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THE HONOURABLE NOËL A. KINSELLA
SPEAKER

CONTENTS

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THE SENATE

Wednesday, December 2, 2009

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

Prayers.

[Translation]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Annette Laurent-Voyer and Sophie Larose, family members of the late Corporal Laurent Voyer. On behalf of all senators, I welcome you to the Senate of Canada.

Hon. Senators: Hear, hear!

[English]

SENATORS' STATEMENTS

THE LATE CORPORAL LAURENT (LARRY) VOYER

Hon. George J. Furey: Honourable senators, I rise today to pay tribute to a former member of the extended family of the Senate, a person who was dedicated to the protection and service of others, and a devoted family man, Corporal Laurent Voyer.

[Translation]

In September, Corporal Voyer passed away after a courageous battle with cancer.

[English]

To his beloved wife, Annette, Laurent was a life partner; to his children, Sophie and Gaétan, a wonderful father; and to his petite-fille, Audrey-Anne, a doting grand-père. It is far beyond any ability I have, honourable senators, to put into words what he has meant to his family.

[Translation]

To his colleagues, he was Larry.

[English]

If you asked those who knew him best what made him proud, they would say first and foremost his family. They would also tell you that Larry was someone who wore many uniforms during his professional life, and always wore his heart on his sleeve.

At the age of 21, Larry joined the Canadian Forces and served his country for 14 years. During this time he wore another important uniform, the symbol of those working on the front lines

for international peace, the blue beret of the peacekeepers. In this role, he was involved in overseas missions to Cyprus in 1982 and again in 1986. For Larry, these peacekeeping missions were the type of mission that he liked not only to participate in, but that he chose to participate in.

In 1993, Larry changed uniforms again, taking up his post with Senate Protective Services. His colleagues remember him as a man of few words, but they also remember him as a man devoted to his duty.

Never one for too much attention, Larry always went out of his way to see that those less fortunate were given the much-needed attention they deserved. Whether helping out with extra clothing or food, or donating to the United Way, Larry was a person conscious of the importance to share and provide assistance to others.

Honourable senators, please join me today in saluting his family and remembering Corporal Laurent Voyer, a man who, though quiet in nature, spoke loudly with his actions and his devotion to duty. He will be missed by his family and by his colleagues and friends in the Senate.

VIOLENCE AGAINST WOMEN

Hon. Patrick Brazeau: Honourable senators, in just a few short days, it will be December 6, the date that marks the twentieth anniversary of the tragedy that occurred at l'École Polytechnique in Montreal.

[Translation]

In memory of this tragedy, December 6 has been proclaimed the National Day of Remembrance and Action on Violence Against Women. On this date, a number of vigils are held across the country. I urge my honourable colleagues to participate in one of these vigils in their communities.

[English]

Honourable senators, it is both appropriate and, in fact, overdue that we turn and consider the stunning impact of violence against Aboriginal women. Canada's young Aboriginal women walk a perilous path today in this country. It is a recognized reality that our young First Nations, Metis and Inuit women are five times more likely to suffer a violent death than their non-Aboriginal counterparts.

[Translation]

More than 520 women have been killed or reported missing in this country. In fact, this number may be even higher, if we take into account all the cases that are not reported and for which information is sometimes incomplete.

[English]

I believe that, as parliamentarians, we have a moral, ethical and humane duty to engender debate on this growing issue. We need to recommend measures to engage other levels of government, as well as the social and protective elements of society, in prescribing remedies to this sorrowful injustice.

• (1340)

[Translation]

Honourable senators, we must advocate for the protection, safety and well-being of Aboriginal women and girls in Canada.

[English]

We live in a society that issues Amber Alerts, places missing victims' photographs on milk cartons and has a weekly network reality television series that seeks to bring the force of criminal justice to the perpetrators of crime. Why and how is it that in this great nation, we can allow this litany of sorrow to continue before we say "enough" and begin to tackle the tragedy that it represents to the Aboriginal community head on?

These missing women and girls are someone's sister, daughter, auntie, girlfriend, partner or mother. What is more, they are by no means any less worthy of our care and our vigilance in dealing with their tragedies, or our determination in bringing their perpetrators to justice. I am hopeful that a preponderance of morality and care will outweigh any apathy or dismissal, and bring about a sense of urgency that will compel Parliament to act.

Honourable senators, we are all created equal, deserve love, safety and, if not these, justice in their absence. Let us not turn a blind eye to the real suffering of families, the communities and, God knows, the victims of this unchecked violence against Aboriginal women and girls.

If we, as parliamentarians, do not act, we, too, perpetuate a similar and equally chilling crime — premeditated indifference in the first degree — and that would be a shame of epic proportions for this nation.

OUTSTANDING YOUNG FARMERS

Hon. Catherine S. Callbeck: Honourable senators, I rise today to congratulate the young men and women from across the country who are in Ottawa for Canada's Outstanding Young Farmers' Program 2009 National Event.

This program is celebrating its thirtieth year. It recognizes and celebrates a strong work ethic, progress and excellence in agriculture and a strong commitment to the farm, community, province and country. It encourages young farmers to pursue their profession with excellence, while also providing a forum for them to exchange and share ideas, knowledge and experiences. For those outside the farm community, it offers the opportunity to improve Canadians' understanding and appreciation of farmers' achievements.

Every year, participants are selected from various regions across Canada. This year, Atlantic Canada's Outstanding Young Farmers are Greg and Tania MacKenzie, owners and operators of MacKenzie Produce, in Stratford, Prince Edward Island.

[Senator Brazeau]

Later this week, two national winners will be chosen by judges from among the regional winners. I note, as a point of personal pride, that no other region has been better represented in the winning circle than Atlantic Canada.

Regardless of the outcome, all the regional winners this year are shining stars in agriculture. Please join with me in wishing Greg and Tania, as well as the other regional winners, the best of luck in this weekend's competition, and all the best for the future.

[Translation]

MONTREAL CANADIENS

CONGRATULATIONS ON ONE-HUNDREDTH ANNIVERSARY

Hon. Jacques Demers: Honourable senators, it is my pleasure to draw your attention to the one-hundredth anniversary of the Montreal Canadiens hockey team. This is an important, historic event for all Canadians, involving an unmatched sporting tradition of the NHL and 24 Stanley Cups.

[English]

Today, for the first time in the Senate, I proudly wear my 1993 Stanley Cup ring.

I cannot go on without mentioning and remembering the great contribution of two friends and former NHL players: our colleague Senator Mahovlich, with whom I will have the great honour to spend a wonderful weekend; and the member of Parliament for York Centre, the Honourable Ken Dryden, who also played for the Montreal Canadiens from 1971 to 1979, and won six Stanley Cups.

I also wish to mention the remarkable involvement of Senator Nicole Eaton's father, Mr. Jacques Courtois, who spent seven years, from 1972 to 1979, as the much-respected President of the Montreal Canadiens. I just wanted to make it fair and have two on each side.

I spent 14 years with the Montreal Canadiens as their head coach and now I am a TV broadcaster. However, it is time for me to concentrate more than ever on being a senator. I assure honourable senators that I will bring as much energy to the Senate as I did behind the bench.

Again, I wish to congratulate the Montreal Canadiens organization for their historic achievement.

SENATE REFORM

Hon. Bert Brown: Honourable senators, the Legislative Assembly of Manitoba has bestowed a special honour on me today. The Legislative Assembly has given me their Report of the Special Committee on Senate Reform.

Honourable senators may remember that in 2006, Manitoba passed Bill 22, the Elections Reform Act. This act concerned the election of senators. Under their constitution, they had to strike a committee that travelled across the province of Manitoba, and I will read only the recommendations of the committee today.

If the federal government moves forward on its commitment to elect senators, it should respect the view of all parties in the Legislative Assembly of Manitoba. The committee offers the following recommendations to Senate elections:

1. Elections should be held in the province to elect nominees to the Senate that will be forwarded to Ottawa. Elections should be administered through Elections Canada with costs being the responsibility of the federal government.
2. The method of voting should be first past the post.
3. There should be regional representation amongst Manitoba's allotment of six Senate seats:
 - i. Winnipeg (3)
 - ii. South (2)
 - iii. North (1)
4. Elections should be held in each of the regions. The person(s) with the most votes in each region would be placed on the list of nominees that would be submitted to the Prime Minister.
5. The current proposal of an eight year term limit by the federal government is in keeping with what was heard from the presenters.

[Translation]

NEW BRUNSWICK HEALTH

Hon. Fernand Robichaud: Honourable senators, I would like to speak briefly today to draw your attention to the quality of the services being provided by the public health professionals in New Brunswick responsible for vaccinating the people of the northern parts of Kent County.

I would simply like to extend my sincere congratulations to all medical staff and volunteers who graciously and enthusiastically saw the entire population to administer the H1N1 flu vaccine efficiently and quickly, to protect against the pandemic currently facing Canada.

From making appointments to helping people fill out the routine questionnaires and the actual administration of the vaccine, health care professionals served nearly 1,200 people with empathy and professionalism. Clients at the community centre in Petite Aldouane received outstanding and first-rate care.

I would like to congratulate those responsible and once again extend my thanks for their dedication, their smiles and their positive attitude.

[English]

2015 PAN AMERICAN AND PARAPAN AMERICAN GAMES

Hon. Consiglio Di Nino: Honourable senators, with great pride, Canadians from coast to coast to coast will be cheering on our athletes this winter at the Olympic and Paralympic Games in Vancouver and Whistler.

[Translation]

The 2010 Winter Games will be our games, Canada's Games.

However, Vancouver is not the only Canadian city that will soon host a major international sporting event.

[English]

Recently, in Guadalajara, Mexico, the Pan American Sports Organization chose Toronto and the Greater Golden Horseshoe area to host the 2015 Pan American and Parapan American Games.

• (1350)

[Translation]

Honourable senators, the Pan American and Parapan American Games are held every four years. The Games bring together competitors from every country in the Americas, and the 2015 Games will mark the 17th time these Games have been held in the western hemisphere.

[English]

Toronto is a beautiful and cosmopolitan city with many passionate sports fans. The Toronto region is more than capable of hosting these Games. They will showcase Toronto, its people, its vibrant neighbourhoods, its spectacular waterfront and its great ethnicity all over the Americas. After the Winter Olympics next year, the Pan American Games of 2015 will ensure that Canada continues to be a leader in sport on the world stage.

Our government is taking action to motivate and train the athletes who will compete. In our first mandate, we brought in the Children's Fitness Tax Credit that helps parents to raise active, healthy children. It allows working families to keep more of their hard-earned money.

We are ensuring those active, healthy children have sporting facilities to enjoy by investing \$500 million over the next two years through the Recreational Infrastructure Canada Program — that is RInC, for short. Do not let the name fool you. Swimming pools, soccer fields, and basketball and tennis courts will also be eligible for upgrades and construction funding.

Honourable senators, it is a great honour to host an important sporting event like the Winter Olympic Games or the Pan American Games. I know that the cities of Vancouver and Toronto and all of the athletes who participate will make Canadians proud.

[Translation]

ROUTINE PROCEEDINGS

CANADA'S ECONOMIC ACTION PLAN

FOURTH REPORT TABLED

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour to present, in both official languages, Canada's Economic Action Plan, A Fourth Report to Canadians.

NATIONAL FINANCE

NOTICE OF MOTION TO AUTHORIZE THE COMMITTEE TO MEET DURING SITTINGS OF THE SENATE

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(a), I give notice that, later this day, I will move:

That the Standing Senate Committee on National Finance have the power to sit from Wednesday, December 2, 2009 Thursday, December 31, 2009, inclusive, even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

[English]

EMPLOYMENT INSURANCE ACT

BILL TO AMEND—NOTICE OF MOTION TO AUTHORIZE NATIONAL FINANCE COMMITTEE TO STUDY SUBJECT MATTER OF BILL C-56

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(e), I give notice that later this day I will move:

That, in accordance with rule 74(1), the Standing Senate Committee on National Finance be authorized to examine the subject-matter of Bill C-56, An Act to amend the Employment Insurance Act and to make consequential amendments to other Acts, introduced in the House of Commons on November 3, 2009, in advance of the said bill coming before the Senate.

[Translation]

CANADA-EUROPE PARLIAMENTARY ASSOCIATION

ELECTION OBSERVATION MISSION, JULY 21-24, 2009—REPORT TABLED

Hon. Consiglio Di Nino: Honourable senators, I have the honour to present, in both official languages, the report of the Canadian Parliamentary Delegation of the Canada-Europe Parliamentary Association respecting its participation at the Organization for Security and Co-operation in Europe Parliamentary Assembly's Election Observation Mission in Kyrgyzstan from July 21 to 24, 2009.

THE SENATE

NOTICE OF MOTION TO REQUEST A ONE-YEAR MORATORIUM ON NEW DEBIT CARDS

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

That,

Whereas 9 in 10 Canadian adults have a bank card and therefore have access to debit services;

Whereas debit has become Canada's preferred method of payment, with Interac processing approximately 3.5 billion transactions in 2008;

Whereas the industry stakeholders have expressed deep concern regarding the entrance of Visa and MasterCard into the debit card market;

Whereas merchants are at risk of losing the competitive market edge of flat-fee, low cost debit card processing;

Whereas concern exists that dominance of routing priority systems in Visa and MasterCard debit systems will discourage consumers from opting to choose the cheaper, merchant-friendly Interac system at the till;

[English]

Whereas that, in other countries, Visa and MasterCard's entry into a debit market resulted in quick market dominance and further results in an increase of merchant fees;

Whereas the Competition Bureau has yet to resolve ongoing investigations into Visa and MasterCard for abuse of dominance provisions of the *Competition Act*, and has yet to issue a ruling regarding a request by Interac for changes to their Consent Order;

That the Senate request that the Minister of Finance introduce a one year moratorium on new debit cards in the Canadian market before January 1, 2010 in order to:

- protect Canadian information that could reside in data banks outside the country;
- assure no competing debit product on the same card;
- prohibit priority routing to one debit network;
- allow merchants to agree or not, in a separate contract than credit card contract, the addition of another debit system to their terminals; and
- allow merchants to pay a flat fee for debit, and not permit percentage fees.

QUESTION PERIOD

FINANCE

AFFORDABLE HOUSING

Hon. Francis Fox: Honourable senators, my question is for the Leader of the Government in the Senate. While thousands of Canadians are preparing for the festive season by decorating homes and trimming trees, and children are dreaming of a white Christmas and a turkey with all the trimmings on Christmas Day, at the same time, there are thousands of other Canadians who do not have decent housing.

The government proposed to Parliament a \$1.9 billion fund for social housing, of which only 1 per cent has been spent to date. When will the government stop playing Scrooge for Canadians who are in need better housing?

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): The honourable senator obviously based his question on an erroneous newspaper report. In September 2008, the government announced \$1.9 billion over five years for the renewal of our Homelessness Partnering Strategy. We are currently investing in more than 1,000 homeless projects across the country, of which 200 are specific to Aboriginals.

• (1400)

As I have reported in this place many times, the Economic Action Plan includes over \$2 billion over two years for constructing new, and renovating existing, social housing; \$600 million for new housing and repairs to existing social housing on reserves and in the North; \$400 million for housing for low-income seniors; and \$75 million for housing for people with disabilities.

To respond to the obviously erroneous newspaper article the honourable senator referred to, money is flowing to over 300 projects. The provinces select projects and develop contribution agreements, and funding is provided once they submit claims.

Provinces and territories are working diligently and we are working with them to meet the housing needs of Canadians.

Senator Fox: Honourable senators, I have a supplementary question. Obviously, some ministers from the provinces are also misinformed since they, too, are still looking forward to signing agreements with the federal government 14 months after the amounts were announced and voted on by Parliament.

When talking about affordable housing, I also point out that there is another program called social housing, for which \$1.5 billion was allocated in the February budget. That funding is also trickling out. However, perhaps the minister can tell me how much has actually been spent, and not what will happen in the many months to come.

I want to know how much of that money has been spent. Is it more than 1 per cent? Those figures suggest that Canadians who are the hardest hit by the recession will not benefit from the flood of the recovery program money until the economy is, indeed, well on its way to recovery.

In response to a question last week that there are now 800,000 Canadians receiving Employment Insurance benefits, which is up 63 per cent over the same period last year, the minister was able to spin that situation into something that the government is proud of.

Is the minister also proud of the government's record in affordable and social housing?

Senator LeBreton: I was not spinning the situation, and Senator Fox knows better than to suggest that. Maybe he does not know better, but he should.

Obviously, more money will be paid out in Employment Insurance. The economic downturn hit the manufacturing and forestry sector particularly hard, so more money will be paid out in benefits. Thanks to the policies of our government, we increased the capability of the Employment Insurance fund to capture people who otherwise would not have been able to use the fund, which were measures the Liberal Party in the other place voted against.

With regard to housing, money is flowing to over 300 projects, as I have indicated. We are working in collaboration with the provinces, territories and the stakeholders in this area. Once the government receives the invoices for our share of these projects, they will be reimbursed immediately.

Senator Stratton: It is in the book. Read it.

HEALTH

CATASTROPHIC DRUG PROGRAM

Hon. Catherine S. Callbeck: Honourable senators, my question is to the Leader of the Government in the Senate. In 2002, the Standing Senate Committee on Social Affairs, Science and Technology produced a report. The leader was a member of that committee. One recommendation in that report was that we have a catastrophic drug program.

Two years later, in 2004, a ministerial task force began work on that plan and that task force included the federal, provincial and territorial ministers.

In 2006, we had a progress report on that plan. However, here we are three years later and we have heard nothing more. Has this government abandoned the idea of having a catastrophic drug plan?

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): I thank the honourable senator for the question. I was proud of the report on the state of Canada's health care system. At the time, I was the deputy chair of the Social Committee. I always point out that that report made realistic recommendations, and the government implemented many of them. The Senate should be proud of the work it produced in that regard, as opposed to the Romanow commission, which cost millions of dollars and produced a report that absolutely did not result in any positive action.

With regard to the Senate report, many provisions of that report have been enacted. The honourable senator will recall, having been a member of that committee, that the situation with regard to catastrophic drugs is complex and complicated. Provincial responsibilities are involved because the provinces administer the health care system.

One situation we still face is the lack of uniformity across the country. Some provincial health care systems cover certain catastrophic drugs, and other provincial jurisdictions do not. Billions of dollars are transferred from the federal government to the provinces.

However, with regard to the honourable senator's specific question on catastrophic drugs, the provinces are uniquely positioned to deal with this area. If I can add anything further from the federal perspective, honourable senators, I will be happy to take the question as notice and provide more information.

Senator Calbeck: I will be glad to hear the answer. As I said, this issue has been ongoing now for several years. We had one progress report but, three years later, we have not heard anything.

The honourable senator mentioned the provinces. It is true that they administer the health care system. However, the provinces want the federal government to take the lead on this catastrophic drug plan. Let me quote the Minister of Health from Prince Edward Island, Doug Currie:

All provinces and territories are facing similar pressures. That's why my counterparts across Canada and I have been lobbying for the federal government to take a leadership role.

Why is the federal government not taking on this leadership role? Why is the federal government not stepping up to the plate and working with the provinces and territories to develop a catastrophic drug plan?

Senator LeBreton: Honourable senators, I could ask the honourable senator the same thing. We reported to the Senate in 2002. The Liberal Party was in government for almost four years. Did the honourable senator make the same case to her colleagues?

We all know, because the honourable senator was a premier of a province, that the federal government transfers billions of dollars and, unlike what was done in the mid-1990s, we are not cutting our support to the provinces for health care. We are providing stable funding and also a guaranteed increase year after year. For that reason, we will not be dealing with any budgetary matters on the backs of the provinces.

Having said that, the honourable senator knows well that the issue of catastrophic drugs is complex. Many provinces have programs in place dealing with their own jurisdictions on catastrophic drugs, and the federal government respects the provinces' unique role in the delivery of health services.

However, as I said in my last answer, if there is some specific information the Minister of Health has on this issue, I will be happy to provide it to the honourable senator.

NATIONAL DEFENCE

BUDGET REDUCTIONS

Hon. Hugh Segal: Honourable senators, my question is to the Leader of the Government in the Senate. Recent newspaper reports and comments from Department of National Defence officials have suggested there may be budget reductions relative to reserve force training days and budgets going forward for reserve units across the country — air, naval and land.

As our reserves are being called upon for Afghanistan, the Olympics, and G8 and G20 security requirements, and the reserves constitute a full 20 per cent of our force strength in Afghanistan alone, can the minister inquire, or perhaps take as notice, the question of whether cuts are planned, the reasons for those cuts and, more importantly, how such cuts might be avoided?

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): I appreciate the honourable senator's question, as well as his commitment to people who serve in the reserves.

• (1410)

As the honourable senator knows, as part of the Canada First Defence Strategy, our government is rebuilding the Canadian Forces, which was sorely needed, and is committed to predictable increases in the defence budget over a 20-year period.

There have been no budget cuts at DND. As the honourable senator knows, as a result of the ongoing conflict in Afghanistan, the department has reallocated internally through a reprioritization process that occurs in most departments but is particularly unique to the Department of National Defence. DND routinely monitors all its activities to ensure that resources are there to support the department's mandate. The defence management team conducted a thorough review of business plans to ensure that the resources remain focused on priorities and operational requirements across the department and the Canadian Forces.

With respect specifically to reservists, honourable senators, the army is focused on ensuring it remains prepared for operations in Canada — which will increase, as the honourable senator noted, this year — and around the world, and every effort is being made to ensure that our soldiers preparing for and deploying on operations will not be affected in any way.

CITIZENSHIP, IMMIGRATION AND MULTICULTURALISM

LOST CITIZENSHIP

Hon. Lorna Milne: Honourable senators, my question is, of course, to the Leader of the Government in the Senate, my good friend. In the written response to my question on the lost Canadians, the leader claimed incorrectly that the Conservative government has resolved most cases and reduced the need for persons requesting ministerial discretion to grant citizenship. The leader's written response did not tell us what this government is doing about the 85 identified lost Canadians who still have not received their citizenship. What about them?

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): I noticed that the honourable senator referred to me as her good friend and then practically choked. In any event, we provided the honourable senator with a written answer. I read the answer. I felt that it properly addressed all of her concerns. Obviously, the honourable senator has other concerns, so, as I have done in the past, I will seek further clarification.

Senator Milne: In that case, may I ask a favour of the Leader of the Government in the Senate? The minister right now is probably signing Christmas cards. What does it take to sign 85 applications for citizenship? These people have a Canadian birthright. They are lost Canadians. Why do we not give them a wonderful Christmas present?

Senator LeBreton: My Christmas cards are piling up in my office. I will get around to them eventually.

I believe I gave a detailed answer from the department. As honourable senators know, when people ask for specific details, the department provides the answers. I, of course, look at those answers, approve them, and then we table them in the Senate. Since the honourable senator has asked for further clarification, I will be happy to try to provide it before December 13.

Senator Milne: Thank you very much. That would be absolutely wonderful.

I quote here from the answer provided:

For those who did not benefit from Bill C-37, the Governor in Council (GIC) has the discretionary authority to direct the Minister to grant citizenship to any person to alleviate cases of special and unusual hardship . . .

Can the leader please carry that answer back to cabinet and direct him to do it?

Senator LeBreton: Honourable senators, I will make Senator Milne's views known to my colleagues. I know that the ministers, and Minister Kenney in particular, have been extremely hard working in many of these areas. I will be happy to bring the honourable senator's views to the attention of my colleagues with regard to these "lost Canadians."

HUMAN RESOURCES AND SKILLS DEVELOPMENT

FOOD BANKS

Hon. Jeremiah S. Grafstein: Honourable senators, I want to bring a question to the attention of the Leader of the Government in the Senate. There is a growing cleavage between two Canadas: the Canada for the rich and the Canada for the working poor.

In Toronto and elsewhere across the country, more individuals and families will be using food banks than ever before. There is a crying need for the food banks' supplies to be replenished so that this Christmas, families will be able to have a Christmas meal.

Can the Leader of the Government advise us what the government is doing to alleviate this problem?

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): Honourable senators, this problem is a serious one that all levels of government are consumed with. There are many measures. I have outlined here many times, honourable senators, the various areas available for the government — through Employment Insurance, through removing low-income people from tax rolls, and by providing tax benefits for blue collar workers and trades people.

With regard to the honourable senator's specific question in terms of food banks, as I have said in this place before, we owe a great debt of gratitude to the people who are the front line workers in those food banks. I believe in the generosity and spirit of the Canadian public. Even in my own community of Ottawa this weekend, a huge food drive campaign is being conducted, and many people are participating in it. All levels of government, through their various social services agencies, are working to address this serious problem.

There is no doubt this problem has been exacerbated by the world economic downturn. Although there are hopeful signs that we may have seen the worst of the downturn, these hopeful signs do not in any way alleviate the problem for the poorest of the poor and for people who have to rely on food banks for their food supply. All of this is to say that I think honourable senators are well aware that all levels of government, — federal, provincial and municipal — our social services agencies and individual Canadians will probably step up more than ever this year to ensure that food banks and other agencies that help to feed the poor are fully supported.

With regard to what the government has done, I outlined some of the areas. There are many others, particularly in the money that is transferred to the provinces for health and social services. This problem is not an easy one, honourable senators, and there is no easy answer, but I believe that all levels of government take the matter seriously and will do everything they can to alleviate the problem.

VETERANS AFFAIRS

FUNDING FOR VETERANS' FUNERALS

Hon. Percy E. Downe: Honourable senators, my question is for the Leader of the Government in the Senate as well.

Currently, the Government of Canada pays \$3,600 toward the cost of a funeral for Canadian veterans, but the government pays \$13,000 for the funeral and burial cost for Canadian Forces members. When will the federal government increase the funding for veterans' funerals?

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): I thank the honourable senator for the question. We are talking about two distinct areas here. Soldiers who are killed in Afghanistan are obviously handled in a unique way by the Department of National Defence.

Our veterans' population is growing because of the increase in services and the increase from service in Afghanistan. We have taken many measures, yet, there is still much to be done, honourable senators. However, with regard to veterans, we have implemented the New Veterans Charter and established a Veterans Bill of Rights. Veterans Affairs Canada and the Department of National Defence are establishing a joint

network of 19 support centres across Canada to coordinate the care and support of ill and injured personnel. We are doubling, from five to ten, the operational stress injury clinics across the country. In June, we kept our campaign promise to help Allied Veterans by restoring benefits that had been taken away from them by the previous government in 1995. The New Veterans Charter involves more than that one lump payment. It also includes significant investments in rehabilitation and health benefits.

• (1420)

There has been some criticism of the lump sum payment. It is intended for those who prefer that option, but they may continue to be paid on a monthly basis if they so choose.

I will take Senator Downe's specific question with regard to funeral expenses as notice and refer it to my colleague, the Minister of Veterans Affairs, the Honourable Greg Thompson.

Senator Downe: Honourable senators, I think the leader will find that the \$13,000 is available for all Canadian Forces members for funeral expenses. My question was why there is not parity.

I am glad the leader mentioned the New Veterans Charter, which was an initiative of the previous Liberal government and implemented by this government with all-party support.

ROYAL FAMILY

PROPOSED CHANGES TO THE ACT OF SETTLEMENT

Hon. Percy E. Downe: Honourable senators, the leader would be aware that the British government is proposing to change the Act of Settlement by removing restrictions that bar members of the Royal Family from marrying Roman Catholics. At present, members of the Royal Family are forbidden by the Act of Settlement from converting to the Roman Catholic religion, or marrying someone from the Catholic religion, unless they agree to be removed from the order of succession.

These changes would directly impact the future head of state of Canada. Is the Canadian government in favour of these proposed changes?

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): To go back to the previous question, Senator Downe said that the New Veterans Charter was a policy of the previous government. Indeed it was, but when we implemented it, we went way beyond the scope of what was promised by the Liberal government. We restored its application to those veterans who were removed by the previous government.

Senator Downe referred to acts of the previous government and that reminds me of the Canada Health Act. Of course, the Canada Health Act was the product of the Right Honourable John George Diefenbaker, a Conservative Prime Minister. He commissioned the Hall Commission, which brought in the five principles of the Canada Health Act. Mr. Diefenbaker was defeated, and the incoming Liberal Prime Minister took all the credit.

[Senator LeBreton]

With regard to the honourable senator's specific question, I do not have the foggiest notion. That question was totally unexpected. I try to prepare for any eventuality here, but that question has me stumped. I will take it as notice.

Senator Downe: Honourable senators, I was trying to follow the advice of the leader's seatmate, Senator Comeau, who said one day that he would like to see questions a little different from those in the House of Commons. I am trying to accommodate his desire.

The British government also intends to change the Act of Settlement by removing the rule allowing males to take precedence over female relatives. The Government of the United Kingdom will need to secure the consent of all 53 Commonwealth nations in order to effect this change. Does the Canadian government support these changes?

Senator LeBreton: I thank the honourable senator for that question as well. Honourable senators, these are very complex and compelling questions. I will be happy to seek out the answer from my colleagues.

Senator Comeau: That was a good question.

FOREIGN AFFAIRS

RATIFICATION OF UNITED NATIONS CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES AND OPTIONAL PROTOCOL

Hon. Art Eggleton: Honourable senators, my question was submitted in advance.

Honourable senators, on March 31, 2009, I asked the Leader of the Government in the Senate to provide an update on the status of the ratification of the UN Convention on the Rights of Persons with Disabilities. At that time, the leader reported that the government was still in consultation with the provinces to bring provincial legislation in line with the convention.

It is now eight months after my question and more than two and a half years after Canada signed the convention. Tomorrow marks the International Day of Persons with Disabilities. Where are we today? Could the Leader of the Government in the Senate provide an update on consultations with the provinces and does the government have a timeline for ratification?

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): I thank the honourable senator for the question, and I appreciated the notice of it.

As I have reported before, Canada is proud to have played an active role in developing the convention and to have been among the first countries to sign it in March 2007. Canada's signature of the convention was a strong signal of our commitment to ensuring the rights of people with disabilities.

The Government of Canada is working diligently with the provinces and territories toward ratification. As I reported in my delayed answer to the honourable senator in May, I believe, the Department of Foreign Affairs is working on this subject and has

laid out a plan in consultation with the provinces and territories, as well as with a broad range of stakeholders. They are still working diligently on this.

I wish to assure all honourable senators that every effort is being made to bring about a decision on the ratification as soon as possible. This is not something the government has let slide. We are constantly working with the provinces, territories and stakeholders. Hopefully this matter will be brought to a conclusion as soon as possible.

Senator Eggleton: Can the leader give any further amplification on why it is taking this much time? What difficulties are being experienced? The leader said “as soon as possible.” Can she give a timeline?

The optional protocol to the convention was not signed by the government. It is an important part of the convention because it is a mechanism to enable individuals and groups to bring a complaint to the international level regarding rights-based violations under the convention. It also provides the Committee on the Convention on the Rights of Persons with Disabilities the authority to initiate an inquiry at the country level.

Will the government be ratifying the optional protocol and, if so, what is the timeline for that?

Senator LeBreton: As I said in my first answer, we were one of the first countries to sign the convention. The government is firmly committed to Canada’s already strong equal rights guarantees for persons with disabilities and to further reducing barriers to full participation by persons with disabilities in Canadian society.

Having been a member of cabinet at one time and having dealt with provincial, territorial and other stakeholders, Senator Eggleton knows that these negotiations sometimes take time. I want to assure honourable senators that the government is not letting this matter rest. We continue to work with the provinces and the various stakeholder groups. I cannot give an exact time frame, honourable senators, other than to say that we are committed to this convention and wish to see its conclusion as quickly as possible.

Senator Eggleton: The optional protocol is a distinct component of the convention. Does the leader have a response on that?

Senator LeBreton: No, I do not. I will take that as notice.

[Translation]

LABOUR

APPOINTMENT OF ARBITRATOR TO MUSEUMS LABOUR DISPUTE

Hon. Jean Lapointe: Honourable senators, my question is for the Leader of the Government in the Senate. In the three-month-old labour conflict between the management and union of the Canadian Museum of Civilization and the Canadian War Museum, Minister of Labour Rona Ambrose stated, on November 17, that she was prepared to appoint an arbitrator to resolve the impasse and have employees return to work in order to provide full service to visitors.

Yesterday in the other place, I heard the minister refuse to appoint an arbitrator. Can the Leader of the Government in the Senate tell us why the minister changed her mind?

[English]

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): I thank Senator Lapointe for the question. The minister did not change her position. In order to name an arbitrator, both sides must agree, and that is the problem. The mediator is working with both parties, whom we encourage to find a resolution as soon as possible. An arbitrator cannot be named unless both sides agree.

• (1430)

[Translation]

Senator Lapointe: Given that management’s final offer was rejected by 96 per cent and that negotiations will be broken off indefinitely — it was the second time in three months that the employees rejected management’s offer by more than 90 per cent — does this not indicate that the mediator tasked with finding solutions and having the parties come to an agreement has failed and that a voluntary settlement is now an impossibility? Do you not think that it is time to appoint an arbitrator to resolve this strike, which has lasted 73 days?

[English]

Senator LeBreton: I believe that the mediator is working hard to press both sides to find a resolution. As I mentioned earlier, we cannot name an arbitrator unless both sides agree.

[Translation]

ORDERS OF THE DAY

BUSINESS OF THE SENATE

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, pursuant to rule 27(1), I would like to inform the Senate that when we proceed to Government Business, the Senate will begin with motions, followed by the other items as they appear on the Order Paper and Notice Paper.

ADJOURNMENT

MOTION ADOPTED AND COMMITTEES AUTHORIZED TO MEET DURING SITTING OF THE SENATE

Hon. Gerald J. Comeau (Deputy Leader of the Government), pursuant to notice of December 1, 2009, moved:

That, notwithstanding rule 5(1)(a) and the order adopted by the Senate on February 10, 2009, when the Senate adjourns on Wednesday, December 2, 2009, it do stand adjourned until Thursday, December 3, 2009, at 9 a.m.; and

That committees of the Senate scheduled to meet on Thursday, December 3, 2009, be authorized to sit even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

[English]

The Hon. the Speaker: Honourable senators, this motion does not usually arise. So it is clear to all honourable senators, notice of this motion was given by the Deputy Leader of the Government earlier. It is on the Orders of the Day. The intent of the motion is that when the Senate adjourns today, it is to do so until nine o'clock tomorrow morning. Committees scheduled to meet on Thursday morning will be permitted to do so even though the Senate is sitting.

Hon. Sharon Carstairs: I would like an explanation on the record as to why this motion has been made.

Senator Comeau: There is a suspension of services at CN Rail. The other place will introduce a bill this afternoon in respect of back-to-work legislation. The House of Commons will debate the bill this evening and possibly through the night. The Senate would sit tomorrow morning at nine o'clock, receive the bill and possibly proceed with consideration of it during the course of the day.

If it is agreed, the Senate will sit tomorrow morning and proceed to Committee of the Whole in the afternoon to hear witnesses on this bill. I have spoken to the other side about potential witnesses that might be called.

The intent of the motion is that the Senate meet tomorrow morning and then proceed to consideration of the proposed back-to-work legislation.

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

Hon. Senators: Agreed.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[Translation]

EMPLOYMENT INSURANCE ACT

BILL TO AMEND—NATIONAL FINANCE COMMITTEE AUTHORIZED TO STUDY SUBJECT MATTER OF BILL C-56

Hon. Gerald J. Comeau (Deputy Leader of the Government), pursuant to notice of earlier this day, moved:

That, in accordance with rule 74(1), the Standing Senate Committee on National Finance be authorized to examine the subject-matter of Bill C-56, An Act to amend the Employment Insurance Act and to make consequential amendments to other Acts, introduced in the House of Commons on November 3, 2009, in advance of the said bill coming before the Senate.

[Senator Comeau]

He said: Honourable senators, the purpose of this motion is simply to authorize the committee to study the purpose of Bill C-56, if it so desires, in accordance with its schedule.

[English]

If it is agreed, the Finance Committee will do a pre-study of Bill C-56. There is a huge amount of work before the committee and agreement to this motion will afford the committee an appropriate amount of time, should they have the occasion, to study Bill C-56.

The Hon. the Speaker: Debate, honourable senators?

Hon. Sharon Carstairs: This is a very important bill, and I have no difficulty with sending it to pre-study. I have asked the table to ensure that the bill is presented to all honourable senators because, under normal circumstances, they would not receive it. My particular interest in the bill has to do with the compassionate leave provisions, which have been opened in this bill, and which do not meet the needs of parents because they do not want to admit that their children will be in danger of death within the next six months.

I want everyone to be aware of that provision in the bill and that the Senate should give grave consideration to amending it.

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

Some Hon. Senators: Question!

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

Hon. Senators: Agreed.

(Motion agreed to.)

[Translation]

NATIONAL FINANCE

COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

Hon. Gerald J. Comeau (Deputy Leader of the Government), pursuant to notice of earlier this day, moved:

That the Standing Senate Committee on National Finance have the power to sit on Wednesday, December 2, 2009, until Thursday, December 31, 2009, even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

• (1440)

[English]

Honourable senators, similar to the other motion, this motion authorizes the committee to have the power to sit, if it so chooses. It does not instruct them to sit but gives them the power to do so because of their extremely heavy workload.

Honourable senators, we appreciate the fact that the committee has a heavy workload. The Senate recognizes that workload through this motion to give them the power to sit outside of hours when they normally would sit.

Hon. Anne C. Cools: Honourable senators, the period of time that the honourable senator is asking for is Wednesday, December 2, 2009 to December 31, 2009. December 31 immediately springs out to us. I take that to mean that we will exempt the Christmas holidays, of course. While that is not stated in the motion, I assume that the committee will make sure that it does not sit on any of those holy days.

Can the honourable senator tell me why Thursday, December 31 was chosen?

Senator Ringuette: Because it is my birthday.

Senator Cools: However difficult it may be, certainly they can complete their business by sitting all day and leave those days free for members.

Senator Comeau: The Standing Committee on Rules, Procedures and the Rights of Parliament might wish to look at this issue some time. I recommend that all honourable senators read the rules for sittings of the Senate. We sit every day, as far as the rules go; we are authorized to sit every day, generally speaking.

Returning to the honourable senator's question specifically regarding December 31, there are no hidden motives with that date at all. It is strictly a date we picked out of the air. December 31 sounded like a good date to choose. We could have chosen December 17 or December 20; we just picked a date. We are sure that the Standing Senate Committee on National Finance will have completed its work on the bills way before that. We wanted to give some flexibility, just in case.

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

Hon. Pierrette Ringuette: I have another question, please.

Honourable senators, I understand that the Senate will not sit until the third or fourth week of January. If the committee reports on December 31, what is the scenario? What are the dates by which Bill C-51 and Bill C-56 must be approved by the Senate?

Senator Comeau: I held discussions with the deputy leader on the other side wherein I indicated that the Senate will continue to sit until this bill receives Royal Assent.

Senator Ringuette: We will have a royal party on December 31, then.

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

(Motion agreed to.)

[Translation]

ECONOMIC RECOVERY BILL (STIMULUS)

SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Gerstein, seconded by the Honourable Senator Eaton, for the second reading of Bill C-51, An Act to implement certain provisions of the budget tabled in Parliament on January 27, 2009 and to implement other measures.

Hon. Pierrette Ringuette: Honourable senators, you will agree that Bill C-51 calls for a great deal of consideration and that it is our responsibility as parliamentarians to ensure that a complete analysis of this legislation is carried out before we proceed to a vote.

[English]

Honourable senators, once again, this bill is an omnibus bill that is being sent to the Standing Senate Committee on National Finance. To be honest, when we look at the different acts that this omnibus bill is changing, only one item in the bill is budget related, namely, the home renovation tax credit. In fact, honourable senators, Bill C-51 contains provisions that amend the Bankruptcy and Insolvency Act in chapter 36 of the Statutes of Canada 2007 to correct unintended consequences resulting from the inaccurate coordination of two amending acts. These unintended consequences are what happen when legislation is passed without thorough study.

Bill C-51 makes significant amendments to the Canada Pension Plan. After seeing what has happened to pensioners at Nortel, AbitibiBowater and Fraser Papers, you will understand why we must scrutinize these changes. However, I find the following situation to be somewhat curious. Bill C-51 was introduced here in the Senate on November 17. The bill contains almost 60 pages of significant changes. What is important to me, particularly, is that, by contrast, I introduced two bills, Bill S-241 and Bill S-242, on October 6. That is two months ago. These two bills, combined — that is, both the French and the English text — are a total of three pages. Yet, our dear colleagues, Senator Comeau and Senator Oliver, are still studying these bills before speaking on them in this chamber. If I were to work at the same pace as my honourable friends across the aisles, I would have not been prepared today to speak on Bill C-51. In fact, I would have been talking on Bill C-51 roughly in April 2013.

I am not trying to make light of the situation, honourable senators. From my perspective, and for 32 million Canadians out there, these two bills are as costly and as cumbersome as Bill C-51, and require as immediate parliamentary attention. Canadians expect us to work on their behalf while we are fortunate enough to serve in Parliament. However, I find it to be unconscionable to be asked to pass such a significant bill as Bill C-51 quickly and without proper study.

To be clear, Bill C-51 contains provisions that were not contained in the budget tabled by this government earlier this year. As a matter of fact, the only item in it — and, I asked

questions about this item last spring, many, many times both in this chamber and in our National Finance Committee — was this important budget issue with regard to home renovation. At the same time, the government was spending millions of dollars in advertising for a program that was not even contained in the budget bill. It was not in Bill C-10.

• (1450)

Sometimes there is a lot of bad faith going around in this chamber. I certainly hope that good faith will be recognized for what it is, and that unaccountable points of order which have been brought forth without reasonableness on certain bills will fade.

Senator Oliver, it has been two months. He was on the committee that approved the report of the Banking Committee on this credit card issue. It was a unanimous report and these two bills reflect the report exactly. He knows very well what I am talking about.

I see he disagrees. I guess he has missed a lot of committee meetings, then.

In order to meet Canadians' expectation of parliamentarians in this chamber, and to provide due consideration of this omnibus bill, Bill C-51, I hope, and I move:

That this bill be sent to committee to be studied right now.

The Hon. the Speaker *pro tempore*: It is moved by the Honourable Senator Ringuette that Bill C-51 be now read the second time.

Are honourable senators ready for the question?

Some Hon. Senators: Question.

The Hon. the Speaker *pro tempore*: All honourable senators in favour of the motion will please say, "yea."

Some Hon. Senators: Yea.

The Hon. the Speaker *pro tempore*: All honourable senators opposed to the motion will please say, "nay."

Some Hon. Senators: Nay.

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

REFERRED TO COMMITTEE

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

(On motion of Senator Stratton, bill referred to the Standing Senate Committee on National Finance.)

[Senator Ringuette]

OFFICE OF THE SUPERINTENDENT OF FINANCIAL INSTITUTIONS ACT

BILL TO AMEND—SECOND READING— ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Ringuette, seconded by the Honourable Senator Pépin, for the second reading of Bill S-241, An Act to amend the Office of the Superintendent of Financial Institutions Act (credit and debit cards).

Hon. Terry Stratton: Honourable senators, I move that this bill stand for the moment. Senator Comeau, unfortunately, is not available right now and he would like to speak to this. I think it is just a simple motion of adjournment.

Hon. Claudette Tardif (Deputy Leader of the Opposition): It has already been passed.

Senator Stratton: I ask that it be struck from the Order Paper, then. Thank you.

(Order stands.)

CANADIAN PAYMENTS ACT

BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Ringuette, seconded by the Honourable Senator Milne, for the second reading of Bill S-242, An Act to amend the Canadian Payments Act (debit card payment systems).

Hon. Terry Stratton: Honourable senators, on behalf of Senator Comeau, I would like to take a look at this. He has not yet completed his work on this. Therefore, I would like to rewind the clock on his behalf.

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

[Translation]

INVESTMENT CANADA 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 Lovelace Nicholas, for the second reading of Bill S-231, An Act to amend the Investment Canada Act (human rights violations).

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have not yet finished preparing my notes on this bill. Therefore, I move the adjournment of the debate in my name.

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

Hon. Senators: Agreed.

(On motion of Senator Comeau, debate adjourned.)

BOARD OF DIRECTORS GENDER PARITY BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Hervieux-Payette, P.C., seconded by the Honourable Senator Carstairs, P.C., for the second reading of Bill S-238, An Act to establish gender parity on the board of directors of certain corporations, financial institutions and parent Crown corporations.

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I move adjournment in my name for the rest of my time.

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

Hon. Senators: Agreed.

(On motion of Senator Comeau, debate adjourned.)

[English]

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

THIRD REPORT OF COMMITTEE—DEBATE CONTINUED

On the Order:

Resuming debate on the motion by the Honourable Senator Oliver, seconded by the Honourable Senator Plett, for the adoption of the third report of the Standing Committee on Rules, Procedures and the Rights of Parliament (*amendments to the Rules of the Senate—questions of privilege*), presented in the Senate on May 12, 2009.

Hon. David P. Smith: Honourable senators, I rise to speak on this item for two or three minutes and then I will ask that this item be held in my name for the balance of my time.

I understand this is day 15. However, quite apart from that, and by way of background, let me just explain something to honourable senators.

In 2006, the Speaker made a ruling with regard to the process of raising questions of privilege. One of the issues identified was what he characterized as the inconsistency between rules 43 and 59(10) as to notice for questions of privilege. In his ruling, he also asked that the Rules Committee examine ways in which the rules might more clearly delineate periods when questions of privilege and points of order cannot be raised.

A report was presented in the Thirty-ninth Parliament, and it was still on the Order Paper when Parliament was prorogued. Then, in March 2009, the Speaker again raised the inconsistency between these two rules and there was another ruling in April, when, in his ruling, he tried to help reconcile these two rules.

Our committee did report on this. I was just alerted today that there may be some questions on it. I would prefer to have a little more time to respond to them, and I would therefore ask that the item be held in my name for the balance of the time I have.

(On motion of Senator Smith, debate adjourned.)

IRAN

MOTION TO SUPPORT DEMOCRATIC ASPIRATIONS OF THE IRANIAN PEOPLE—MOTION IN AMENDMENT—DEBATE CONTINUED

On the Order:

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

That,

- (a) Canada supports the democratic aspirations of the people of Iran;
- (b) Canada condemns the use of violence and force by Iranian authorities against their own people to suppress pro-democracy demonstrations following the Iranian presidential elections of June 12, 2009;
- (c) Canada condemns the use of torture by Iranian authorities;
- (d) Canada calls for the immediate release of all political prisoners held in Iran;
- (e) Canada calls on Iran to fully respect all of its human rights obligations, both in law and in practice;
- (f) Canada condemns Iran's complete disregard for legally binding UN Security Council Resolutions 1696, 1737, 1747, and 1803 and International Atomic Energy Agency requirements;
- (g) Canada affirms its opposition to nuclear proliferation and condemns any pursuit by Iran of nuclear weapons capability;

- (h) Canada recommends to international organizations of which it is a member that a new set of targeted sanctions be implemented against Iran, in concert with allies, unless Iran comes into compliance with its human rights and nuclear obligations in law and in practice.

And on the motion in amendment of the Honourable Senator Di Nino, seconded by the Honourable Senator Oliver, that the motion be amended by adding a new recommendation:

- (i) Canada condemns the use of discrimination, both religious and ethnic, as a means of suppressing the population of Iran

Hon. Jeremiah S. Grafstein: Honourable senators, this motion is standing in the name of Senator Jaffer. I had hoped to conclude my remarks on this. I have been given to understand she did not intend to speak on this motion today. Therefore, I might conclude my remarks and then I will take the adjournment in her name, with her consent.

Hon. Mobina S.B. Jaffer: Yes, I consent.

The Hon. the Speaker pro tempore: Senator Grafstein on debate for the motion in amendment.

Senator Grafstein: I thank the honourable senator for consenting to allow me to speak while she ponders this question.

• (1500)

Honourable senators, this resolution is timely and relevant. Time is running out on the world community. A global crisis is reaching a climax of monumental importance relative to global security.

To support this contention, I refer to two recent articles in *The New York Times* yesterday, the Tuesday edition, on the front page. The title of the story is, "A Defiant Iran Vows to Build Nuclear Plants."

Honourable senators, in the resolution, I am referring to section (g), which says:

Canada affirms its opposition to nuclear proliferation and condemns any pursuit of Iran of nuclear weapons capability; . . .

In this regard, *The New York Times* carried a front-page story from Washington. I want to quote the story because I think it is relevant and not too lengthy:

Iran angrily refused Sunday to comply with a United Nations demand to cease work on a once-secret nuclear fuel enrichment plant, and escalated the confrontation by declaring that it would construct 10 more such plants.

The response to the demand, made in a resolution by the International Atomic Energy Agency, the nuclear regulatory arm of the United Nations, came as Iran's president, Mahmoud Ahmadinejad, said his cabinet would also order a

study of what it would take for Iran to further enrich its existing stockpile of nuclear fuel for use in a medical reactor — rather than rely on Russia or another nation, as agreed to in an earlier tentative deal.

The article goes on, on page A-12 of *The New York Times* international edition, to say that although Iran had an

. . . ambitious plan to build 10 enrichment plants, it is doubtful Iran could execute that plan for years, maybe decades. But the announcement itself was enough to draw immediate condemnation from the White House, which clearly hoped that Iran's defiant tone would help convince Russia and China that imposing harsh sanctions was justified.

Both countries, historically opposed to sanctions, had voted in favor . . .

— this is China and Russia, for the first time —

. . . of the atomic energy agency's resolution. By refusing to accept that resolution, one senior administration official said, "Ahmadinejad may be doing more to assemble a sanctions coalition than we could do in the months of work."

The White House spokesman, Robert Gibbs, said of Iran's declaration: "If true, this would be yet another serious violation of Iran's clear obligations under multiple U.N. Security Council resolutions, and another example of Iran choosing to isolate itself."

According to Iranian state television, Mr. Ahmadinejad's cabinet voted to begin construction at five new sites designated for uranium enrichment plants —

Later, under the subtitle, "Iran, Defying U.N., Says It Will Build 10 More Nuclear Enrichment Plants," the article goes on to describe what the voice of the Iranian parliament says in response:

More than 200 members of the Iranian Parliament signed a letter on Sunday, according to Iranian press accounts, urging that the atomic agency's presence in Iran be further restricted, and individual political leaders have called for withdrawal from the nonproliferation treaty.

That was yesterday's newspaper, *The New York Times*. Then an even more cogent report appeared today, on Wednesday, December 2, 2009, in *The New York Times* on page A-8. The headline reads, "New Chief Takes Charge at the U.N. Nuclear Agency."

The former head stepped down, and yesterday, Yukiya Amano took office:

. . . a career diplomat and lawyer who served as Japan's representative to the agency until his selection as director general in July. He inherits crises with Iran and North Korea, as well as the weakening of the global security system meant to curtail the spread of nuclear weapons.

The article goes on to quote the Iranian president who greeted Mr. Amano's first day in office, yesterday, with this defiant threat:

"Friendly relations with the agency are over," he told a television interviewer in Iran late Tuesday. He also declared that Tehran had no duty to tell the United Nations agency about its plans to build nuclear sites unless it used imported technology."

Honourable senators, we have already heard that the other place has already passed this resolution before the amendment so aptly was put forward by Senator Di Nino; they have already passed this resolution unanimously. This motion calls for us to add our voice so that Parliament can speak as one, with the inclusion of the artful and appropriate amendment by Senator Di Nino, of which I have no objection, to demonstrate that Canada affirms its opposition, as the resolution says in (g), "to nuclear proliferation and condemns any pursuit by Iran of nuclear weapons capability."

Honourable senators, what to do? We heard our former colleague Senator Prud'homme talk about condemnation. I always listened carefully to what former Senator Prud'homme said; and he said that there are two approaches to international affairs. One is to compromise; and the other is to condemn. He felt the path that we should take here is to compromise.

President Obama has compromised. He has opened the door to a compromise with the Iranian officials, and they have turned their back. Not only have they turned their back, but they pushed back on the United Nations investigations of their situation there. More importantly, they have closed the door to further negotiations.

According to our former colleague, compromise was offered and has been rejected as late as yesterday. So what do we do? Compromise again? Let the situation continue, or do as the resolution says; first of all, condemn, and then turn to section (h), which says:

Canada recommends to international organizations of which it is a member that a new set of targeted sanctions be implemented against Iran, in concert with allies, unless Iran comes into compliance with its human rights and nuclear obligations in law and in practice.

Heretofore, the sanctions against Iran have not worked. They have not worked because a number of European countries indirectly helped Iran. Russia and China were not prepared to support such a resolution, and they have good and ongoing relations with the Iranian authorities.

However, now even Russia and China are concerned about this issue; hence their support of a strong resolution by the nuclear regulatory agency itself, an arm of the United Nations, which condemns Iran's refusal to accept international supervision and ultimately, to deal with the question of proliferation.

Honourable senators, what are we to do in this place? This is Parliament. We can only use our words, but we can use the words that join most of the civilized nations of the world — and now our colleagues in Russia and China — to act on this matter.

My concern is that if the targeted sanctions are not adopted quickly, the consequences will be worse. Time is of the essence, and I hope this honourable Senate will do the right thing quickly and approve this resolution unanimously, as so artfully and carefully amended by our good colleague, Senator Di Nino.

The Hon. the Speaker *pro tempore*: Is it understood, honourable senators, that this motion stays under the name of Senator Jaffer?

Hon. Senators: Agreed.

The Hon. the Speaker *pro tempore*: Senator Comeau, do you wish to speak?

ADJOURNMENT

MOTION FOR ADJOURNMENT AND FOR COMMITTEES TO MEET DURING SITTING OF THE SENATE ADOPTED EARLIER THIS DAY DISCHARGED

Ordered:

That the following motion, adopted earlier this day, be discharged:

That, notwithstanding rule 5(1)(a) and the order adopted by the Senate on February 10, 2009, when the Senate adjourns on Wednesday, December 2, 2009, it do stand adjourned until Thursday, December 3, 2009, at 9 a.m.; and

That committees of the Senate scheduled to meet on Thursday, December 3, 2009, be authorized to sit even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I want to advise the chamber that a few minutes after I stood up earlier today and asked that we move the motion, and agreed to the motion, that the Senate sit at nine o'clock tomorrow morning, we were advised that apparently there is to be no emergency debate in the other place and that there will be no discussion on the issue of back-to-work legislation.

Given this news, I suggest that the order adopted earlier this day be discharged; and that when we adjourn today, we stand adjourned until the normal hour of 1:30 tomorrow afternoon.

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

Hon. Senators: Agreed.

(Motion discharged.)

• (1510)

HUMAN RIGHTS

COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

Hon. A. Raynell Andreychuk, pursuant to notice of December 1, 2009, moved:

That the Standing Senate Committee on Human Rights have the power to sit at 3:30 p.m. on Wednesday, December 9, 2009, even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

She said: Honourable senators, we have been waiting for some time for the government response to our report entitled, *Children:*

The Silenced Citizens: Effective Implementation of Canada's International Obligations with Respect to the Rights of Children.

Minister Nicholson has agreed to come before the Human Rights Committee on Wednesday, December 9, which is the only time that he is available to meet with us.

I ask the Senate's indulgence to allow the committee to sit to hear the minister.

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

(Motion agreed to.)

(The Senate adjourned until Thursday, December 3, 2009, at 1:30 p.m.)

CONTENTS

Wednesday, December 2, 2009

	PAGE		PAGE
Visitors in the Gallery		Health	
The Hon. the Speaker.	1853	Catastrophic Drug Program.	
		Hon. Catherine S. Callbeck.	1857
		Hon. Marjory LeBreton	1857
<hr/>		National Defence	
SENATORS' STATEMENTS		Budget Reductions.	
The Late Corporal Laurent (Larry) Voyer		Hon. Hugh Segal	1858
Hon. George J. Furey.	1853	Hon. Marjory LeBreton	1858
Violence against Women		Citizenship, Immigration and Multiculturalism	
Hon. Patrick Brazeau	1853	Lost Citizenship.	
Outstanding Young Farmers		Hon. Lorna Milne	1858
Hon. Catherine S. Callbeck.	1854	Hon. Marjory LeBreton	1859
Montreal Canadiens		Human Resources and Skills Development	
Congratulations on One-Hundredth Anniversary.		Food Banks.	
Hon. Jacques Demers	1854	Hon. Jeremiah S. Grafstein	1859
Senate Reform		Hon. Marjory LeBreton	1859
Hon. Bert Brown	1854	Veterans Affairs	
New Brunswick Health		Funding for Veterans' Funerals.	
Hon. Fernand Robichaud	1855	Hon. Percy E. Downe.	1859
2015 Pan American and Parapan American Games		Hon. Marjory LeBreton	1859
Hon. Consiglio Di Nino	1855	Royal Family	
		Proposed Changes to the Act of Settlement.	
<hr/>		Hon. Percy E. Downe.	1860
ROUTINE PROCEEDINGS		Hon. Marjory LeBreton	1860
Canada's Economic Action Plan		Foreign Affairs	
Fourth Report Tabled.		Ratification of United Nations Convention on the Rights	
Hon. Gerald J. Comeau	1856	of Persons with Disabilities and Optional Protocol.	
National Finance		Hon. Art Eggleton	1860
Notice of Motion to Authorize the Committee to Meet During		Hon. Marjory LeBreton	1860
Sittings of the Senate.		Labour	
Hon. Gerald J. Comeau	1856	Appointment of Arbitrator to Museums Labour Dispute.	
Employment Insurance Act (Bill C-56)		Hon. Jean Lapointe	1861
Bill to Amend—Notice of Motion to Authorize National		Hon. Marjory LeBreton	1861
Finance Committee to Study Subject Matter of Bill C-56.			
Hon. Gerald J. Comeau	1856	ORDERS OF THE DAY	
Canada-Europe Parliamentary Association		Business of the Senate	
Election Observation Mission, July 21-24, 2009—Report Tabled.		Hon. Gerald J. Comeau	1861
Hon. Consiglio Di Nino	1856	Adjournment	
The Senate		Motion Adopted and Committees Authorized to Meet	
Notice of Motion to Request a One-Year Moratorium		During Sitting of the Senate.	
on New Debit Cards.		Hon. Gerald J. Comeau	1861
Hon. Pierrette Ringuette.	1856	Hon. Sharon Carstairs	1862
<hr/>		Employment Insurance Act (Bill C-56)	
QUESTION PERIOD		Bill to Amend—National Finance Committee Authorized	
Finance		to Study Subject Matter of Bill C-56.	
Affordable Housing.		Hon. Gerald J. Comeau	1862
Hon. Francis Fox.	1857	Hon. Sharon Carstairs	1862
Hon. Marjory LeBreton	1857	National Finance	
		Committee Authorized to Meet During Sitting of the Senate.	
		Hon. Gerald J. Comeau	1862
		Hon. Anne C. Cools.	1863
		Hon. Pierrette Ringuette.	1863

	PAGE
Economic Recovery Bill (stimulus) (Bill C-51)	
Second Reading.	
Hon. Pierrette Ringuette	1863
Referred to Committee	1864
Office of the Superintendent of Financial Institutions Act (Bill S-241)	
Bill to Amend—Second Reading—Order Withdrawn.	
Hon. Terry Stratton	1864
Hon. Claudette Tardif	1864
Canadian Payments Act (Bill S-242)	
Bill to Amend—Second Reading—Debate Continued.	
Hon. Terry Stratton	1864
Investment Canada Act (Bill S-231)	
Bill to Amend—Second Reading—Debate Continued.	
Hon. Gerald J. Comeau	1865
Board of Directors Gender Parity Bill (Bill S-238)	
Second Reading—Debate Continued.	
Hon. Gerald J. Comeau	1865

	PAGE
Rules, Procedures and the Rights of Parliament	
Third Report of Committee—Debate Continued.	
Hon. David P. Smith	1865
Iran	
Motion to Support Democratic Aspirations of the Iranian People—Motion in Amendment—Debate Continued.	
Hon. Jeremiah S. Grafstein	1866
Hon. Mobina S.B. Jaffer	1866
Adjournment	
Motion for Adjournment and for Committees to Meet During Sitting of the Senate Adopted Earlier this Day Discharged.	
Hon. Gerald J. Comeau	1867
Human Rights	
Committee Authorized to Meet During Sitting of the Senate.	
Hon. A. Raynell Andreychuk	1868



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