to obtain one drug. That is all we

have accomplished with this piece of legislation in five years. One country, Rwanda, received one drug. It happens to be an HIV drug, but we know as a result of another press release put out by Apotex this afternoon, the company that produced the drug that went to Rwanda, that the company is prepared to go to a next step. Apotex has indicated that the company is willing to make a drug that will be more pediatric-sensitive, as many of the drugs already in production are not easily given to children, should this law become simpler.

If we pass Senator Goldstein's bill, we will have the opportunity of moving even a step further. We will now have an additional drug that will be available for pediatric care. This is an extremely good piece of news, as one additional hurdle has been crossed.

The current legislation is layered with restrictions and regulatory requirements that have hindered its usability. Since Canada was one of the first nations to adopt a law of this sort under the patent provisions of the World Trade Organization, I believe Canada should show further global leadership in acknowledging that the current law does not permit rapid response. The law is not flexible and it does not provide a sustainable solution.

Honourable senators, Bill S-232 will address the obstacles placed in the way of delivering these drugs by eliminating the limited list of products that can be made in generic form. The current list makes production of these needed drugs clearly impossible and this list is not required by WTO rules. There are new definitions of pharmaceutical products and patent products in this bill that I speak to today that would provide clarity to these definitions.

Non-governmental organizations, NGOs, will find it easier to purchase generic drugs by eliminating the present restriction found in the current law that they must have permission from importing countries.

• (1500)

Honourable senators, clearly any drug must meet the drug regulatory authority of the country to which it goes. That is a given. We have set another barrier upon which they must cross. It must not just pass their drug regulatory scheme; we must go to them and get an additional permission.

There should be no requirement, for example, for the World Trade Organization to be notified by the recipient country of its intention to purchase these necessary drugs. The World Trade Organization does not require this, so why does the legislation? This is simply another delaying tactic and, in my view, unnecessary.

Honourable senators, this bill before you may not be perfect. Without the resources, government private members' bills often are not. Of course, government bills are often not perfect, either, but there is an added hurdle that must be passed by private members' bills. We simply do not have the staff, as senators, in order to meet every single variable that may exist.



Honourable senators, we are at second reading stage, and this is debate on principle of this bill. If the government has ways to improve this bill, I welcome those changes. What is not acceptable, honourable senators, is doing nothing, and nothing has been the response to date. Frankly, it is not good enough.

I conclude, honourable senators, by reminding you that during this speech, if I have used my 15 minutes — and I do not think I have — but if I had used my 15 minutes, 75 people would have died from HIV/AIDS. We could prevent many of these deaths by making these drugs more accessible to developing nations. These are human beings. These are our fellow world citizens. They deserve our help and support for this legislation.

(On motion of Senator Comeau, debate adjourned.)

## COMMISSIONER OF THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT BILL

### SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator McCoy, seconded by the Honourable Senator Wallace, for the second reading of Bill S-206, An Act respecting the office of the Commissioner of the Environment and Sustainable Development.

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, Senator McCoy cannot be in the chamber at this time, and has asked me to continue the adjournment of this item in her name. She has a number of items that she has not had a chance to complete. I ask, with respect to this item, to continue the adjournment in her name.

(On motion of Senator Comeau, for Senator McCoy, debate adjourned.)

## NATIONAL SECURITY AND DEFENCE

### BUDGET AND AUTHORIZATION TO ENGAGE SERVICES AND TRAVEL— STUDY ON NATIONAL SECURITY POLICY— THIRD REPORT OF COMMITTEE— DEBATE CONTINUED

On the Order:

Resuming debate on the motion by the Honourable Senator Kenny, seconded by the Honourable Senator Banks, for the adoption of the third report of the Standing Senate Committee on National Security and Defence (*budget—study on the national security policy—power to hire staff and travel*) presented in the Senate on May 7, 2009.

**Hon. David Tkachuk:** Honourable senators, we are considering the budget of the Standing Senate Committee on National Security and Defence. At the April 27 meeting of the Committee on National Security and Defence, I asked the chair of the committee to clarify how the amounts budgeted for the services of four consultants were arrived at. Specifically, I said:

First, I have a question on the professional services. We are close to the end of April, so we will have only 11 months in the fiscal year remaining by the time this budget is approved. Should those numbers be adjusted because of that?

The chair replied, very plainly:

They have not been adjusted, but I would like to discuss that in camera initially, if I may.

The subject of whether the amounts had been adjusted was not raised again at any point during that meeting.

On Tuesday, May 12, in this chamber, I again asked the chair about this issue. I asked:

In the budget presented in that report, under professional and other services, it shows four consultants being engaged by the committee. Have their salaries been adjusted for the fact that there is a little over 10.5 months left in the fiscal year and not a full 12-month fiscal year?

This time, the chair said:

Yes, they have.

He also indicated that the chair of the Budgets Subcommittee of the Internal Economy Committee had asked the same question and was told that the salaries had been adjusted to account for the fact that we are not budgeting for a full fiscal year.

I have asked the exact question of the Chair of the Standing Senate Committee on National Security and Defence on two occasions, once in the committee and once in this chamber. I have received opposite responses. Obviously one of these responses is not correct.

I am concerned about this, and I am equally concerned that members of the Standing Senate Committee on National Security and Defence, members of the Budgets Subcommittee of the Standing Committee on Internal Economy, Budgets and Administration and, indeed, every honourable senator may have been misinformed. I am concerned that the budget of the Standing Senate Committee on National Security and Defence, as recommended to the Senate by the Standing Committee on Internal Economy, Budgets and Administration may be based partly on misinformation.

I have been put in the unfortunate position of having to choose between two contrary answers given to me by the chair of the National Security and Defence Committee. In deciding which answer to believe, I revisited the numbers in the committee's proposed budget and found that the amounts budgeted for each consultant for the current fiscal year are actually greater than the amounts budgeted for each consultant for the entire 2008-09 fiscal year.

This suggests to me that contrary to what the chair told the budget subcommittee and repeated Tuesday in this chamber, the amounts requested for consultants have not been reduced to account for the fact that there remains only 10 and one half months in this fiscal year.

Even more revealing is the fact that the amounts requested for each consultant in the report before us are exactly the same as the amounts contained in a draft budget that was presented to the National Security and Defence Committee for consideration on Wednesday, March 4, 2009, nearly a month before the start of the current fiscal year.

Clearly, these numbers were expected to apply to the entire 2009-10 fiscal year, and they have not been adjusted, even though we are now more than a month into the fiscal year. The numbers in the report before us were clearly intended to cover 12 months, not 11 months. In order to fund the consultants for six months, we should release sixtwelfths of the total amount requested for each consultant for the fiscal year rather than sixelevenths.

#### MOTION IN AMENDMENT

**Hon. David Tkachuk:** Therefore, honourable Senators, I move:

That the report be not now adopted, but that it be amended in Appendix B by reducing the figure in the "Professional and Other Services" category to \$116,006, for a total of \$349,175 for all categories, reflecting adjustments in the salaries for the Communications Consultant, the Senior Military Adviser, the Senior National Security Adviser, and the Writer-Consultant.

**The Hon. the Speaker *pro tempore*:** There is a motion by the Honourable Senator Kenny, seconded by the Honourable Senator Banks, on the adoption of the third report of the Standing Senate Committee on National Security and Defence. On that motion, Senator Tkachuk has a motion in amendment.

It is moved by the Honourable Senator Tkachuk, seconded by the Honourable Senator Kenny, that the report be not now adopted but that it be amended in Appendix B by reducing the figure in the "Professional and Other Services" category to \$116,006, for a total of \$349,175 for all categories, reflecting adjustments in the salaries for the Communications Consultant, the Senior Military Adviser, the Senior National Security Adviser, and the Writer-Consultant.

• (1510)

**Hon. Colin Kenny:** Honourable senators, by and large I support what Senator Tkachuk said, although we might differ on minor details. There was a discussion in camera. I cannot repeat an in camera discussion, but the bottom line is that Senator Tkachuk is correct.

The figure put forward was for 12 months. It should have been for 11 months. The amendment Senator Tkachuk proposes is an appropriate one. I support it and I thank Senator Tkachuk for bringing this error to the attention of the chamber.

**Hon. Michael L. MacDonald:** Honourable senators, while I have great respect for the mathematical abilities of Senator Tkachuk, as a member of the Standing Committee on Internal Economy, Budgets and Administration and the subcommittee

I feel I have an obligation and responsibility to review these numbers. Therefore, I move the adjournment of the debate.

(On motion of Senator MacDonald, debate adjourned, on division.)

#### THE ESTIMATES, 2009-10

##### PARLIAMENT VOTE 10—SECOND REPORT OF STANDING JOINT COMMITTEE ON THE LIBRARY OF PARLIAMENT ADOPTED

Leaving having been given to revert to Government Business, Reports of Committees, Item No. 1:

The Senate proceeded to consideration of the second report of the Standing Joint Committee on the Library of Parliament (*Vote 10 of the 2009-2010 Estimates*) presented in the Senate on May 13, 2009.

**Hon. Sharon Carstairs:** I move the adoption of the report.

Motion agreed to and report adopted.

[*Translation*]

#### ROYAL ASSENT

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

##### RIDEAU HALL

May 14, 2009

I have the honour to inform you that the Right Honourable Michaëlle Jean, Governor General of Canada, signified royal assent by written declaration to the bills listed in the Schedule to this letter on the 14th day of May, 2009, at 2:33 p.m.

Yours sincerely,

*Secretary to the Governor General*  
Sheila-Marie Cook

The Honourable  
The Speaker of the Senate  
Ottawa

Bills assented to Thursday, May 14, 2009:

An Act to amend the Indian Oil and Gas Act (*Bill C-5, Chapter 7, 2009*);

An Act to amend the Energy Efficiency Act (*Bill S-3, Chapter 8, 2009*);

An Act to amend the Transportation of Dangerous Goods Act, 1992 (*Bill C-9, Chapter 9, 2009*).

[ Senator Tkachuk ]

[English]

## RULES OF THE SENATE

### MOTION TO AMEND RULE 28(3.1)— DEBATE CONTINUED

On the Order:

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

That Rule 28(3.1) of the *Rules of the Senate* be amended as follows:

That after the words “tables a document proposing a user fee,” the words “or the increase or extension of a user fee,” be added; and

That after the words “designated in the Senate for the purpose by the Leader of the Government in the Senate or the Deputy Leader of the Government in the Senate”, the words “, provided that the respective committee has been properly constituted under the authority of the Senate, and” be added.

**Hon. Tommy Banks:** I notice that this order is at the fourteenth day. Senator Di Nino and I have received information that we have discussed with His Honour with respect to a conflict that may exist between this motion and the statute with which it deals and His Honour's motion that related to this matter.

Senator Di Nino, His Honour and I are investigating how to deal with that motion. For that reason, I want to adjourn the debate in my name for the remainder of my time.

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Given that Senator Banks has already spoken on the subject, possibly we might entice Senator Di Nino to reset the clock.

**Hon. Consiglio Di Nino:** Honourable senators, Senator Banks and I have been cooperating on this issue. We have discovered during our analysis a potential conflict that we are trying to resolve amicably.

It slipped my mind to look at the number, but I wish to adjourn the matter for the remainder of my time and I will deal with it when we come back after the break.

(On motion of Senator Di Nino, debate adjourned)

## NEWFOUNDLAND AND LABRADOR

### INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Cook calling the attention of the Senate to Newfoundland and Labrador — 60 years of being Canadian.

**Hon. Joan Fraser (Acting Deputy Leader of the Opposition):** Honourable senators, as you can see, this order is at day 14. It stands in the name of Senator Tardif, who is unfortunately unable

to be with us at this moment. I know that she wished to speak to the motion. Senator Rompkey also wishes to speak to this matter, understandably given that he is from Newfoundland and Labrador, and he is detained on committee business right now.

Therefore, I want to continue the adjournment in the name of Senator Rompkey.

(On motion of Senator Fraser, for Senator Rompkey, debate adjourned)

• (1520)

## THE SENATE

### MOTION TO URGE GOVERNMENT TO CHANGE SPOUSAL BENEFITS OF MEMBERS OF FOREIGN SERVICE AND ARMED FORCES EMPLOYED OUTSIDE CANADA—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Carstairs, P.C., seconded by the Honourable Senator Hubley:

That,

Whereas the spouses of members of the foreign service and members of the armed services also serve Canada when they accompany their family member to foreign postings; and

Whereas if they are outside the country for more than 2 years these spouses become ineligible to collect benefits for which they paid premiums while employed in Canada; and

Whereas upon return to Canada they should be eligible for benefits while they seek employment;

Therefore the Senate of Canada urges the government to introduce legislation to change the eligibility requirement from 2 years to 5 years for spouses of foreign service officers and spouses of members of the armed services who live outside the country and who meet all the other eligibility requirements; and

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

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Senator Martin could not be in the chamber at this time. I know she has a great interest in this subject and is in the process of preparing her notes. I wonder if I might continue the adjournment of this motion under Senator Martin's name.

(On motion of Senator Comeau, for Senator Martin, debate adjourned.)

# ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE PARLIAMENTARY ASSEMBLY

## MOTION TO SUPPORT RESOLUTION ON WATER MANAGEMENT IN THE OSCE AREA— DEBATE CONTINUED

On the Order:

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

That the Senate endorse the following Resolution, adopted by the OSCE Parliamentary Assembly at its 17th Annual Session, held at Astana, Kazakhstan, from June 29 to July 3, 2008:

### RESOLUTION ON WATER MANAGEMENT IN THE OSCE AREA

1. Reiterating the fundamental importance of the environmental aspects of the OSCE concept of security,
2. Recognizing the link between natural resource problems and disputes or conflicts within and between states,
3. Noting the opportunities presented by resource management initiatives that address common environmental problems, including local ownership and sub-regional programmes and co-operation amongst governments, and which promote peace-building processes,
4. Recalling the OSCE's role in encouraging sustainable environmental policies that promote peace and stability, specifically the 1975 *Helsinki Final Act*, the 1990 *Concluding Document of the CSCE Conference on Economic Co-operation in Europe* (Bonn Document), the 1999 *Charter for European Security* adopted at the Istanbul Summit, the 2003 *OSCE Strategy Document for the Economic and Environmental Dimension* (Maastricht Strategy), other OSCE relevant documents and decisions regarding environmental issues, and the outcome of all previous Economic and Environmental Fora, which have established a basis for the OSCE's work in the area of environment and security,
5. Recognizing that water is of vital importance to human life and that it is an element of the human right to life and dignity,
6. Noting the severity of water management issues and the scarcity of water resources faced by many states in the OSCE region, affected in particular by unregulated social and economic activities, including urban development, industry, and agriculture,
7. Concerned by the impact of poor water management systems on human health, the environment, the sustainability of biodiversity and aquatic and land-based eco-systems, affecting political and socio-economic development,
8. Concerned by the more than 100 million people in the pan-European region who continue to lack access to safe drinking water and adequate sanitation,
9. Concerned by those areas and people in the North American region of the OSCE space without access to safe drinking water and sanitation,
10. Concerned by the potential for water management issues to escalate if options to address and reverse the problem are not duly considered and implemented,
11. Recognizing the importance of good environmental governance and responsible water management for the governments of participating States,
12. Applauding the work of the Preparatory Seminar for the Tenth OSCE Economic Forum which took place in 2001 in Belgrade and which focused on water resource management and the promotion of regional environmental co-operation in South-Eastern Europe,
13. Applauding the work of the 15th OSCE Economic and Environmental Forum and its preparatory meetings, "Key challenges to ensure environmental security and sustainable development in the OSCE area: Water Management," held in Zaragoza, Spain,
14. Applauding the OSCE's *Madrid Declaration on Environment and Security* adopted at the 2007 Ministerial Council which draws attention to water management as an environmental risk which may have a substantial impact on security in the OSCE region and which might be more effectively addressed within the framework of multilateral co-operation,
15. Expressing support for the efforts made to date by several participating States of the OSCE to deal with the problem, including the workshop on water management organized by the OSCE Centre in Almaty in May 2007 for experts from Central Asia and the Caucasus,

The OSCE Parliamentary Assembly:

16. Calls on the OSCE participating States to undertake sound water management to support sustainable environmental policies;
17. Recommends that the OSCE participating States pursue and apply the measures necessary to implement the 2007 *Madrid Declaration on Environment and Security*;
18. Recommends that such water management and oversight activities include national, regional and local co-operative initiatives that share best practices and provide support and assistance amongst each other;

19. Recommends that the OSCE participating States adopt the multiple barrier approach to drinking water protection, with particular attention to water tables, in their national, regional and local regulations to ensure that people living throughout the OSCE space have access to safe drinking water;
20. Recommends that the OSCE participating States consider developing more effective national, sub-national and local results-based, action-oriented and differentiated approaches to sound water management policies;
21. Encourages the OSCE participating States to continue their work with other regional and international institutions and organizations with respect to water management solutions, providing for the establishment of supranational arbitral commissions with decision-making powers delegated by the States.

**Hon. Joan Fraser (Acting Deputy Leader of the Opposition):** Similarly, honourable senators, this subject is of considerable interest to a number of us, including myself. I have not had a chance to prepare my notes, and I am embarrassed to see that the motion is on day 15. I ask your indulgence and move the adjournment of the debate.

(On motion of Senator Fraser, debate adjourned.)

#### MOTION TO SUPPORT RESOLUTION ON COMBATING ANTI-SEMITISM—DEBATE CONTINUED

On the Order:

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

That the Senate endorse the following Resolution, adopted by the OSCE Parliamentary Assembly at its 17th Annual Session, held at Astana, Kazakhstan, from June 29 to July 3, 2008:

#### RESOLUTION ON COMBATING ANTI-SEMITISM, ESPECIALLY ITS MANIFESTATIONS IN THE MEDIA AND IN ACADEMIA

1. Recalling the Parliamentary Assembly's leadership in increasing the focus and attention of the participating States since the 2002 Annual Session in Berlin on issues related to manifestations of anti-Semitism,
  2. Reaffirming especially the 2002 Porto Ministerial Decision condemning "anti-Semitic incidents in the OSCE area, recognizing the role that the existence of anti-Semitism has played throughout history as a major threat to freedom",
  3. Referring to the commitments made by the participating States in the previous OSCE conferences in Vienna (2003), Berlin (2004), Brussels (2004) and Cordoba (2005) regarding legal, political and educational efforts to fight anti-Semitism,
  4. Welcoming all efforts of the parliaments of the OSCE participating States on combating anti-Semitism, especially the All-Party Parliamentary Inquiry on anti-Semitism in the United Kingdom,
  5. Noting with satisfaction all initiatives of the civil society organizations which are active in the field of combating anti-Semitism,
  6. Acknowledging that incidents of anti-Semitism occur throughout the OSCE region and are not unique to any one country, which necessitates unwavering steadfastness by all participating States to erase this black mark on human history,
- The OSCE Parliamentary Assembly:
7. Appreciates the ongoing work undertaken by the OSCE and ODIHR through its Programme on Tolerance and Non-discrimination and supports the continued organisation of expert meetings on anti-Semitism and other forms of intolerance aimed at enhancing the implementation of relevant OSCE commitments;
  8. Appreciates the initiative by Mr John Mann MP (United Kingdom) to create a world-wide Inter-Parliamentary Coalition for Combating Anti-Semitism and encourages the parliaments of the OSCE participating States to support this initiative;
  9. Urges participating States to present written reports on their activities to combat anti-Semitism and other forms of discrimination at the 2009 Annual Session;
  10. Reminds participating States to improve methods of monitoring and to report anti-Semitic incidents and other hate crimes to the Office for Democratic Institutions and Human Rights (ODIHR) in a timely manner;
  11. Recognizes the importance of the ODIHR tools in improving the effectiveness of States' response to anti-Semitism, such as teaching materials on anti-Semitism, the OSCE/ODIHR Law Enforcement Officers Programme (LEOP), which helps police forces within participating States better to identify and combat incitement to anti-Semitism and other hate crimes, and civil society capacity-building to combat anti-Semitism and hate crimes, including through the development of networks and coalitions with Muslim, Roma, African descendent and other communities combating intolerance; and recommends that other States make use of these tools;
  12. Expresses appreciation of the commitment by 10 countries — Croatia, Denmark, Germany, Lithuania, the Netherlands, Poland, the Russian Federation, Slovakia, Spain and Ukraine — in

- co-developing with ODIHR and the Anne Frank House teaching materials on the history of Jews and anti-Semitism in Europe, and encourages all other OSCE participating States to adopt these teaching materials in their respective national languages and put them into practice;
13. Encourages participating States to adopt the guide for educators entitled *Addressing Anti-Semitism — WHY and HOW*, developed by ODIHR in co-operation with Yad Vashem, in their respective national languages and put them into practice;
  14. Urges governments to create and employ curricula that go beyond Holocaust education in dealing with Jewish life, history and culture;
  15. Condemns continued incidents of anti-Semitic stereotypes appearing in the media, including news reports, news commentaries, as well as published commentaries by readers;
  16. Condemns the use of double standards in media coverage of Israel and its role in the Middle East conflict;
  17. Calls upon the media to have discussions on the impact of language and imagery on Judaism, anti-Zionism and Israel and its consequences on the interaction between communities in the OSCE participating States;
  18. Deplores the continued dissemination of anti-Semitic content via the Internet, including through websites, blogs and email;
  19. Urges participating States to increase their efforts to counter the spread of anti-Semitic content, including its dissemination through the Internet, within the framework of their respective national legislation;
  20. Urges editors to refrain from publishing anti-Semitic material and to develop a self-regulated code of ethics for dealing with anti-Semitism in media;
  21. Calls upon participating States to prevent the distribution of television programmes and other media which promote anti-Semitic views and incite anti-Semitic crimes, including, but not limited to, satellite broadcasting;
  22. Reminds participating States of measures to combat the dissemination of racist and anti-Semitic material via the Internet suggested at the 2004 OSCE Meeting on the Relationship between Racist, Xenophobic and Anti-Semitic Propaganda on the Internet and Hate Crimes, that include calls to:
    - pursue complementary parallel strategies,
    - train investigators and prosecutors on how to address bias-motivated crimes on the Internet,
    - support the establishment of programmes to educate children about bias-motivated expression they may encounter on the Internet,
    - promote industry codes of conduct,
    - gather data on the full extent of the distribution of anti-Semitic hate messages on the Internet;
  23. Deplores the continued intellectualization of anti-Semitism in academic spheres, particularly through publications and public events at universities;
  24. Suggests the preparation of standards and guidelines on academic responsibility to ensure the protection of Jewish and other minority students from harassment, discrimination and abuse in the academic environment;
  25. Urges all participants of the upcoming Durban Review Conference in Geneva to make sure that pressing issues of racism around the world will be properly assessed and that the conference will not be misused as a platform for promoting anti-Semitism;
  26. Suggests that the delegations of the OSCE participating States hold a meeting on the eve of the Durban Review Conference to discuss and evaluate the Durban Review process.

**Hon. Joan Fraser (Acting Deputy Leader of the Opposition):**

Obviously, honourable senators, I am not good at counting. This is also a subject upon which I wish to speak, and so I ask that the debate be adjourned in my name until I have a chance to prepare my notes.

(On motion of Senator Fraser, debate adjourned.)

**CANADA ELECTIONS ACT  
PARLIAMENT OF CANADA ACT**

**ALLOTMENT OF TIME FOR DEBATE—  
DEBATE ADJOURNED**

**Hon. Wilfred P. Moore**, pursuant to notice of May 13, 2009, moved:

That it be an Order of the Senate that on the first sitting day following the adoption of this motion, at 3 p.m., the Speaker shall interrupt any proceedings then underway; and all questions necessary to dispose of third reading of Bill S-224, An Act to amend the Canada Elections Act and the Parliament of Canada Act (vacancies) shall be put forthwith without further adjournment, debate or amendment; and that any vote to dispose of Bill S-224 shall not be deferred; and

That, if a standing vote is requested, the bells to call in the Senators be sounded for fifteen minutes, after which the Senate shall proceed to take each vote successively as required without the further ringing of the bells.

**The Hon. the Speaker *pro tempore*:** Senator Comeau wishes to speak.

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, like Senator Fraser, I should have prepared my notes much more extensively than I have done, and I must admit that I was working on something else just as important. To prepare my notes properly, I want to adjourn the debate.

**The Hon. the Speaker *pro tempore*:** On a point of order, Senator Moore.

**Senator Moore:** Honourable senators, I move, pursuant to rule 33, that the Honourable Senator Zimmer be now heard.

**Hon. Rod A.A. Zimmer:** I move that the original question be now put.

**The Hon. the Speaker *pro tempore*:** On a point of order that Senator Zimmer should be now heard.

**Senator Comeau:** This is a motion, and on debate. I moved the adjournment properly, as it should be. When a motion to adjourn is proposed, it is not debatable. Honourable senators cannot bring forth procedures and so on to stop the movement of an adjournment of debate. Therefore, I think Her Honour will have to accept my motion of adjournment.

**The Hon. the Speaker *pro tempore*:** There is a point of order. I must listen to the point of order.

**Senator Moore:** Your Honour, it is clear, under rule 33(2):

In the circumstances provided in section (1) . . .

Senator Zimmer had risen.

. . . a third Senator may rise on a point of order and propose a motion naming another Senator . . .

— which I did.

. . . who had risen and proposing that the other Senator “be now heard” . . . and the question on such a motion shall be put forthwith without debate or amendment.

I ask that the motion be put. It is in our rules. This is not something we are making up as we go along.

**Senator Comeau:** Her Honour recognized my having risen. She recognized me on my feet in debate, and I moved the motion of adjournment. The rule, as read by Senator Moore, does not apply. I was recognized and I moved the adjournment. Therefore, we should proceed with the adjournment motion.

**Hon. Pierrette Ringuette:** We will take a vote on the adjournment motion.

**The Hon. the Speaker *pro tempore*:** Senator Banks, on a point of order.

**Senator Comeau:** There is no point of order.

**Hon. Tommy Banks:** My recollection of the situation is that when Senator Moore was asked to speak, he said that he did not wish to; and at that point, two senators stood. Senator Comeau stood and Senator Zimmer stood. Senator Comeau may have made a motion at the time that he was standing, but my recollection, Your Honour, is that two senators were standing.

**Senator Comeau:** I will repeat one more time: I rose after Senator Moore indicated that he did not wish to speak. I was recognized by Her Honour. Her Honour accepted and I moved a motion of adjournment. There cannot be a point of order on a motion of adjournment. We proceed with the vote.

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

**Some Hon. Senators:** Agreed.

**Some Hon. Senators:** No.

**The Hon. the Speaker *pro tempore*:** I will call the vote on the motion to adjourn.

All those in favour of the motion will signify by saying “yea.”

**Some Hon. Senators:** Yea.

**The Hon. the Speaker *pro tempore*:** All those opposed will signify by saying “nay.”

**Some Hon. Senators:** Nay.

**The Hon. the Speaker *pro tempore*:** In my opinion, the “nays” have it.

*And two honourable senators having risen:*

**The Hon. the Speaker *pro tempore*:** Call in the senators for a vote. There will be a 30-minute bell, as agreed by the whips. The vote will take place at 4 p.m.

• (1600)

Motion agreed to and debate adjourned on the following division:

#### YEAS THE HONOURABLE SENATORS

Andreychuk  
Atkins  
Bacon  
Banks  
Brazeau  
Brown  
Callbeck  
Campbell  
Champagne  
Cochrane  
Comeau  
Cook  
Cordy  
Dawson  
Dickson

Kenny  
LeBreton  
MacDonald  
Mercer  
Milne  
Mockler  
Moore  
Munson  
Nolin  
Oliver  
Peterson  
Poulin  
Prud'homme  
Raine  
Ringuette

Di Nino  
Downe  
Duffy  
Dyck  
Fairbairn  
Fraser  
Housakos  
Hubley  
Jaffer

Rivard  
Robichaud  
Rompkey  
Smith  
Stollery  
Stratton  
Tkachuk  
Wallin  
Zimmer—48

#### NAYS

#### THE HONOURABLE SENATORS

Nil

#### ABSTENTIONS

#### THE HONOURABLE SENATORS

Nil

[Translation]

#### VISITORS IN THE GALLERY

**The Hon. the Speaker *pro tempore*:** Honourable senators, I would like to draw your attention to the presence in the gallery of a group of students from École Maurice-Lavallée in Edmonton. They are accompanied by Annie Dansereau, Alain Gaudette and Marc Potvin.

They are guests of the Honourable Senator Claudette Tardif.

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

[English]

#### CANADA ELECTIONS ACT PARLIAMENT OF CANADA ACT

#### BILL TO AMEND—SECOND READING

Leave having been given to revert to Other Business, Senate Public Bills, Item No. 3:

On the Order:

Resuming debate on the motion of the Honourable Senator Moore, seconded by the Honourable Senator Day, for the second reading of Bill S-224, An Act to amend the Canada Elections Act and the Parliament of Canada Act (vacancies);

And on the motion in amendment of the Honourable Senator Segal, seconded by the Honourable Senator Nancy Ruth, that Bill S-224 be not now read a second time but that the subject matter thereof be referred to the Standing Senate Committee on Legal and Constitutional Affairs;

That the committee report back no later than September 22, 2009; and

That the Order to resume debate on the motion for the second reading of the bill not appear on the *Order Paper and Notice Paper* until the committee has tabled its report on the subject matter of the bill; and

On the motion in subamendment of the Honourable Senator Tkachuk, seconded by the Honourable Senator Stratton, that the motion in amendment be further amended by replacing the words “September 22, 2009” with “October 1, 2009”.

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Question.

**The Hon. the Speaker *pro tempore*:** The question is on the subamendment.

It was moved by the Honourable Senator Tkachuk, seconded by the Honourable Senator Stratton, that the motion in amendment be further amended by replacing the words “September 22, 2009” with “October 1, 2009.” Is it your pleasure, honourable senators, to adopt the motion in subamendment?

**Some Hon. Senators:** No.

**Some Hon. Senators:** Yes.

**The Hon. the Speaker *pro tempore*:** All those in favour of the motion in subamendment by the Honourable Senator Tkachuk, seconded by the Honourable Senator Stratton, please say “yea.”

**Some Hon. Senators:** Yea.

**The Hon. the Speaker *pro tempore*:** All those opposed to the subamendment, please say “nay.”

**Some Hon. Senators:** Nay.

**The Hon. the Speaker *pro tempore*:** In my opinion, the nays have it.

**Senator Comeau:** On division.

**The Hon. the Speaker *pro tempore*:** I declare the motion in subamendment defeated, on division.

We are now on the main motion, as amended.

It was moved by the Honourable Senator Segal, seconded by the Honourable Senator Nancy Ruth, that Bill S-224 be not now read a second time —

**Hon. Senators:** Dispense.

**Hon. Joan Fraser (Acting Deputy Leader of the Opposition):** Your Honour, I think there is some confusion. We have not adopted any amendments to the motion. I believe you are now calling for the vote on the main amendment to the motion proposed by Senator Segal and seconded by Senator Nancy Ruth.

**The Hon. the Speaker *pro tempore*:** Honourable senators, in amendment, it was moved by the Honourable Senator Segal, seconded by the Honourable Senator Nancy Ruth, that Bill S-224



be not now read a second time but that the subject matter thereof be referred to the Standing Senate Committee on Legal and Constitutional Affairs —

**Hon. Senators:** Dispense.

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

**Some Hon. Senators:** Yes.

**Some Hon. Senators:** No.

**The Hon. the Speaker *pro tempore*:** All those in favour of the motion in amendment, please say “yea.”

**Some Hon. Senators:** Yea.

**The Hon. the Speaker *pro tempore*:** All those opposed to the motion in amendment, please say “nay.”

**Some Hon. Senators:** Nay.

• (1610)

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

*And two honourable senators having risen:*

**The Hon. the Speaker *pro tempore*:** I see senators rising. Call in the senators for a vote.

**Hon. Tommy Banks:** I have a question of order, Your Honour. Did the Speaker say after the last voice vote that it was her opinion that the “nays” have it?

**The Hon. the Speaker *pro tempore*:** According to the voice vote, the “yeas” have it.

I saw two senators rising. Is there agreement on the vote?

**Hon. Jim Munson:** Madam Speaker, I would ask you just to repeat the question on the “yeas” and the “nays.” There was a little bit of confusion. There was a lot of ambient sound in the chamber.

**The Hon. the Speaker *pro tempore*:** Senator Stratton, is there an agreement from both whips as to the time for a bell for a vote?

Can I ask for a standing vote now?

**Hon. Terry Stratton:** No!

**The Hon. the Speaker *pro tempore*:** I will repeat the question.

[*Translation*]

In amendment:

It is moved by the Honourable Senator Segal, seconded by the Honourable Senator Nancy Ruth, that Bill S-224 be not now read a second time but that the subject matter thereof be referred to the Standing Senate Committee on Legal and Constitutional Affairs;

That the committee report back no later than September 22, 2009; and

That the Order to resume debate on the motion for the second reading of the bill not appear on the *Order Paper and Notice Paper* until the committee has tabled its report on the subject matter of the bill.

Is it your pleasure, honourable senators, to adopt the motion in amendment?

**Some Hon. Senators:** No.

[*English*]

**The Hon. the Speaker *pro tempore*:** All those in favour of the motion in amendment will signify by saying “yea.”

**Some Hon. Senators:** Yea.

**The Hon. the Speaker *pro tempore*:** Those opposed will signify by saying “nay.”

**Some Hon. Senators:** Nay.

**The Hon. the Speaker *pro tempore*:** The motion in amendment is defeated.

It was moved by the Honourable Senator Moore, seconded by the Honourable Senator Day, that Bill S-224 be read the second time now. Is it your pleasure, honourable senators, to adopt the motion?

**Some Hon. Senators:** Agreed.

**Senator Stratton:** On division.

**The Hon. the Speaker *pro tempore*:** On division.

Motion agreed to, on division, and bill read second time.

REFERRED TO COMMITTEE

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

**Hon. Wilfred P. Moore:** Honourable senators, I ask that this bill be referred to the Standing Senate Committee on Legal and Constitutional Affairs.

**An Hon. Senator:** On division.

(On motion of Senator Moore, bill referred to the Standing Senate Committee on Legal and Constitutional Affairs, on division.)

**CANADA ELECTIONS ACT  
PARLIAMENT OF CANADA ACT**

**ALLOTMENT OF TIME FOR DEBATE—  
MOTION WITHDRAWN**

**Hon. Wilfred P. Moore**, pursuant to notice of May 13, 2009, moved:

That it be an Order of the Senate that on the first sitting day following the adoption of this motion, at 3 p.m., the Speaker shall interrupt any proceedings then underway; and all questions necessary to dispose of third reading of Bill S-224, An Act to amend the Canada Elections Act and the Parliament of Canada Act (vacancies) shall be put forthwith without further adjournment, debate or amendment; and that any vote to dispose of Bill S-224 shall not be deferred; and

That, if a standing vote is requested, the bells to call in the Senators be sounded for fifteen minutes, after which the Senate shall proceed to take each vote successively as required without the further ringing of the bells.

**Hon. Wilfred P. Moore:** Honourable senators, with your indulgence, I would ask that the motion standing on the Notice Paper in my name, No. 63, be withdrawn.

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

**Hon. Senators:** Agreed.

(Motion withdrawn)

[*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 26, 2009, at 2 p.m.

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

(Motion agreed to.)

(The Senate adjourned until May 26, 2009, at 2 p.m.)

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## 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, 40th Parliament)**

**Thursday, May 14, 2009**

*(\*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 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-2	An Act to amend the Customs Act	09/01/29	09/03/03	National Security and Defence	09/03/31	1	09/04/23		
S-3	An Act to amend the Energy Efficiency Act	09/01/29	09/02/24	Energy, the Environment and Natural Resources	09/03/11	0	09/03/12	*09/05/14	8/09
S-4	An Act to amend the Criminal Code (identity theft and related misconduct)	09/03/31	09/05/05	Legal and Constitutional Affairs					
S-5	An Act to amend the Criminal Code and another Act	09/04/01							
S-6	An Act to amend the Canada Elections Act (accountability with respect to political loans)	09/04/28							

### GOVERNMENT BILLS (HOUSE OF COMMONS)

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-2	An Act to implement the Free Trade Agreement between Canada and the States of the European Free Trade Association (Iceland, Liechtenstein, Norway, Switzerland), the Agreement on Agriculture between Canada and the Republic of Iceland, the Agreement on Agriculture between Canada and the Kingdom of Norway and the Agreement on Agriculture between Canada and the Swiss Confederation	09/03/31	09/04/22	Foreign Affairs and International Trade	09/04/23	0	09/04/28	*09/04/29	6/09
C-3	An Act to amend the Arctic Waters Pollution Prevention Act	09/05/05	09/05/13	Transport and Communications					
C-4	An Act respecting not-for-profit corporations and certain other corporations	09/05/05							
C-5	An Act to amend the Indian Oil and Gas Act	09/04/21	09/04/23	Aboriginal Peoples	09/05/05	0	09/05/06	*09/05/14	7/09
C-7	An Act to amend the Marine Liability Act and the Federal Courts Act and to make consequential amendments to other Acts	09/05/14							



## SENATE PUBLIC BILLS

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-201	An Act to amend the Library and Archives of Canada Act (National Portrait Gallery) (Sen. Grafstein)	09/01/27							
S-202	An Act to amend the Canada Elections Act (repeal of fixed election dates) (Sen. Murray, P.C.)	09/01/27							
S-203	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)	09/01/27	09/05/06	Banking, Trade and Commerce					
S-204	An Act to amend the National Capital Act (establishment and protection of Gatineau Park) (Sen. Spivak)	09/01/27							
S-205	An Act to amend the Criminal Code (suicide bombings) (Sen. Grafstein)	09/01/27	09/03/31	Legal and Constitutional Affairs					
S-206	An Act respecting the office of the Commissioner of the Environment and Sustainable Development (Sen. McCoy)	09/01/27							
S-207	An Act to amend the Employment Insurance Act (foreign postings) (Sen. Carstairs, P.C.)	09/01/27	Bill withdrawn pursuant to Speaker's Ruling 09/02/24						
S-208	An Act to amend the Food and Drugs Act (clean drinking water) (Sen. Grafstein)	09/01/27	09/04/29	Energy, the Environment and Natural Resources					
S-209	An Act to amend the Criminal Code (protection of children) (Sen. Herveux-Payette, P.C.)	09/01/27							
S-210	An Act respecting World Autism Awareness Day (Sen. Munson)	09/01/27	09/03/03	Social Affairs, Science and Technology	09/05/14	0			
S-211	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)	09/01/27							
S-212	An Act to amend the Canadian Environmental Protection Act, 1999 (Sen. Banks)	09/01/27							
S-213	An Act to amend the Income Tax Act (carbon offset tax credit) (Sen. Mitchell)	09/01/27							
S-214	An Act to regulate securities and to provide for a single securities commission for Canada (Sen. Grafstein)	09/01/27							

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-215	An Act to amend the Constitution Act, 1867 (Property qualifications of Senators) (Sen. Banks)	09/01/27	09/03/24	Legal and Constitutional Affairs					
S-216	An Act to amend the Federal Sustainable Development Act and the Auditor General Act (Involvement of Parliament) (Sen. Banks)	09/01/27	09/03/11	Energy, the Environment and Natural Resources	09/04/02	0	09/04/23		
S-217	An Act respecting a National Philanthropy Day (Sen. Grafstein)	09/01/27	09/05/05	Social Affairs, Science and Technology	09/05/14	2			
S-218	An Act to amend the Parliamentary Employment and Staff Relations Act (Sen. Joyal, P.C.)	09/01/29							
S-219	An Act to amend the Bankruptcy and Insolvency Act (student loans) (Sen. Goldstein)	09/02/03	Bill withdrawn pursuant to Speaker's Ruling 09/05/05						
S-220	An Act respecting commercial electronic messages (Sen. Goldstein)	09/02/03	09/04/02	Transport and Communications					
S-221	An Act to amend the Financial Administration Act (borrowing of money) (Sen. Murray, P.C.)	09/02/04							
S-222	An Act to amend the International Boundary Waters Treaty Act (bulk water removal) (Sen. Murray, P.C.)	09/02/04							
S-223	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)	09/02/04							
S-224	An Act to amend the Canada Elections Act and the Parliament of Canada Act (vacancies) (Sen. Moore)	09/02/05	09/05/14	Legal and Constitutional Affairs					
S-225	An Act to amend the Citizenship Act (oath of citizenship) (Sen. Segal)	09/02/10							
S-226	An Act to amend the Criminal Code (lottery schemes) (Sen. Lapointe)	09/02/11							
S-227	An Act to amend the Income Tax Act and the Excise Tax Act (tax relief for Nunavik) (Sen. Watt)	09/02/11							
S-228	An Act to amend the Financial Administration Act and the Bank of Canada Act (quarterly financial reports) (Sen. Segal)	09/03/03							
S-229	An Act to amend the Fisheries Act (commercial seal fishing) (Sen. Harb)	09/03/03							
S-230	An Act to amend the Bank of Canada Act (credit rating agency) (Sen. Grafstein)	09/03/10							

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-231	An Act to amend the Investment Canada Act (human rights violations) (Sen. Goldstein)	09/03/31							
S-232	An Act to amend the Patent Act (drugs for international humanitarian purposes) and to make a consequential amendment to another Act (Sen. Goldstein)	09/03/31							
S-233	An Act to amend the State Immunity Act and the Criminal Code (deterring terrorism by providing a civil right of action against perpetrators and sponsors of terrorism) (Sen. Tkachuk)	09/04/28							
S-234	An Act to amend the Canada Pension Plan (retroactivity of retirement and survivor's pensions) (Sen. Callbeck)	09/05/06							
S-235	An Act to provide the means to rationalize the governance of Canadian businesses during the period of national emergency resulting from the global financial crisis that is undermining Canada's economic stability (Sen. Hervieux-Payette, P.C.)	09/05/12							

## PRIVATE BILLS

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.

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