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Tuesday, March 23, 2010



THE HONOURABLE NOËL A. KINSELLA
SPEAKER

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THE SENATE

Tuesday, March 23, 2010

The Senate met at 2 p.m., the Speaker in the chair.

Prayers.

AFGHANISTAN—FALLEN SOLDIER

SILENT TRIBUTE

The Hon. the Speaker: Honourable senators, I ask senators to rise and observe one minute of silence in memory of Corporal Darren James Fitzpatrick, who was wounded while serving his country in Afghanistan and died of his injuries on Saturday.

Honourable senators then stood in silent tribute.

SENATORS' STATEMENTS

2010 WINTER PARALYMPIC GAMES

CONGRATULATIONS TO PARTICIPANTS

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, once again it is with great pride that I rise to honour Canadian athletes. On this occasion, the athletes are the extraordinary members of Team Canada for the 2010 Paralympic Winter Games, which recently concluded in Vancouver.

The Paralympics — the “parallel” Olympics from the Greek origin of the name — are truly the stuff of Olympic dreams. These men and women, some born with disabilities and others injured later in life, refuse to be defined by their disability, and push the limits of their bodies to the ultimate in athleticism to prove to themselves and to the world that dreams can be made real — that determination, spirit and fierce hard work can let us touch the sky of greatness.

What a year 2010 is for our athletes. Canada captured 19 medals, including 10 gold medals, placing third among the competing nations for gold medals; and tying for third place overall in the medal count.

Statistics do not begin to express the exhilaration and phenomenal breathtaking accomplishments of these games. Brian McKeever scored a gold medal hat trick by flying literally blind down mountains. The incredible Lauren Woolstencroft, born without legs below the knees and without her left arm below the elbow, skied to medal after medal for five gold medals in total. Paralympic rookie Viviane Forest, won five medals in five races. Colette Bourgonje, competing in her ninth Paralympic Games, racked up two more medals. Honourable senators, these are images that I, like so many Canadians, will never forget. Ms. Bourgonje was awarded the Whang Youn Dai Achievement Award at the closing ceremonies in recognition of her extraordinary record of excellence.

It was particularly moving to reflect during the closing ceremonies that Sunday marked the twenty-fifth anniversary of Rick Hansen's Man in Motion World Tour, which opened people's eyes and transformed the way that many in Canada and around the world look at people with disabilities. Rick Hansen, the man of perpetual motion, has not stopped. His latest mission is to raise \$200 million for research to find a cure for spinal cord injuries.

I cannot speak about the Paralympic Winter Games without paying tribute to the Honourable Senator Joyce Fairbairn, who has worked with her trademark energy and enthusiasm in support of our Paralympic teams since the 1998 Winter Games in Nagano. She founded and chaired the Friends of the Paralympics — a group that raised money for the Canadian Paralympic Committee, and in 2003, she became the Chair of the Canadian Paralympic Foundation. This year was particularly special because the Paralympic Games were held in Canada and the organizers awarded her with the special honour of inviting her to carry the torch through the streets of Vancouver — a recognition truly well deserved.

I also want to acknowledge the great contribution of our new colleague opposite, Senator Vim Kochhar, through The Canadian Foundation for Physically Disabled Persons and as Chair of the Canadian Paralympic Foundation.

Hon. Senators: Hear, hear.

Senator Cowan: During the opening ceremonies, Rick Hansen said:

Sport gave me meaning and purpose, helped me realize that I didn't need to be cured to be whole as a human being.

Honourable senators, the Paralympics were a glimpse not only of whole human beings but also of the best that human beings can achieve. It is at once humbling and awe-inspiring — memories Canada will never forget.

UNIVERSITY OF SASKATCHEWAN HUSKIES

CONGRATULATIONS ON WINNING CIS MEN'S BASKETBALL CHAMPIONSHIP

Hon. David Tkachuk: Honourable senators, I rise to congratulate the University of Saskatchewan Huskies for winning their first national basketball title. Let us give them a big hand. They entered the Canadian Interuniversity Sports tournament unheralded and proceeded to defeat, in the semi-finals, the powerhouse Carleton University Ravens, who were last year's national title winner; and, in the finals, the University of British Columbia Thunderbirds. The score at the end of the final game was 91-81 for Saskatchewan. This victory capped a banner year for the Huskies who won 17 of their last 18 games. The tournament final was their thirteenth win in a row. This was the fifth trip to the finals for the coach of the

University of Saskatchewan team, Greg Jockims. I congratulate him and all the Husky players who worked so hard to make this dream possible. In a year when Canadian Olympic and Paralympic athletes have made this country proud, honourable senators will excuse me if I take an extra measure of pride, along with my fellow honourable senators from Saskatchewan, in what the Huskies have accomplished for my own home province.

[Translation]

INTERNATIONAL DAY FOR THE ELIMINATION OF RACIAL DISCRIMINATION

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, I rise today to remind all senators that March 21 is the United Nations International Day for the Elimination of Racial Discrimination.

This day promotes a number of values, including tolerance, acceptance and openness to ethnic and racial differences.

Tolerance is an attitude that involves respecting the freedom of others, or respecting their ways of thinking or acting that may be different from our own. This word has two meanings: one, which is more negative, means the capacity to withstand or endure and, the second, which is more positive, means to accept, and implies a choice.

Tolerance is an important part of human rights and peace. It involves giving others the right to have their person and identity respected. It means that one is free to adhere to one's own convictions and accepts that others adhere to theirs.

According to UNESCO, building tolerance requires access to education. Intolerance is often rooted in ignorance and fear: fear of the unknown, of the "other," other cultures, religions and nations. In this period of history when terrorism and fear of terrorism divide societies, the notion of tolerance becomes even more important.

Unfortunately, openness is not innate. It must be cultivated, and can be promoted, for example, with awareness campaigns. If tolerance is a trait that is desired or appreciated by society, it will also be appreciated and considered as a socially desirable quality.

As a result, society as a whole, and in particular its decision-makers, must support all education efforts by its members, so that they appreciate and adopt that attitude.

In an environment where intolerance and discrimination are all too common, the Tolerance Caravans educate about differences, promote awareness, and provide information about the dangers of intolerance, prejudice, exclusion, racism and all forms of discrimination.

• (1410)

The Tolerance Caravan in Alberta, inspired by the Caravane de la tol rance that travels throughout Quebec, has been organizing activities for young people in our schools since 2006, activities that raise awareness about prejudice and discrimination. It provides our younger generation with an opportunity to interactively explore and discuss ideas related to tolerance.

INTERNATIONAL DAY OF LA FRANCOPHONIE

Hon. Maria Chaput: Honourable senators, March 20, 2010, was International Day of La Francophonie, a day when we celebrated the vitality of the French language around the world and the 40th anniversary of the founding of the international organization that promotes the French language: the International Organisation of La Francophonie, or OIF.

The OIF consists of 56 member states and governments and 14 observers around the world that share French as a common language.

Spoken by more than 200 million people worldwide, French is the sole official language or one official language of 32 OIF member states and governments. In Canada, French is an official language. It has equal status, equal rights and equal privileges, as guaranteed by the Constitution.

Canada has more than 9 million French speakers, more than 9 million people who can communicate in the language of Moli re.

In the early 17th century, French colonists began settling the land that would later become Canada. These first French speakers in Canada gradually migrated west and north. Today, minority francophone communities can be found in every province and territory.

Over the years, these early French settlers were joined by francophones from all over the world — Lebanon, Haiti, the Central African Republic, Senegal, Cambodia, Belgium, Switzerland and other countries — who enriched and bolstered French Canadian culture.

The Canadian Charter of Rights and Freedoms guarantees the equality of the official languages as well as the right of the Canadian public to communicate in French with federal institutions. These fundamental rights have been entrenched in our Constitution and will be passed on to future generations.

Canadians are right to see their French language, a language bequeathed to them by history, as a boon and something that deserves to be promoted and celebrated with pride.

Together, let us celebrate the future of the French fact in Canada. Together, let us celebrate the place of French in the world.

[Senator Tkachuk]

ROUTINE PROCEEDINGS

TREASURY BOARD

LETTER CONCERNING
THE SUPPLEMENTARY ESTIMATES (C), 2009-10 TABLED

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, a letter from the President of the Treasury Board to the Leader of the Government in the Senate regarding the Supplementary Estimates (C) for 2009-10.

FOREIGN AFFAIRS

CANADA'S ENGAGEMENT IN AFGHANISTAN—
DECEMBER 31, 2009 REPORT TABLED

Hon. Gerald J. Comeau (Deputy Leader of the Government): I have the honour to table, in both official languages, the quarterly report to Parliament for the period from October 1 to December 31, 2009, on Canada's engagement in Afghanistan.

TAX CONVENTIONS IMPLEMENTATION BILL, 2010

FIRST READING

Hon. Gerald J. Comeau (Deputy Leader of the Government) presented Bill S-3, An Act to implement conventions and protocols concluded between Canada and Colombia, Greece and Turkey for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income.

(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]

INTERNATIONAL BOUNDARY WATERS TREATY ACT

BILL TO AMEND—FIRST READING

Hon. Lowell Murray presented Bill S-213, An Act to amend the International Boundary Waters Treaty Act (bulk water removal).

(Bill read first time.)

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

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

CRIMINAL CODE

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-464, An Act to amend the Criminal Code (justification for detention in custody).

(Bill read first time.)

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

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

CANADA-UNITED STATES
INTER-PARLIAMENTARY GROUPCOUNCIL OF STATE GOVERNMENTS
ANNUAL CONFERENCE, NOVEMBER 12-15, 2009—
REPORT TABLED

Hon. Wilfred P. Moore: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian delegation of the Canada-United States Inter-Parliamentary Group, respecting its participation at the Council of State Governments Annual Conference, held in La Quinta, California, from November 12 to 15, 2009.

COUNCIL OF STATE GOVERNMENTS-WEST
ANNUAL MEETING, OCTOBER 5-8, 2009—
REPORT TABLED

Hon. Wilfred P. Moore: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian delegation of the Canada-United States Inter-Parliamentary Group to the Council of State Governments-WEST Sixty-second Annual Meeting held in Santa Fe, New Mexico, from October 5 to 8, 2009.

CONFERENCE OF NEW ENGLAND GOVERNORS
AND EASTERN CANADIAN PREMIERS,
SEPTEMBER 14-15, 2009—REPORT TABLED

Hon. Wilfred P. Moore: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian delegation of the Canada-United States Inter-Parliamentary Group to the Thirty-third Conference of New England Governors and Eastern Canadian Premiers, held in Saint John, New Brunswick, from September 14 to 15, 2009.

BANKING, TRADE AND COMMERCE

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO STUDY CANADIAN SAVINGS VEHICLES

Hon. Michael A. Meighen: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Banking, Trade and Commerce undertake a study of:

- the extent to which Canadians are saving in Tax-Free Savings Accounts and registered retirement savings plans;
- federal measures that might be taken to increase the use of these savings vehicles as well as the fiscal cost of increased use; and
- ways in which savings in these vehicles might be protected.

That the Committee submit its final report no later than June 30, 2010, and that the Committee retain until September 30, 2010 all powers necessary to publicize its findings.

[Translation]

THE SENATE

NOTICE OF MOTION TO RECOGNIZE THE DANGER POSED BY THE PROLIFERATION OF NUCLEAR MATERIALS AND TECHNOLOGY TO PEACE AND SECURITY

Hon. Hugh Segal: I give notice that, at the next sitting of the Senate, I will move:

That the Senate

- recognize the danger posed by the proliferation of nuclear materials and technology to peace and security;
- endorse the statement, signed by 500 members, officers and companions of the Order of Canada, underlining the importance of addressing the challenge of more intense nuclear proliferation and the progress of and opportunity for nuclear disarmament;
- endorse the 2008 five point plan for nuclear disarmament of Mr. Ban Ki-moon, Secretary-General of the United Nations and encourage the Government of Canada to engage in negotiations for a nuclear weapons convention as proposed by the United Nations Secretary-General;
- support the recent initiatives for nuclear disarmament of President Obama of the United States of America; and
- commend the decision of the Government of Canada to participate in the landmark Nuclear Security Summit in Washington, D.C., in April, 2010 and encourage the Government of Canada to deploy a major world-wide Canadian diplomatic initiative in support of preventing nuclear proliferation and increasing the rate of nuclear disarmament;

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

[Senator Meighen]

• (1420)

OFFICIAL LANGUAGES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY APPLICATION OF OFFICIAL LANGUAGES ACT AND RELEVANT REGULATIONS, DIRECTIVES AND REPORTS AND REFER PAPERS AND EVIDENCE SINCE FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

Hon. Maria Chaput: Honourable senators, I give notice that at the next sitting of the Senate, I shall move:

That the Standing Senate Committee on Official Languages be authorized to study and to report on the application of the *Official Languages Act* and of the regulations and directives made under it, within those institutions subject to the Act;

That the Committee be authorized to study the state of the implementation of Part VII of the *Official Languages Act*, particularly the action taken by federal institutions following the amendments to the *Act* in November 2005;

That the Committee be authorized to study the extent to which the Olympic and Paralympic Games, and in particular the opening ceremony, reflected Canada's linguistic duality and to examine the report of the Commissioner of Official Languages on this matter;

That the Committee be authorized to study the realities of English-speaking communities in Quebec, particularly the various aspects affecting their development and vitality (e.g., community development, education, youth, arts and culture, health);

That the Committee be authorized to study the reports and documents of the Minister of Canadian Heritage and Official Languages, the President of the Treasury Board, and the Commissioner of Official Languages, and any other subject concerning official languages;

That the documents received, evidence heard and business accomplished on this subject by the Committee since the beginning of the first session of the 39th Parliament be referred to the Committee;

That the Committee report from time to time to the Senate but no later than December 31, 2010, and that the Committee retain all powers necessary to publicize its findings until June 30, 2011.

[English]

PENSIONS OF ABITIBIBOWATER RETIREES

PRESENTATION OF PETITION

Hon. Bill Rompkey: Honourable senators, I have the honour to present a petition from the residents of Grand Falls-Windsor, Newfoundland and Labrador, concerning the need to protect the pensions of AbitibiBowater retirees.

QUESTION PERIOD

INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

FUNDING FOR THE FIRST NATIONS UNIVERSITY OF CANADA

Hon. Lillian Eva Dyck: Honourable senators, my question is for the Leader of the Government in the Senate, and it relates to funding for the First Nations University of Canada.

As honourable senators know, Minister Strahl recently made a decision to withdraw \$7.2 million in funding from this world-class institution. It is now on the brink of destruction.

I am pleading for a reversal of that decision, because it will abandon over 800 Aboriginal students, 65 faculty members, all the support staff and about 1,200 University of Regina students who take classes at this institution.

Last year, at the Council of Ministers of Education, First Nations University was held up as a model of best practices. In addition, there is a Treaty 4 obligation that indicates there is a federal responsibility to fund post-secondary education.

How can the minister justify such drastic action?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, Indian and Northern Affairs Canada has been working for many years with the First Nations University to address long-standing and systemic problems related to governance and financial management. Throughout this period, scandal after scandal has rocked the public's faith in this school.

Minister Strahl met with a delegation from First Nations University on March 11 and, as previously stated by the minister, we will no longer fund the university directly. However, we are working on options regarding how this funding could best support Aboriginal post-secondary students.

Senator Dyck: Honourable senators, it is true that there have been scandals. However, those scandals have been enormously magnified in the media. In fact, many reviews and audits of the university have not given substance to those scandals.

The University of Regina has agreed that it will institute a management system with First Nations University. They have agreed to a working group to put together a memorandum of understanding. Pressure has been put on them to produce that document within a matter of two days, which we know is not possible.

I am hoping that the minister will use her office to persuade the minister to allow this agreement to proceed. That agreement will take care of all the financial and administrative matters that have been brought to the attention of the minister.

We have new leadership in the Federation of Saskatchewan Indian Nations in Chief Guy Lonechild, who has taken a strong stance on this matter. All the chiefs support it. The Canadian Association of University Teachers supports it. Everyone is supporting it. It is time to reverse that decision. Can that be done?

Senator LeBreton: Honourable senators, the minister and the government will not reverse the decision. While we understand this situation creates difficulty, we need to be accountable and transparent to all Canadians, including the First Nations.

As I mentioned earlier, Minister Strahl met with the delegation from the First Nations University. The honourable senator mentioned the offers from the University of Regina. He met with the delegation on March 11 and I believe that together they are working to ensure that the students are well supported.

As far as further funding is concerned, the decision has been made and the government and the minister will not reverse the decision.

Senator Dyck: With all due respect, the Standing Committee of Aboriginal Affairs and Northern Development will discuss this issue later today. I hope that committee will come to a resolution that will help us end this impasse.

The federal government, through the Indian Studies Support Program, has signed an agreement to provide annual funding to First Nations University and has been doing so for at least the last five years. How is it that the agreement can now be broken by the minister? That is a signed agreement.

Senator LeBreton: Honourable senators, I am certain the various committees of Parliament and many members of Parliament, whether they are in the House of Commons or the Senate, would be interested to hear how these matters can be dealt with in the future.

In the case of this particular university, the long-standing and systemic problems have gone on for years. The misappropriation of funds has rocked not only the Aboriginal community but also the public. The decision of the minister is firm. Our government has done a great deal to invest in education for our First Nations people.

With regard to the First Nations University, there is no point in pursuing the matter further. The decision is final.

Senator Dyck: With respect, Honourable Minister, my mailbox is filling up with email messages from people across the country, asking the minister to reverse the decision. One of the latest communications is from the Canadian Union of Public Employees, representing 54,000 members. They are urging the minister to restore funding to First Nations University.

I urge the minister to use her powers of persuasion to convince the minister to take another look at this issue and reverse his decision. Will the leader be able to do that?

• (1430)

Senator LeBreton: Honourable senators, I think the minister, the government and I have all been clear. The decision with regard to this university has been made and the matter is now closed. However, I will inform honourable senators of all the things Minister Strahl has done for education. Since 2006, our government has invested \$395 million in the completion of 94 school projects. Canada's Economic Action Plan provided for 10 new schools and three major renovations. Also, the Building

Canada Plan provides for eight new schools or renovation projects. As I have mentioned many times, last year we invested \$100 million over three years in the Aboriginal Skills and Employment Partnership, and \$75 million in the new two-year Aboriginal Skills and Training Strategic Investment Fund.

In December 2008, Minister Strahl launched two new programs to help Aboriginal students succeed academically: the Education Partnership Program and First Nation Student Success Program. We worked closely with British Columbia, Manitoba, New Brunswick and regional First Nations on initiatives to improve educational outcomes. In February, the minister signed a memorandum of understanding with Alberta and the Assembly of Treaty Chiefs, an historic partnership to strengthen First Nations education in that province. Furthermore, Budget 2010 provides additional funding to strike agreements with remaining provinces and First Nations to support better education for First Nations students.

Honourable senators, the government has invested great sums of money in the education of our First Nations people, and obviously does not want a situation where they are investing good money in good projects and then must go back on a decision and no longer fund the First Nations University because of problems of the university's own making and their own incompetence.

Some Hon. Senators: Hear, hear!

Hon. Sharon Carstairs: Honourable senators, I think everyone understands that a Minister of Indian Affairs and Northern Development must sometimes take unpopular decisions. What I heard today was that the government will not reverse its decision. The decision has been made; it will not be changed.

Does it matter to this government that we are dealing with young people, with students, and even if everyone gets their act together, this government is so entrenched that it will do nothing?

Senator LeBreton: The honourable senator only half heard me. I said, with regard to this particular university, the government's decision is final but that Minister Strahl has been meeting, as recently as March 11, as has been reported, with the students involved, and every effort has been made to accommodate them through existing resources. However, with regard to this particular university, the decision is final.

Senator Munson: Where is your critical thinking?

FOREIGN AFFAIRS

DESIGN CONTRACTS FOR G8 AND G20 MEETINGS

Hon. Jane Cordy: Honourable senators, it has been made public that the government has awarded a \$166,500 untendered contract to hire a decorator for the upcoming G8 and G20 meetings in Huntsville and Toronto. Also mentioned in the contract is the requirement for a fine art adviser and a team of florists. Does this \$166,500 contract include what is being called the "floral team" and the "fine arts adviser," or does it include the rental of artwork and the purchase of flowers and decorations for the event?

Hon. Marjory LeBreton (Leader of the Government): As usual, the honourable senator is using newspaper articles as the basis for her research. My understanding is that this contract has not been given.

[Senator LeBreton]

Senator Cordy: My understanding is that the contract has not been officially confirmed. That choice of words does not mean that the person does not have the contract, because we have heard before from the minister that contracts have not been given when we know they have been given but not officially confirmed.

I ask the leader again: What is the cost of the decorator for the G20 and G8 meetings, and what additional costs will there be for the Canadian taxpayer?

Senator LeBreton: I am having great difficulty being understood today.

My understanding, as I said in my first answer, is that this contract has not been given.

[Translation]

HEALTH

CANADIAN INITIATIVE ON MATERNAL HEALTH

Hon. Lucie Pépin: Honourable senators, my question is for the Leader of the Government in the Senate and it concerns the Canadian G8 initiative on maternal health. This is an excellent idea, but its implementation seems improvised, and contradictory statements from the cabinet are adding to the confusion.

How did the government come up with the maternal health plan that it will be proposing to its G8 partners? Was there a consultation process that included Canadian NGOs specialized in reproductive health and family planning?

[English]

Hon. Marjory LeBreton (Leader of the Government): The honourable senator knows that this decision followed the resolution of the United Nations last year, but let us put the question in its proper perspective.

The motive and focus of the government and the Prime Minister is how to make a positive difference and save the lives of mothers and children in the developing world. Far too many lives — and the honourable senator knows this fact better than anyone — have already been lost for want of relatively simple health care necessities, such as clean water, inoculations, better nutrition and hygiene, as well as the need for health workers who are well trained, such as the honourable senator, to care for women, mothers and children.

The decision of the government was clear, and it was always open to including contraception in our maternal health initiative. Canada will lead the discussion at the upcoming G8 summit on child and maternal health, and we will not allow the issue to be politicized, which is happening right now on the Liberal side of the house.

Some Hon. Senators: Hear, hear!

Senator LeBreton: The Liberal motion in the other place is transparent and divisive.

Senator Munson: Read your emails.

Senator LeBreton: Yes, one should read one's emails, and in those emails they are saying not to use the subject of abortion at the G8 meeting. However, the Liberal motion in the other place is a transparent and divisive effort by Mr. Ignatieff to reopen and reignite the abortion debate — one which Canadians do not want.

I happen to be a pro-choice Conservative, and I do not want the abortion debate to stand in the way of a good, solid plan to help mothers and children. Furthermore, I must rely on one of the honourable senator's Liberal colleagues to put this issue in perspective when that colleague said that this tactic was opportunistic.

In addition to the irresponsibility of the Liberal Party leader and Carolyn Bennett, the Liberal motion also had unacceptable anti-American language that we cannot accept, as a matter of foreign policy.

• (1440)

An Hon. Senator: Shame!

Senator LeBreton: This particular language is extremely offensive in view of the fact that Canada is hosting G8 and G20 meetings this year.

[Translation]

Senator Pépin: I would like to remind the Leader of the Government in the Senate that we are not in the House of Commons but, rather, in the Senate. As she so rightly said, thousands of women in developing countries become pregnant as a result of rape. These unwanted pregnancies lead to unsafe abortions, resulting in loss of life and an increased number of orphans.

In order to reduce mortality rates of women in Third World countries, it is essential that these women be given every family planning option, with no exceptions. All of the NGOs on the ground agree on that.

On what basis has the Government of Canada decided to not help women in countries where it is legal to obtain family planning services as recognized by the WHO?

[English]

Senator LeBreton: Honourable senators, as I stated earlier, the obvious intent of the government is the best interest of mothers and children and their health.

There is a great deal of evidence which concludes that simple matters such as hygiene, inoculations, better nutrition and better care would save the lives of thousands and thousands of mothers and children.

I actually do believe that our side in the Senate and in the House of Commons is focused on the real issue, which is saving the lives of mothers and children, and we are certainly not playing politics with the abortion issue.

CANADIAN FOUNDATION FOR CLIMATE AND ATMOSPHERIC SCIENCES

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, I wish to return to a question that I asked on March 17 regarding the Canadian Foundation for Climate and Atmospheric Sciences. In response to my question, the Leader of the Government in the Senate indicated that the foundation was not shut down and that its mandate had been extended to 2012. While that is correct, the fact is that no new funding has been given to the foundation. Existing funding will only permit keeping the lights on until all research reports are in before closing the books. The extension for one year only allows the foundation to wrap up its activities. With the funding now completely spent or committed, the eventual closure of the foundation seems inevitable.

Can the government guarantee that it will provide new monies to enable the foundation to remain open past 2012?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I can only repeat what I said in answer to the honourable senator's question last week. I am pleased that Senator Tardif acknowledged that I was correct in my facts.

I will repeat my answer: Last year, the mandate of the Canadian Foundation for Climate and Atmospheric Sciences was extended until March 31, 2012, which is two years from now. As I have said, this extension will enable the foundation to report to the government on the work it has done with the \$110 million allotted to it over the last 10 years.

Climate change science is valuable work, and our continued commitment is evident with our investment of \$397 million in the budget for the Canadian Space Agency's RADARSAT Constellation Mission that will support Environment Canada's research programs, including climate science.

I repeat what I have said in this place many times: We were elected to bring in and fund our programs as announced in our budgets, Throne Speeches and platforms. We were not elected to carry on the programs of the previous government.

Senator Tardif: Your Honour, the foundation has not had a cash infusion since the Conservatives came to power four years ago. With no new funding in sight, projects have begun to wind down and staff and students are beginning to leave. This is affecting research on climate and atmospheric sciences. In fact, no post-doctoral researchers can be hired, and few of them see a future in their field of study in Canada. A petition demanding new funding for the foundation has the signatures of over 1,400 graduate students and researchers. These students and researchers believe that the lack of funding is killing research groups and squandering much-needed experience and resources.

Prominent researchers have already left the country, such as Dr. Katrin Juliane Meissner, who cited "the irresponsible and short-sighted ideology of the Conservative government" as one of the reasons for leaving. With many Canadian researchers in the field looking for new positions outside of Canada, how will the government stop the brain drain?

Senator LeBreton: Every day someone gets up and says “keep funding this program” or “keep funding that program.” Then the next day, your leader is saying we will run up the deficit. One cannot have it both ways.

We have our own programs. I indicated one a few moments ago. We put an incredible amount of money into universities. We have had university presidents no less than the honourable senator's former colleague, Allan Rock, applauding the government for its efforts. We have expended many resources in research and development in climate science.

The program the honourable senator referred to is ending in two years' time. I think with most young people, especially today when young people are so mobile, if they are in one program and that program is drawing to a close, they will not sit there and hope a miracle will save them; they will look for resources in another program.

[Translation]

Senator Tardif: Could the Leader of the Government in the Senate give us the exact number of researchers who have left our country due to reduced funding in the field of natural sciences?

[English]

Senator LeBreton: This argument is going back and forth; who has left and who has come back.

The fact is that the government has put incredible resources into research and development, not only in Budget 2010 but also through the various infrastructure and education programs. Many graduates stay in this country. Many more new Canadians have chosen to live in this country. Therefore, I am sure the honourable senator will come up with three or four names of individuals who went to the United States and then we will come up with three or four names of people who came to Canada. It goes on and on like a merry-go-round and nothing is resolved.

INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

FUNDING FOR THE FIRST NATIONS UNIVERSITY OF CANADA

Hon. Wilfred P. Moore: Honourable senators, I wish to return to the issue that Senator Dyck discussed. The honourable senator mentioned that the University of Regina was prepared to take over the administration of the First Nations University of Canada. The leader was concerned and mentioned the words “accountability and transparency.”

The University of Regina is clearly a long-term, historic, well-funded school, and if that were to happen, why would this matter not be available for further consideration?

If that answered the leader's main concerns, as she mentioned in her remarks, it seems to me that the minister would have to consider that this historic, learned higher education institution would take over the administration concerns and that the students or the faculty not be uprooted and things could proceed.

Could the leader speak to that, as to whether or not, with that information, this matter can be considered further?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I stand to be corrected, but I believe that was part of the ongoing discussion as late as March 11. I believe that the University of Regina worked in consultation with the Minister of Indian Affairs and Northern Development and the students. Therefore, I believe that the commitment by the University of Regina is as a result of the fact that there are students at the university that we will no longer fund but that will be accommodated elsewhere. I will seek clarification of that particular matter and respond by written answer.

[Translation]

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour to present delayed answers to two oral questions. The first was raised by the Honourable Senator Poulin on March 10, 2010, concerning Canadian Heritage, francophone broadcasting services at CBC/Radio-Canada, and the second by the Honourable Senator Tardif on March 10, 2010, concerning Canadian Heritage, the elimination of 800 positions at CBC/Radio-Canada.

CANADIAN HERITAGE

FRANCOPHONE BROADCASTING SERVICES

(Response to question raised by Hon. Marie-P. Poulin on March 10, 2010)

This Government invests over \$1 billion annually to ensure that CBC/Radio-Canada is and remains Canada's English- and French-language broadcaster. As an independent Crown corporation, it is responsible for its day-to-day operations, including its programming.

In the spring of 2009, facing a projected \$171-million deficit from declining advertising revenues, CBC/Radio-Canada developed a Recovery Plan to overcome the challenges it faces. The Corporation was mindful of its responsibilities to the official language minority communities and has, as part of its Recovery Plan, made decisions accordingly to disproportionately shelter regional services.

In its 2009-2010 Results-Based Action Plan for Official Languages, CBC/Radio-Canada indicated that it expects, within its financial means, to carry on and intensify its activities to raise awareness about priorities for the official language minority communities.

(Response to question raised by Hon. Claudette Tardif on March 10, 2010)

The government continues to invest over 1.1 billion dollars a year in CBC/Radio-Canada and expects the Corporation to use these public funds in the most efficient manner possible. As an autonomous Crown Corporation, the CBC's Board of Directors and senior management are responsible for its day-to-day operations, including the management of its human resources.

The Corporation also garners revenues from its operations. In 2009-2010, in order to address a significant decline in advertising revenues due to the recent economic downturn, CBC/Radio-Canada implemented a Recovery Plan with measures that included eliminating 800 positions. All broadcasters have been experiencing financial challenges and a 10% workforce reduction is within range of the industry average.

CBC/Radio-Canada carried out the downsizing in a manner that sought to minimize the impact on its employees. The Corporation worked closely with unions and established a voluntary retirement incentive program which was highly successful. When their approval of the program was required, Minister James Moore and the Treasury Board supported the measure.

• (1450)

[English]

ORDERS OF THE DAY

CRIMINAL CODE

BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

Hon. Bob Runciman moved second reading of Bill S-2, An Act to amend the Criminal Code and other Acts.

He said: Honourable senators, I have the privilege of sponsoring Bill S-2, the proposed protecting victims from sex offenders act. The legislation before us today will significantly strengthen the National Sex Offender Registry and the National DNA Data Bank. It is an initiative I am confident will have the support of honourable senators as well as Canadians from across this country.

In 1999, I had the honour of introducing Christopher's Law, Canada's first sex offender registry, in response to the recommendations of a coroner's inquest into the murder of 11-year-old Christopher Stephenson. Christopher was abducted and killed by a convicted pedophile out on parole.

Christopher's Law advanced public safety in a significant way when it took effect in Ontario and Bill S-2 will do so as well across this country. It will help to keep our children safe from sexual predators. It will ensure that people who commit such acts are dealt with appropriately. Finally, it will help to keep our streets and communities safe by giving police the tools they need to do their jobs. This government has made that a priority since it was first elected in 2006. Bill S-2 strengthens and builds on what has already been accomplished. For example, legislation was introduced last year to crack down on organized crime and drugs by imposing mandatory jail time for serious drug crimes. Legislation was passed to automatically make murders

connected to organized crime first-degree murder and tackle drive-by shootings and other intentional shootings that involve reckless disregard for the life or safety of others, while further protecting police and peace officers.

The government passed legislation to help ensure that individuals who are found guilty of crimes serve a sentence that reflects the severity of those crimes by limiting the amount of credit they receive for their time in pre-sentencing custody. I am also proud of the fact that this government has passed tough new legislation to give police and the courts the added powers they need to fight identity theft. A great deal has been done to make our streets, communities and playgrounds safer for everyone over the last five years. However, we can and will do more.

Canadians have the right to walk their streets without fear. That is especially true when it comes to fear of falling victim to heinous sex crimes. Offenders who commit such acts need to be properly identified so that police have the tools to do their job. That is what the bill before us today is all about.

Honourable senators know that Bill S-2 will ensure that every individual who is convicted of a sexual offence in Canada is automatically registered with the National Sex Offender Registry and required to provide a DNA sample to the National DNA Data Bank.

This is not the case under the current law. At present, a Crown attorney must first make an application to have an offender registered once he or she is convicted of a sex crime. The presiding judge has discretion to make such an order. Bill S-2 will eliminate this feature.

Under the reforms proposed by the legislation before us today, the police will also be able to use the National Sex Offender Registry not only to investigate the crimes after the fact, but also to prevent them from occurring in the first place. If police see a suspicious activity near a school playground, for example, they will be able to request access to the database to find out if the person involved is a registered sex offender and obtain more information to assist them in their prevention work. Police and victims' groups have requested these changes for some time. This government is delivering on them.

The amendments being proposed to the Sex Offender Information Registration Act and to the Criminal Code will also allow police to notify foreign or other Canadian police jurisdictions when registered sex offenders are travelling to another area. They will also allow federal and provincial correctional services to notify registry officials if a registered sex offender is either released into the community or re-admitted into custody. These are important provisions; however, Bill S-2 has also benefited from amendments put forward at committee hearings in the other place.

I specifically point to the improvement introduced by government members to include vehicle registration information in the bill. This change would oblige registered sex offenders to provide the licence plate number, make, model, body type, year of manufacture and colour of the vehicles registered in their name or that they use regularly, such as company vehicles. Vehicle descriptions can be a strong lead for law enforcement agencies

in the prevention or investigation of crimes, for example, in situations where a witness to a sexual offence is able to provide a partial vehicle description at the scene.

Bill S-2 has also benefited from amendments introduced by the opposition. For instance, information on how the sex offender committed their crimes — their method of operation — will also be added to the registry to help police investigate crimes. This type of information could be invaluable to law enforcement agencies in identifying possible suspects when investigating crimes of a sexual nature.

Honourable senators, in an ideal world, we would not need to take such precautions. However, as the heartbreaking stories shared by families who have lived the pain of these horrific crimes reinforce, the harsh reality is that our children and youth are vulnerable to sexual predators and our existing laws do not work well enough to protect them. That is why we must equip police forces with more effective tools that will strengthen their ability to protect Canadian families and communities. These more effective tools are, I would add, exactly what law enforcement agencies have been requesting for some time. They have complained that the limitation on the use of the registry to prevent crimes impairs their ability to protect community safety.

That is also why this legislation has earned the support of victims' families, the Federal Ombudsman for Victims of Crime and the Canadian Resource Centre for Victims of Crime. They are people who know, from dreadful first-hand experience, that more must be done to protect the innocent, particularly young children. Steve Sullivan, the Federal Ombudsman for Victims of Crime, has called this legislation a positive step forward that will not only benefit victims, but all Canadians.

Heidi Illingworth, Executive Director of the Canadian Resource Centre for Victims of Crime, echoed that sentiment, saying that she has no doubt these changes will help solve and prevent terrible sexual offences on innocent victims and she urged parliamentarians to quickly pass this bill into law.

I could not agree more. That is this government's mission. We have been clear that this legislation is about protecting the most vulnerable members of our society and ensuring that our streets and communities are safe.

Honourable senators, with passage of this legislation, we can all send a strong message that there is zero tolerance in Canada for sexual predators. We can demonstrate that enhancing the safety and security of communities remains one of our top priorities.

All too often, we hear tragic stories on the news of children being victimized by sex offenders. Compounding the nightmare is that offenders often move into new cities and neighbourhoods and repeat these crimes because the police and communities are unaware of their presence.

I have talked to police and I know their frustration at being denied information that would help them save a life. I have talked to people like Jim Stephenson who, with his wife Anna, has fought to create an effective National Sex Offender Registry since their son was abducted and murdered 22 years ago this spring. His body was found on Father's Day.

[Senator Runciman]

The Stephensons do not want to see other families go through what they did. On reviewing the circumstances surrounding Christopher's abduction and murder, it is clear that an effective sex offender registry might have saved Christopher's life.

Honourable senators, this bill is about the Stephensons and all the other Canadian families living a never-ending nightmare following a sexual offence. It is about fixing an existing system that has several fundamental flaws. It is about standing up for victims. It is about doing the right thing and making sure that our children are safe.

• (1500)

I urge all honourable senators to give this necessary legislation swift passage so we can proceed with this important work.

(On motion of Senator Poulin, debate adjourned.)

[Translation]

BUDGET 2010

INQUIRY—DEBATE ADJOURNED

Hon. Doug Finley rose pursuant to notice of March 9, 2010, by Senator Comeau:

That he will call the attention of the Senate to the budget entitled, *Leading the Way on Jobs and Growth*, tabled in the House of Commons on March 4, 2010, by the Minister of Finance, the Honourable James M. Flaherty, P.C., M.P., and in the Senate on March 9, 2010.

He said: Honourable senators, it is with great pride and patriotism that I give my maiden speech today as the Conservative senator for Ontario-South Coast. My love for Canada is great and I will wholeheartedly serve Canadians.

[English]

My purpose today is to speak about the Conservative government's impressive budget — impressive not only in its own domestic terms but also in comparison to the economic situation in most other countries. Because of the prudent, responsible leadership of Stephen Harper, Canada has weathered the global recession better than any other G7 country, and we are on the road to recovery.

Before I speak to the virtues of the budget, I want to make some general remarks on becoming a senator. First, I want to thank those who have welcomed me so warmly to this chamber: His Honour, Minister LeBreton, my Conservative colleagues and my colleagues across the aisle. I want to thank my dear wife, Diane. Between the two of us, we have both the red and the green chambers covered. Of course, I like the fact that I am the one who is called the sober second thought of the family or, as I call it, having the last word.

I congratulate the other senators in the classes of 2009 and 2010 — an immensely talented group of Canadian leaders.

[Translation]

As a Conservative, I am most proud of the fact that our party, more than any other, is representative of Canada. Every Canadian can identify with our Conservative caucus. The Conservatives are very inclusive, and that has always been the case.

[English]

It was the Conservatives that elected the first Chinese-Canadian member of Parliament, Douglas Jung. It was the Conservatives who elected the first Black cabinet minister, Lincoln Alexander; the first Japanese-Canadian cabinet minister, Bev Oda; the first Korean-Canadian senator, our lovely colleague, Yonah Martin; the first Hindu MP; the first Muslim MP; the first Bill of Rights; and the first Multiculturalism Act.

My own story is that of an immigrant to Canada, someone who found success here in business, then decided to enter public life. I am the Conservative Party's national campaign director. This role has not only taken me to every corner of this beautiful country, but it has also taught me the importance of respecting the democratic will of Canadians. To straddle the field of hotly contested democratic politics and an appointed Senate is a big challenge, but I promise I will work to modernize and democratize this chamber.

Canada is a world leader again. Our strong, principled foreign policy in places like Afghanistan and our generous, effective aid in places like Haiti have earned us a sterling reputation as an effective international force for good.

[Translation]

The Olympic Games has allowed us not only to show our sportsmanship and national unity, but also to prove to ourselves, and to the entire world, that even though our population is small, we can be, and we are, the best in the world. We proved this in Vancouver.

[English]

Now we are proving it again with the soundest economy in the G7. Here are ways that Canada is an economic world leader: We have the lowest debt-to-GDP ratio in the G7; the depth of our recession was virtually the smallest in the G7; our domestic growth has gone up faster than any other G7 country; our job losses per capita were only one third of those in the United States; and only last month nearly 21,000 new jobs were created, which means close to 160,000 new jobs since last summer.

Although these new jobs have been created, the Prime Minister has repeatedly said that we will not rest until all Canadians who have lost their jobs are working again. We were the last ones into the recession, the first ones out, and the recession was milder here.

Compare that situation to the one of our good friends in the United States, where unemployment lingers at 10 per cent and the annual deficit in the U.S. is \$1.5 trillion — more than triple ours on a per capita basis.

When it comes to economic performance, Canada indeed wins the gold medal.

We are not bailing out our banks like the rest of the world is. Our currency is not collapsing; it is strong. Our unemployment rate is falling, and most of the new jobs are good, full-time jobs.

Our overall tax rate on new business investment is the lowest in the G7. By 2012, we will have the lowest corporate income tax in the G7, and we are giving a special boost to industrial jobs by making Canada a tariff-free zone for manufacturing — something that should create 12,000 new jobs in itself.

Further evidence of Canada's growing emergence from the recession came in the form of three key statistics released last week. First, wholesale sales jumped in January by 3 per cent, or six times as fast as the consensus prediction by economists. That gain was the strongest monthly gain since 2006. The second indicator showed an unexpected surge of strength in manufacturing sales — about four times what was expected. The third statistic, however, is uniquely notable. Labour productivity — the value an average worker can produce in an hour — is a basic measure of a nation's competitiveness and its ability to raise living standards. Labour productivity has been stagnant in most of the world for most of the last three years. In the final quarter of 2009, in Canada, though, it leapt ahead at an annual rate of 5.5 per cent; the fastest in more than a decade.

On the most important issues to Canadians, jobs and the economy, we are doing well, which is why the opposition — particularly the Liberals — have virtually ignored the budget since it was released. Over the Christmas break they said they could not wait to return to Parliament, but they have hardly talked about issues that are important to Canadians since they did. Michael Ignatieff appears to have already become bored and left Ottawa.

In the other place, the Liberals prefer to talk about any subject but the economy, and it is clear why.

[Translation]

Mr. Ignatieff has little credibility when it comes to economic issues. He has written books on every obscure topic imaginable, including the use of torture, but he has never written anything, not even an essay, on the economy.

• (1510)

[English]

Other than declaring himself a tax-and-spend Liberal, Mr. Ignatieff has no knowledge or opinion on the subject. Second, the Liberal leader and his party are out of touch with real Canadians. Instead of addressing jobs, taxes, and the economy, the Liberals would rather spend their time casting aspersions on our brave soldiers in Afghanistan: shameful.

The third reason Michael Ignatieff has been virtually silent on the budget is that he is hiding his real economic agenda: an increase in the GST. It is the one economic policy his party has universally embraced. Within a week of taking over the Liberals, Mr. Ignatieff told Citytv:

I'm not going to take a GST hike off the table later, I think it'd be a bad idea now while we're in a recession.

He let the cat out of the bag. As soon as the recession is over, he wants to raise the GST. It is a position that has been echoed by everyone in his party, from John McCallum to Gerard Kennedy, and by party advisers like Ed Clark.

Honourable senators, the think tank, Infometrica, estimates that a Liberal GST hike would immediately kill 162,000 jobs and saddle every Canadian family with an extra \$100 a month in taxes. Our Conservative government has a better idea. Let me briefly outline the highlights of our 2010 budget.

[Translation]

We will continue to implement year two of our Economic Action Plan, which means that we will allocate the \$19 billion that remains in stimulus funding. This includes nearly \$8 billion for infrastructure, particularly for the housing industry which creates many jobs.

[English]

We have started or completed 16,000 projects around the country. Every Canadian has been able to have a little infrastructure program of their own, through our highly successful Home Renovation Tax Credit. We will also provide \$3.2 billion of further stimulus in the form of personal income tax relief, with an emphasis on child benefits for parents and on low- and middle-income seniors. Furthermore, \$4 billion is for enhanced Employment Insurance benefits and training to help workers move towards prosperity. Nearly \$4 billion is for research and development.

[Translation]

Another \$2 billion will go to sensitive sectors, such as forestry, agriculture and tourism.

[English]

That is the first part of the budget, namely, implementing the last of the stimulus. The second part is a return to balanced budgets. As the economy continues to pick up steam, we will restrain government and review unnecessary spending, finding \$17.6 billion in savings over the next five years.

[Translation]

Let me be clear: unlike the Liberals in the 1990s, we will not pass the deficit on to the provinces by cutting transfers for health and education, as they did.

[English]

We will not take it out on our military, either, like the Liberals did. That is why, instead, we are starting with a salary freeze for the Prime Minister, cabinet, members of Parliament and senators, and we have already eliminated 245 appointed positions.

We will balance our budget. Honourable senators, the world is emerging from the greatest recession in 75 years. Through sound, responsible leadership, Canada came through it easier than most and we are now the strongest economy in the G7. This strength

[Senator Finley]

was not by accident. It was because of the prudent choices that Prime Minister Harper made in the years before the recession, and his steady hand on the tiller as we went through stormy seas.

He refused to bring in the Liberal carbon tax that Michael Ignatieff campaigned for. He refused to raise the GST, as Mr. Ignatieff wants to do. I am proud to be part of a government that so successfully chartered a course through the storm. As national campaign director, I will do my utmost to make sure that the drunken sailors of the Liberal Party do not take over the ship of state any time soon. Thank you for your warm welcome and God bless Canada.

Some Hon. Senators: Hear, hear!

[Translation]

Hon. Suzanne Fortin-Duplessis (The Hon. the Acting Speaker): Do honourable senators wish to give Senator Finley more time?

Hon. Senators: Agreed.

Hon. Roméo Antonius Dallaire: Honourable senators, I would first like to welcome Senator Finley. I would also like to congratulate him on making the necessary effort to deliver his maiden speech in both official languages. I hope that his colleagues will follow suit in order to advance bilingualism in this chamber.

I am not a sailor and I am not a drunk; I am a gunner and I am in the army. Senator Finley did say that the government will not make decisions at the expense of the soldiers.

I believe, however, that he is treading on dangerous terrain. In the budget, his government slashed more than \$500 million from the National Defence budget, and operating costs have been reduced so much that reservists returning from theatre of operations no longer have the budget in their units to get hired. They will go to work for all sorts of organizations because the budgets have been cut.

And the budget had already been cut by \$500 million a year over the past five years, even though the needs of the Canadian Forces were barely met in the previous budget and equipment projects were being set aside.

Can we really say that the honourable senator's government is not making its budgetary decisions at the expense of the soldiers?

[English]

Senator Finley: I thank the honourable senator for his kind words and his perceptive question.

I am not a specific expert on the military or in the detail of expenditures in the military. However, generally speaking, the Canadian Forces have been, and are currently, in the best supplied, best paid, best cared for position that they have been in for many years.

Senator Dallaire: The honourable senator will forgive my concern about the status today and into the future with the budget cuts that are already hitting the units today, let alone what is coming down the road. I have seen a previous government,

namely a Conservative one, promise the moon, in 1987. The capital program for the army alone was budgeted at \$18.3 billion, but, in less than two years, the government literally destroyed that white paper by Michael Wilson to the extent that the Canadian Forces were moving towards rust-out.

• (1520)

Is the honourable senator in a position to feel as confident that such a scenario will not be repeated? Is the senator confident even though times will be tough in the weeks and months ahead?

Senator Finley: The honourable senator obviously has at his fingertips certain historical numbers that I feel uncomfortable in addressing. However, I think it was the 1990s, which I understand was a period where another government was in power, that General Hillier described as a “decade of darkness.” It was not a question of turning off the moon, but also the light as well.

(On motion of Senator Comeau, debate adjourned.)

CRIMINAL CODE

BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Martin, seconded by the Honourable Senator Lang, for the second reading of Bill C-268, An Act to amend the Criminal Code (minimum sentence for offences involving trafficking of persons under the age of eighteen years).

Hon. Lillian Eva Dyck: Honourable senators, I rise today as the critic for Bill C-268, An Act to amend the Criminal Code (minimum sentence for offences involving trafficking of persons under the age of eighteen years), which was introduced as a private member's bill by the honourable member of Parliament for Kildonan—St. Paul, Joy Smith.

I spoke to this bill on November 3, 2009, as critic at second reading stage, but Prime Minister Harper prorogued Parliament and the bill was reintroduced into the Senate at first reading on March 9, 2010. Once again, I would like to commend Ms. Smith for her work in trying to combat the trafficking of women and children.

Today, I will reiterate some comments I made previously and include new information that clearly shows that Bill C-268 is not up to the same standard as child trafficking legislation in other countries.

Honourable senators, my approach as critic of the bill was to analyze the bill using the following 10 questions. The first question I asked was what is the purpose or goal of the bill. The second question was will it achieve its goal. The third question was what are the causes of human trafficking, particularly of women and children. My fourth question was what human trafficking laws do we have in place. My fifth question was how well do our current laws on human trafficking work. The sixth question I asked was are there other offences that can be used to

charge human traffickers. My seventh question asked what laws do other countries use to charge human traffickers. My eighth question asked how Bill C-268 compares to other human trafficking laws in other countries. My ninth question asked if the penalties prescribed in Bill C-268 are tough enough. My final question was should Bill C-268 be passed as is or should it be strengthened.

Honourable senators, the goal of this bill is to amend existing provisions of the Criminal Code and to introduce new mandatory minimum sentencing guidelines for the trafficking of persons under the age of 18 years. Our honourable colleague Senator Martin, sponsor of the bill articulated its aim as providing:

... our law enforcement officials and judiciary with an essential tool for combatting this heinous crime and punishing those who prey upon the most vulnerable of our society: homeless and abused youth, children in protective care, and Aboriginal youth.

Honourable senators, I am sure that no one here disagrees with Senator Martin or Member of Parliament Joy Smith about the intentions of the bill. In fact, many people and agencies support Bill C-268. International and bilateral commissions such as the United Nations Convention on the Rights of the Child and its Optional Protocol to the Convention on the sale of children, child prostitution and child pornography have urged Canada to adopt a form of mandatory minimum sentencing for human traffickers of minors.

While I agree that we do need such a bill, and while I believe that the intentions of the bill are laudable, Bill C-268 will not have any real impact on preventing child trafficking unless it is amended to incorporate tougher penalties and defines the criminal offence specifically as trafficking of minors for commercial sexual exploitation.

Honourable senators, there are basically two types of human trafficking. People are trafficked to work in the sex trade or other forms of servitude, such as domestic labourers, agricultural workers, hotel or restaurant workers, or other forms of servitude. Sex trafficking, or trafficking of persons specifically for the purpose of sexual exploitation, is the most common type of trafficking. In fact, the U.S. Department of State estimates that 80 per cent of all victims of international human trafficking are forced into the commercial sex industry.

Honourable senators, on November 3, 2009, as critic of this bill, I spoke at length about the ways traffickers recruit, transport and exploit their victims, and I will not repeat that information today. I will, however, repeat what I said about Aboriginal youth.

Honourable senators, the greater degree of poverty amongst Aboriginals makes them more vulnerable to exploitation by those engaged in human trafficking. According to the Report Card on Child Poverty in Saskatchewan, 50 per cent of Aboriginal children, compared to 19 per cent of all other children in Saskatchewan, lived in poverty in 2001. In Canada, as a whole, one in four First Nations children, compared to one in six other children, live in poverty.

The effects of poverty on one's vulnerability to being exploited are exemplified by this quotation from an Aboriginal sex trafficking victim. She said:

I wish I didn't have to do this sex trade. I do it to get food for my son. It's really easy for people to pre-judge and say that people have a choice to do this, but if you don't have a home to go to or if you don't have any kinds of structures in your life, it's not as easy as it seems.

In addition, honourable senators, the Aboriginal Women's Network has reported that prostituted girls and women in downtown Vancouver have experienced violence, abuse, homelessness and exploitation at disproportionate rates. Eighty per cent had a history of childhood sexual violence; 72 per cent had a history of childhood physical violence; 86 per cent were or had been homeless; 80 per cent had been physically assaulted by johns; 70 per cent had been threatened with a weapon; and 70 per cent had been raped more than five times, and this includes by johns. This is not a pretty picture, not what they had hoped for, not the dream world they were promised by their pimp or trafficker.

Honourable senators, today I will not repeat the information that I gave on November 3 about the sections of the Criminal Code of Canada and the Immigration and Refugee Protection Act that deal with human trafficking. I will, however, repeat the information with regard to the description and analysis of Bill C-268.

This bill contains eight clauses, the majority of them dealing with amending subsections in order for the substantive changes to be cohesive with the Criminal Code.

• (1530)

Clause 1 amends the definition of offence in section 183 of the Criminal Code to include, under section 279.01(1), the trafficking of a person under the age of 18 years.

Clause 2 concerns the trafficking of a person under the age of 18 years and establishes that offences of human trafficking whereby a person recruits, transports, transfers, receives, holds, conceals or harbours a person under the age of 18 years for the purpose of exploitation, or facilitating exploitation, is liable to the following sentencing guidelines. Proposed section 279.01(1)(a) outlines that human trafficking of a minor with the intent of exploitation, or facilitation of exploitation, that is committed through kidnapping, aggravated assault or aggravated sexual assault, or causes death is liable to a minimum punishment of six years or to a maximum punishment of life imprisonment.

Proposed section 279.01(1)(b) outlines that all other offences of human trafficking involving persons under 18 years of age are punishable by a minimum of five years to a maximum of fourteen years imprisonment.

Neither clause 3 nor clause 4 contain any changes with respect to the Criminal Code.

Honourable senators, the information on Ms. Smith's website implies that traffickers will set up shop in Canada because we have no minimum sentence for the offence of trafficking a minor. Her website states that the U.S.A., India and Thailand have

minimum sentences of ten, seven and five years for this offence. I think we all agree that Bill C-268 ought to be passed but, unless we strengthen it by setting a minimum sentence of ten years to match the American legislation, how can we expect to stop American traffickers who are next door to us from setting up shop here in Canada?

Honourable senators, let us see how Bill C-268 stacks up compared to legislation in other countries. You may recall that in my previous speech I stated that the American child trafficking laws were specific for child sex trafficking. They had higher penalties and harsher provisions for minors under the age of 14. I have since discovered that the same situation is true for India and Thailand, the other two countries listed on Ms. Smith's website.

The vast majority of children are trafficked for commercial sexual exploitation. Everyone agrees that trafficking of minors for commercial sexual exploitation is heinous. It is a despicable act that should be punished severely. The U.S. Department of State estimates that 80 per cent of all victims of international human trafficking are forced into the commercial sex industry. In most circumstances, children under the age of 18 are channelled into the sex trade industry and, because of this, child trafficking is considered one of the worst manifestations of human trafficking.

Clearly, the governments of the U.S.A., India and Thailand understand these important facts as they have enacted legislation specifically for the offence of trafficking of minors for the purpose of sexual exploitation. While all three countries impose minimum mandatory sentences for the offence of sex trafficking of minors, none of these countries has a minimum mandatory sentence for trafficking for the purposes of forced labour.

By contrast, Bill C-268 sets up a minimum mandatory sentence of five years for all forms of trafficking of minors; that is to say, a five-year minimum sentence is the penalty for sexual exploitation and for forced labour. It does not differentiate between the two forms of trafficking.

Honourable senators, clearly Bill C-268 ought to follow the same principle of enacting legislation that specifically addresses trafficking of minors for sexual exploitation as the U.S.A., India and Thailand have followed. These countries have clearly enunciated that this is the crime that must be stopped.

This lack of differentiation between trafficking for sexual exploitation versus forced labour in Bill C-268 is its most serious weakness. It undermines the bill. The bill does not name the problem — the trafficking of children for commercial sexual exploitation — and that is the problem. Yet, the three main arguments to support the five-year minimum sentence are all based on sexual exploitation.

The first argument used to convince us of the need for the five-year minimum sentence is that prior sentences handed out to child traffickers were too lenient. The cases presented deal with trafficking of minors for the purposes of sexual exploitation. In both cases, paltry penalties were applied to two men who trafficked underage girls in the sex trade. In 2008, a Niagara man was convicted of human trafficking and received only three years for the offence. The man made over \$350,000 from the sexual exploitation of a 15-year-old girl. More recently, a Montreal man

was convicted of human trafficking and was sentenced to two years imprisonment for trafficking a 17-year-old girl and selling her for sex. Both of these cases involved commercial sexual exploitation.

The second argument used to justify the five-year minimum sentence in Bill C-268 is based on section 212(2.1) of the Criminal Code, which imposes a five-year minimum mandatory sentence for the aggravated offence of living off the avails of prostitution of a person under the age of 18. Prostitution is clearly a commercial sexual exploitation.

The third argument used by Professor Perrin, who worked closely with Ms. Smith, to support a five-year minimum sentence was that it is important to provide Crown prosecutors with charging options that best suit the facts of child sexual exploitation involving a pimp or trafficker. He specifically stated “child sexual exploitation involving a pimp or trafficker.” Trafficking for forced labour was not even mentioned.

Honourable senators, virtually every email message and letter that we received about Bill C-268 mentions the trafficking of women and children for sexual exploitation. None, however, mention trafficking for forced labour. Trafficking for forced labour is not mentioned on the main page of Joy Smith’s website, and she spoke almost exclusively about the trafficking of women and children, using examples of sex trafficking. There was very little mention of trafficking for forced labour in her speeches and letters.

Honourable senators, we are being urged to pass Bill C-268 without amendment and to do so quickly. We all want to put an end to this heinous practice as quickly as possible, but we must balance this need for speed with the need for time to provide advice and assistance. That is our prime duty. Each of us must take the time to wrestle in our minds, hearts and souls with the issue of trafficking of minors.

Though the horrific stories of child trafficking victims evoke deep emotional responses, we cannot let emotion outweigh reason. I fear that the bill in its present form will not do justice to children because it does not address sex trafficking directly. Most children are trafficked for victimization and commercial sex trade, but Bill C-268 does not differentiate between children trafficked for exploitation in the sex trade and those trafficked for forced labour. These two forms of trafficking are not equivalent; they are significantly different. A child trafficked to work in the commercial sex trade is in a far worse situation than a child forced to work as a labourer in a hotel, restaurant, agricultural industry or other type of servitude.

• (1540)

Honourable senators, I am haunted by the memory of seeing Aboriginal girls, who were only 9 or 10 years old, on the streets of Regina, where men drive by to pick them up for sexual services. Surely, there is a world of difference between a nine-year-old Aboriginal girl trafficked in a sex trade and a nine-year-old boy trafficked to work in the restaurant business washing dishes and cleaning bathrooms. I hope this extreme hypothetical example illustrates the difference between the two types of trafficking. While I do not want to minimize the harsh treatment that the boy in my hypothetical scenario faces, he would not be sexually violated repeatedly like girls in the sex trade are.

Honourable senators, the key question is: Is trafficking for the purpose of forced labour as heinous and repugnant to Canadian standards of decency as is trafficking for the purposes of sexual exploitation? I think everyone considers the trafficking of people for the purpose of sexual exploitation, especially of minors, as heinous, but I do not think the same is true of trafficking for the purposes of forced labour. While some who are trafficked for forced labour might be severely mistreated and suffer tremendously, some might not suffer to nearly the same extent as those trafficked for the purposes of sexual exploitation.

Honourable senators, there is also legal justification for amending Bill C-268 to make it specific to the sex trafficking of children. If it is not so amended, it may be subject to a court challenge on the grounds that a five-year minimum sentence is cruel and unusual punishment for trafficking a minor into forced labour, such as forced domestic work. As noted above, because of the significant variability in the types of forced labour — work in restaurants, hotels, private residences, agricultural endeavours, fishing and so on — sentencing ought to be subject to judicial discretion. In fact, as noted above in the United States, India and Thailand, there is no mandatory minimum sentence for the offence of trafficking for the purposes of forced labour. Honourable senators, the key legal point is: Unless Bill C-268 is amended to make the offence one of trafficking of minors for sexual exploitation, it may be subjected to a court challenge.

In my speech last November, I discussed the fact that the child trafficking legislation in the United States defined two age categories of minors, with the harsher penalty for the younger category. Since then, I discovered that the same holds true in India and Thailand. Clearly, the governments of the United States, India and Thailand recognize the increased vulnerability of younger minors and, consequently, they have enacted harsher penalties for the younger age category. All three countries have incorporated greater penalties for the sex trafficking of minors who are under age 14 or 15 years. In the United States, the minimum sentence is five years longer. In India, the minimum of seven years is unchanged but the maximum sentence is increased to life from 14 years. In Thailand, both the minimum and maximum sentences are increased by five years for the lower age group. These laws show that the importance of securing the victim from their trafficker is instrumental not only in providing safety for the victim but also in decreasing the ability of traffickers to go back and traffic others. Bill C-268 should reflect this importance, and it should provide longer sentences that keep the victim and the trafficker separated for longer periods of time.

Honourable senators, if we truly want to be tough on child traffickers, should we not also have tougher sentences for those who prey on our youngest and most vulnerable children? Bill C-268 ought to address the fact that minors under the age of 16 years are more severely affected by being trafficked. There are precedents for this type of age distinction in sentencing in our Criminal Code. This information was something else that I discovered while Parliament was prorogued.

Honourable senators, in section 170 of our Criminal Code, two age categories of minors are defined with separate penalties for the particular offence. The minimum sentence for a parent or guardian who procures a minor under the age of 16 for the purpose of engaging in sexual activity is six months compared to

45 days for a minor between the ages of 16 and 18. The maximum sentence for the offence against the younger age category is five years and two years for the older age group.

Similarly, section 171 of the Criminal Code defines two age categories of minors and assigns higher penalties for offences against the younger age group. The sentencing provisions are the same as above for section 170. For a householder who permits a minor under the age of 16 years to be on the premises for the purpose of engaging in prohibited sexual activity, the minimum sentence is six months compared to 45 days for a minor between the age of 16 and 18 years. The maximum sentence for the offence against the younger age category is five years and for the older age group, two years.

Honourable senators, Senator Martin stated that it is our duty to protect the most vulnerable. I agree. Children, especially those under the age of 16, are more vulnerable to being trafficked. These children are trafficked for sale on our streets to johns who pay to have sex with them. We must amend Bill C-268 to provide greater protection to those children under the age of 16, who are the most vulnerable.

I thank the organizations and people who have contacted us in support of the bill. This important bill deserves our full attention and thoughtful consideration. The issue of preventing the trafficking of minors is not a simple one. Trafficking legislation alone will not stop this horrific activity. The trafficker is only one part of the problem. The johns — the men who create the demand for prostituted children — must also be targeted. In addition, we ought to eliminate the factors that make children susceptible or vulnerable to being lured into illicit activities by pimps and traffickers. The main factors contributing to their vulnerability are poverty, lack of education and family violence.

There seems to be the impression that if we do not pass this bill quickly, there will be no way to charge child traffickers, or that there will be no charging options that carry appropriately severe sentences. However, these fears are ungrounded. Child traffickers can be charged with a number of offences depending on the circumstances of a particular case. Testimony from the Standing Senate Committee on Human Rights indicated that the offence of human trafficking is difficult to prove. Therefore, prosecutors sometimes opt to charge offenders with prostitution offences because it is easier to substantiate, and it yields a harsher penalty than current human trafficking legislation does. Some of the charging options are as follows: first, charges under human trafficking of a person, under which the two cases outlined previously were charged; second, charges under material benefit from trafficking; third, charges related to withholding documents; fourth, charges under sex-related offences such as procuring a person to become a prostitute; fifth, charges of procuring a person under the age of 18 to become a prostitute; and, sixth, as mentioned several times in my speech today, charges for living off the avails of a prostituted person under the age of 18, which carries a minimum five-year sentence — the same sentence proposed in the bill before us today.

Honourable senators, we must also be aware that the sentences rendered for the two infamous child traffickers mentioned over and over again in support of this bill were not only two years for the Ontario man and three years for the Quebec man. Rather,

these traffickers were sentenced to a total of four and five years respectively because they were also found guilty of additional charges related to sexual exploitation. They were charged under the six options that I listed above.

Honourable senators, healthy, happy, resilient children are what all Canadian families want. However, let us not forget that sexual abuse of children happens not only on our streets; It also occurred in our residential schools and orphanages. Within these church-operated institutions, children were abused physically, emotionally, spiritually and sexually by bishops, priests, nuns, ministers, clergy and others. A cycle of abuse was initiated, with intergenerational transmission of domestic violence and sexual abuse. The presence of domestic violence and sexual abuse makes a child more vulnerable to being trafficked. I suspect that the Christian organizations that are lobbying us are trying to do the morally right thing and correct the mistakes of the past made by their church leaders and church members. I hope that they are not responding to their emotional fears, feelings of anger at their own church members or feelings of guilt and shame.

• (1550)

I thank all honourable senators for their attention, and I would like to say a few words to new honourable senators. First, welcome to you all. You have accepted an honourable and enormous responsibility. Ultimately, it is up to each of us to decide, through our individual vote in the chamber, whether to pass Bill C-268 as is, to reject it or to amend it.

This bill is one which we can all comprehend, and one which we can all understand is important to protecting minors, with respect to meeting international obligations and with regard to meeting Canadian ideals of protecting children from being trafficked. When the moment comes for you to vote on this bill or any other bill, it is a huge responsibility.

When you go to bed that night, will you feel confident that you voted correctly, that you did all you could to make it the best bill possible; and in the morning, when you face yourself in the mirror, will you have a clear conscience? Will you feel good about the way you voted? Each of us has to face those questions in our own way.

I ask all honourable senators on both sides of the chamber to work together to strengthen Bill C-268. Please put on your thinking hats, listen to your hearts and search your souls. Do what is right for the most vulnerable in our society, and do everything possible to strengthen Bill C-268 to be tough enough on traffickers and protect children from being trafficked for sexual exploitation.

If we strengthen Bill C-268, we will do what Senator Martin stated, which is

... send a clear message to those who traffic and harm our children that their crimes will not be tolerated and that Canada is not a safe haven for child traffickers.

Honourable senators, to summarize, I believe that Bill C-268 ought to be strengthened by amendments to protect Canadian children. First, the bill ought to be amended to create an offence for trafficking of children for the purposes of commercial sexual exploitation. Without such an amendment, it may be susceptible

to a court challenge. Without such an amendment, it will not target the main type of forced servitude into which children are trafficked. Second, the bill ought to be amended to match the tougher sentences in the corresponding American legislation. Third, the bill ought to be amended to align with other countries and other Canadian legislation that defines two age categories of minors and sets higher sentences for the younger category.

Honourable senators, I support the intention of the bill and trust that the members of the Standing Senate Committee on Legal and Constitutional Affairs and all honourable senators on both sides of the house will consider my recommendations seriously.

Meegwetch. Merci. Thank you.

Hon. Gerry St. Germain: Honourable senators, I have a question for Senator Dyck, who during the course of her speech, spoke about getting tougher on sentencing. The senator discussed tougher sentences, but there are senators in this place who speak of draconian action, of actions that are unbecoming when tougher sentencing is discussed.

In the case of children, I worked the streets of Vancouver in the 100 Block of East Hastings and I saw trafficking. In the 1960s, we could do something because we were not hamstrung by the various changes that have taken place in the country.

Has the honourable senator spoken to anyone concerning the stiffening of the sentences from a legal point of view that would not undermine this piece of legislation? I am convinced Senator Dyck is on the right track in putting forward much stiffer sentences for the predators that prey on our children.

Senator Dyck: I thank the honourable senator for the question. I have been in communication with our law clerks. Our lawyers pointed out the current legislation in the Criminal Code that shows that we do have the different ages. I have consulted with Senate legal staff.

Senator St. Germain: Good job.

Hon. Anne C. Cools: Honourable senators, I want to thank the honourable senator for what was an extremely well thought through and well-considered speech. I especially would like to thank her for clarifying some confusion that has arisen in the debates and public discussions on this bill. The confusion to which I am referring is that somehow or the other, the proponents of this bill believe that trafficking is synonymous with sexual exploitation, when, in fact, they are two different sets of offences.

Honourable senators, I thank Senator Dyck for bringing that to our attention. For example, if one were to look at the explanations in the sections of the Criminal Code on trafficking, it shows very clearly that exploitation within the sections on trafficking really envisages providing services of labour — trafficking for forced labour. The other one is really the deception and coercion around trafficking of persons or for the business of getting organs — kidneys and so on. In these provisions under section 279, which is the section of the Criminal Code that is open before us, sexual exploitation of children is not contemplated or intended. Those offences, as Senator Dyck has brilliantly described, will be found in other sections of the Criminal Code.

Honourable senators, the problem I am alluding to is that there are many who are very good-hearted and well-intentioned people who believe that these provisions in Bill C-268 will treat human trafficking as sexual exploitation. That is far from the truth. The two terms are not synonymous nor are they legally the same. Even Ms. Smith, when she speaks of trafficking, speaks as though trafficking itself means sexual exploitation, and it does not.

I am wondering if, in her research, the honourable senator has been able to discern how this confusion has arisen. In life, when a profound confusion arises, it is often difficult to dispel without creating a certain amount of hostility or belligerence.

The honourable senator is obviously a proficient scholar in the area of human understanding and human behaviour. Perhaps she could explain or shed some light on the matter because there is a profound misunderstanding that human trafficking and sexual exploitation are synonymous, and that when you say trafficking of children, you mean the sexual exploitation of children.

This bill, as written, could never be interpreted that way in accordance with the provisions of the Criminal Code. That is a terrible misunderstanding and if the honourable senator could help to dispel it, that would be great.

• (1600)

Senator Dyck: Thank you for the question, Senator Cools. I was under the same misconception when I first looked at the bill. It is confusing, and I do not claim to understand it completely because it is somewhat complicated by the language. I think lawyers love to confuse the general public.

Part of the confusion is because we are so taken by the fact that trafficking for the purposes of commercial sexual exploitation is the major form. With 80 per cent of the children going that way, that is the one we will hear about. Most women are trafficked for that purpose.

The media, the sponsors of the bill and I all put them together because that is the major form, the form that speaks to us most deeply, and those are the cases that have come before the courts. I am guessing here, but the people on the street, the police and others are trying to protect are the women and children who are being trafficked for sexual exploitation. Women and children are the ones who the traffickers are targeting.

Frankly, we need more clarity somewhere in this. Hopefully, through the discussions of the bill in the chamber and with the people who communicate with us, we will be able to help dispel the confusion, so people will understand they are very different phenomena.

Hon. Yonah Martin: I thank the honourable senator for rising today and making such a thoughtful, compassionate response to what I said in the chamber last week. Both of us are on the same page at the heart of this issue when talking about wanting to do what is right and best for the most vulnerable in our country. I am sure all honourable senators in this chamber feel the same way.

I will not attempt to weigh in on this discussion about what confusion may exist about the use of sexual exploitation and human trafficking. However, I will say that Member of

Parliament Joy Smith, as honourable senators know, has worked closely with Professor Perrin, who is a professor and legal expert on this issue. They worked through it carefully to ensure the language would stand up to the Criminal Code and the Charter.

In light of a few facts that I would like to reiterate, I also have a question for the honourable senator at the end.

First, I, Ms. Smith and everyone who sees what is happening with human trafficking in this country understand the clandestine nature of this terrible crime, as well as the complexity around addressing the victims and what we can do in our country. Bill C-268 is one step of many that we must take, but a very important step that we need.

As honourable senators know, Grand Chief Ron Evans, on behalf of First Nations across Manitoba, has wholeheartedly endorsed the passage of this bill and has written the honourable senator and me a letter stating that: "Bill C-268 is one step forward for the First Nations women and children of Canada."

We also talked about some of the other groups that are also in support. It is true that there are tens of thousands and hundreds of thousands of Canadians waiting. One thing I will differ on with the honourable senator is the matter of urgency this time. I feel the urgency is what I have stated in the past —

Senator Cools: Point of order, honourable senators. I would like to clarify something. What the honourable senator is saying is extremely important, but unless she asks Senator Dyck a question, the honourable senator will be closing the second reading debate on this speech. It is important that the honourable senator puts forward a question because many senators wish to speak in this debate. I simply want to make the honourable senator aware that, unless she puts a question, she will have spoken and closed the debate on second reading.

The Hon. the Speaker: Honourable senators, on the matter of order: After an honourable senator has spoken, there is an opportunity for questions and answers, and comments and questions, subject to the honourable senator who has spoken accepting the questions.

There are about five minutes left in the 45 minutes allotted to Senator Dyck and there are three senators who wish to make a comment or ask a question. There might be four. Therefore, it would be appreciated if Senator Martin could get directly to her question.

Senator Martin: I will go almost straight to the question. I just have to preface it, because I am talking about the urgency in that there are cases before the courts and because of the two earlier cases that we both cited where we have not seen the kind of penalties that we would like to see.

Given the fact that this has received the support it has in the house, and given that hundreds of thousands of Canadians are waiting, does the honourable senator see the urgency that we are talking about, in that we hope this can go to committee and, at that time, to question witnesses that can come before the committee?

[Senator Martin]

Senator Dyck: It is an important bill. I agree that we should attempt to pass it as quickly as possible. One also has to recognize that we were delayed by prorogation of Parliament. We might have had this bill in committee if Parliament had not been prorogued. It might even have been law by now.

There is a reason people are pressuring us. I have read emails and letters — in fact, I read the one from Grand Chief Ron Evans the honourable senator quoted. Honourable senators will notice he, too, has conflated the issue. He states: "To prevent human trafficking and stop the sexual exploitation of our women." They are mixing the two issues of trafficking and sexual exploitation together.

The need for the urgency, as I understand it, is that we want to get the victim who is being trafficked away from the trafficker. We thought the current sentencing would allow only two or three years. However, with those other charging options I outlined today, those two cases actually ended up with sentences of four and five years, not just two and three. The time they served is a different issue, but they actually were given longer sentences than we are led to believe.

We are not leaving our children helpless. We are not leaving them vulnerable. We do have options that will protect them.

Hon. Roméo Antonius Dallaire: I would like to ask a question of the honourable senator. Where does the work being done by the Standing Senate Committee on Human Rights, not only regarding sexual exploitation of Aboriginal children, but also trafficking, fit in as an example for us in the research the honourable senator has been doing in reviewing this bill? Has the testimony there fed into the arguments the honourable senator has presented for the amendments?

Senator Dyck: I did include within today's speech testimony from the Standing Senate Committee on Human Rights that indicated it was very difficult to actually prove exploitation. That is testimony the committee has heard. Therefore, trafficking legislation itself may not necessarily be the best way to prevent exploitation or protect our children.

The Hon. the Speaker: Senator Dyck's 45 minutes have expired. She is asking for an extension. Do other honourable senators have questions?

Is an extension of five minutes agreed, honourable senators?

Hon. Senators: Agreed.

[Translation]

Hon. Pierre-Hugues Boisvenu: Honourable senators, I do not know if Senator Dyck is aware of this, but on Thursday evening at 8 p.m., the program *Les grands reportages*, on the French CBC news channel RDI, will be airing a 58-minute documentary directed by Hélène Choquette on the trafficking in and exploitation of women, particularly concerning women who are brought into Canada to work as housekeepers. It is an excellent documentary and it will be subtitled in English.

[English]

Senator Dyck: I thank the honourable senator for that information. I was not aware of it.

Hon. Donald Neil Plett: Your Honour, my interjection is not a question or comment.

The Hon. the Speaker: If there are no further questions or comments, we are returning to debate.

• (1610)

Senator Plett: Honourable senators, I rise today to speak to you regarding this horrendous crime of child trafficking. Coincidentally, this week is also Human Trafficking Advocacy Week.

In 1807, the slave trade was abolished in the British Empire. Today, in 2010, over 200 years later, slavery still exists in the form of human trafficking in our own backyard. The trafficking of women, children and men is second only to drugs in black market profits worldwide. Human trafficking profits the criminal element to the tune of \$5 billion to \$9 billion per year worldwide. Human trafficking is the fastest growing and most lucrative criminal enterprise worldwide.

According to the RCMP, between 800 and 1,200 people are trafficked in Canada annually. The majority of those are children, as younger victims, are more impressionable and easier for traffickers to control. Children also can attract more profits, both from the criminal element and from clients or johns.

Human trafficking involves either the transportation or harbouring of people for the purpose of sale by means of coercion, violence or the threat of violence. Human trafficking is the modern version of slavery. The underground nature of these crimes makes it difficult to detect and estimate their frequency, since most often, operators and victims are hidden from public view. With no money, no connections and no way to ask for help, victims often go unnoticed.

It is our job, as parliamentarians, to provide these victims with a voice. Canada remains one of the few developed countries in the world that does not have enhanced penalties for the trafficking of our children.

Women who have been trafficked display the same level of post-traumatic stress disorder as those returning from active duty in war. Women in the sex industry regularly suffer rape, beatings, verbal abuse and degradation as a routine reality of being prostituted. The majority of girls and women who are trafficked come from our most vulnerable groups — minorities that have a background of poverty or backgrounds of sexual violence and abuse — making them more likely to be exploited.

Senator Dyck has already referenced that our Aboriginal communities are especially vulnerable in Canada. Having personally had the privilege to work in Aboriginal communities on and off for a great deal of my lifetime, I have seen many of the challenges that they face. I have seen young people leave communities, never to return. I have seen in Winnipeg where young First Nations children are given drugs and alcohol and then are abused, physically and sexually.

Bill C-268 is strongly supported by First Nations groups. One of the first organizations to voice support for Bill C-268 was the Assembly of Manitoba Chiefs, which represents many First Nations communities across Manitoba. Senator Martin referred to Grand Chief Ron Evans, who said last spring when the bill was introduced:

On behalf of the First Nations people, I am pleased to support Joy Smith's Private Member's Bill C-268. Both US and Canadian government reports have shown that Aboriginal women and children are at greater risk of becoming victims of human trafficking than any other group in Canada. Bill C-268 protects all women and children from this heinous crime, but it is also a step forward for our people. . . . Bill C-268 is one step forward for the First Nations women and children of Canada.

Bill C-268 will bring a much needed update to the Criminal Code that will target traffickers of children. This legislation arose directly from consultation with Canadian police officers. I applaud Joy Smith, Member of Parliament for Kildonan—St. Paul for introducing this bill and guiding it through the House of Commons.

This legislation fills a void in the Canadian criminal justice system by providing mandatory minimum sentencing for the trafficking of children under the age of 18 years. This legislation will ensure a minimum punishment of imprisonment for a term of not less than five years for those who take advantage of children.

Senator Martin referred a week ago to the following two cases, and Senator Dyck also mentioned them today. However, they are so brutal and offensive that I believe they bear repetition.

Imani Nakpangi was the first person in Canada to be convicted of child trafficking. In the two-and-a-half-year time period that he sold "Eve," a 15-year-old homeless girl, for sex, he earned a total of over \$360,000 by selling her as many as 12 times in one day. He used these illicit profits to purchase a BMW and a large home in Niagara Falls for himself.

This man brutally controlled Eve by threatening and assaulting her. When Imani Nakpangi was finally brought to justice and convicted of human trafficking of this defenceless child on June 24, 2008, he was sentenced to a mere three years in prison for that crime. This sentence means that this man will serve a meager three years in jail for the gross exploitation of this child. That is less time than he spent using her. In essence, Eve was imprisoned for a longer period of time than Imani Nakpangi will be. With the current state of our parole system, he is likely to spend even less time behind bars.

In 2008, Michael Lennox Marks was convicted of trafficking a 17-year-old girl for sex. He received only a two-year conviction. However, he did not even serve that time. With the two-for-one credit for his one year of pre-trial custody — which, I might add, our Conservative government successfully eliminated from our justice system with the coming into force of Bill C-25 on February 2, 2010 — he served only one week, one single week in prison, after being convicted of the brutal crime of selling this poor, defenceless child over and over again.

This case is a colossal failure of justice for this child. However, here we are, six months after this bill came to the Senate from the House of Commons, allowing similar injustices to prevail as we continue to debate. This situation should not be.

It might be argued, and indeed it has been, that with prorogation, our government prolonged how long this legislation sat in the Senate. Honourable senators, this claim is far from the case. This legislation could have been passed in this house before the Christmas break. It was always the intention of our government to have this legislation in force to help prevent trafficking of children at the Olympic Games in Vancouver.

There are those in this chamber who may suggest that because this legislation is a private member's bill, it does not have much chance of passing. Honourable senators, while it is true that the order of precedence for private members' bills comes after government legislation, making them more difficult to pass, it must be stated that this fact alone does not give this chamber the cause to delay moving this bill through the Senate as quickly as our Senate regulations allow.

We have an obligation to do everything within our power to pass this or any other good legislation as expeditiously as possible. Given the current government legislation before the Senate at this time, there is no reason that Bill C-268 cannot be moved through this chamber with haste. Currently, there is only one piece of government legislation before this house, Bill S-2.

Criminal Code amendments through private members' bills are not uncommon. For instance, there are currently 38 private members' bills that propose Criminal Code amendments. Furthermore, in the past decade, 34 private members' bills have received Royal Assent. Of these, four have been Criminal Code amendments, including one that originated in 2008 here in the Senate from Senator Bryden, and another in 2000 from an MP on the government side of the house under the previous Liberal government.

• (1620)

Bill C-268 is a result of the hard work and dedication of MP Joy Smith in her efforts to combat human trafficking. Our government has been fully supportive of this private member's bill. As individual legislators, members and senators have important contributions to Canadian law, and this is one of them. In fact, Bill C-268 is supported in the House of Commons across party lines and has been jointly seconded by members from both the Liberal Party and the NDP.

To give honourable senators a comparison to Canadian laws — and Senator Dyck has touched on it — in the United States, there are strong mandatory minimum sentences that are already in place for trafficking children under the age of 18. If the victim was between the age of 14 and 18 at the time of the offence, the punishment is a fine and the mandatory minimum term of imprisonment of 10 years up to life. If the victim was under the age of 14 at the time of the offence, the punishment is a fine and a mandatory minimum term of imprisonment of 15 years up to life. I know that Senator Dyck is supportive of penalties that are more in line with the United States.

Honourable senators, I agree 100 per cent with Senator Dyck, and I would suggest that we not give up the fight to further improve this legislation, even after it becomes law. This could and should also include fines, making sure that these criminals do not get to keep the profits of these awful crimes.

Recently, just a few miles from my home, in the town of Ste. Anne — the hometown of Senator Chaput and a town that both she and I are familiar with — there was a sale of a home

that was seized and forfeited to the Province of Manitoba because of illegal drug activity. In Manitoba, under the Criminal Property Forfeiture Act, a court can order proceeds from unlawful acts and property bought with those proceeds, or used in relation to the unlawful act, to be forfeited to the government. In addition to real estate, items like cash and vehicles can also be seized and forfeited. As Manitoba Attorney General Andrew Swan stated in a release last week:

Crime shouldn't pay. . . . Thanks to this legislation, proceeds from the sale of a property that was used for criminal purposes and grew misery in our communities will be used to combat crime instead.

Honourable senators, our federal government should seek to pass a similar law so that illicit profits from such crimes as committed by Nakpangi, where he earned a total of over \$360,000 by selling "Eve" as many as 12 times in one day, will go towards combating the awful crime of human trafficking.

The Dominican Republic also has stiff penalties for human trafficking. If the victim is under 18 at the time of the offence, the minimum term of imprisonment is between 15 and 20 years. The Future Group, a Canadian-based NGO dedicated to combating human trafficking and the child sex trade, states:

Canada has systematically failed to comply with its international obligations under the Trafficking Protocol related to the protection of victims of human trafficking.

In fact, the Future Group calls Canada's record of dealing with victims an international embarrassment. Given the examples of Nakpangi and Marks, I must agree.

The trafficking of any person is a horrifying abuse of human rights. The trafficking of a child is even more severe. We should be doing our utmost to protect our children, the most vulnerable in our society. Children like "Eve" and countless others, need to be protected from these predators.

My wife Betty and I have six grandchildren, four lovely girls and two handsome boys, aged between 4 and 11 years old. I am as afraid for those boys as I am for the girls. I truly shudder to think of the likes of Nakpangi and Marks skulking outside their schools, looking for an opportunity to take advantage of their innocence and sell them to their comrades. The more I think about this, the more my mind goes from fear to anger. Any parent or grandparent can relate to this. While I agree it is important for due diligence to be completed on the legislation that passes through this upper house, I also believe that, in this case, we must pass this bill with haste. We must protect our children from these criminals and these disgusting crimes.

A few days ago, I presented a petition in this house, on behalf of 4MyCanada, with 8,338 signatures from Canadians asking that senators do not continue to delay the passage of Bill C-268. That is 8,338 Canadians, from coast to coast to coast, who are urging us, honourable senators, to pass this bill without delay, and I am still receiving signatures in my office daily.

4MyCanada is a group of young Canadian leaders, committed to educating other young Canadians on how they can shape Canada in a positive way for generations to come and mobilizing them to do so. Many of the people at 4MyCanada are the same age as “Eve” and other victims of human trafficking. These young people are urging us, honourable senators, not to further delay the passage of Bill C-268.

The atrocities of human rights abuses continue to happen and we must do something about it. As recently as the end of February, right behind our parliamentary doorstep, over the bridge in Gatineau, two 17-year-old runaways from Toronto were lured into the sex trade by two Ottawa residents. Two brothers stand accused of pimping these two girls online, forcing them to go to Gatineau motels to service their johns. Without the mandatory minimum sentencing of Bill C-268, these men are likely to be back on the streets to prey on other innocent victims in no time. We cannot allow that to happen.

Honourable senators, I urge you to listen to the cries of these exploited children. Something must be done. It is absolutely unacceptable that it has taken this long to pass this legislation. According to the RCMP’s statistics, between 400 and 600 people were trafficked in the six-month period of time that we waited to pass this legislation. This is unreasonable, and it needs to stop now. We, honourable senators, have the power to stop it if we have the will to do so.

The democratically elected members of the House of Commons, the voice of Canadians, has spoken and passed this bill on September 30, 2009 with the full support of the government and the official opposition. Canadians from coast to coast have also spoken. It is now March 23, 2010, nearly six months after we received this bill, yet this legislation continues to be debated in the Senate. The time to act and pass this bill without amendments is now.

The Hon. the Speaker: Honourable Senator Plett’s time has expired. Does he wish to ask for more time?

Senator Cools: Ask if he wants more time; all the time in the world.

Hon. Gerald J. Comeau (Deputy Leader of the Government): Five minutes.

Hon. Wilfred P. Moore: In the honourable senator’s work and research with regard to this bill, did he come across the work that was done by Senator Gerard Phalen of Nova Scotia?

Senator Plett: No, I did not.

Senator Moore: It might be of interest to the honourable senator to know — and I applaud the work of the member in the other place, Ms. Smith — that Senator Phalen introduced that topic here and had a very good bill. It was a bit stronger than the one before us today. To give credit where it is due, that bill was here and it got bogged down in our own Standing Senate Committee on Human Rights. Had it been advanced as we had urged it to be, it would have been law today. I do not know if the honourable senator is aware of that, but he might want to take a look at that.

I attended many sessions with Senator Phalen and community activities where he was asked to speak. This was all in the same year of the anniversary of the abolition of slavery. The honourable senator will find some useful remarks if he looks into that.

Senator Plett: I certainly will do that. However, I would suggest that, because there were mistakes made in the past, let us not build on those mistakes. I still encourage us to pass this bill now.

Senator Cools: I understood the Honourable Senator Plett to say that it was the government’s intention to have Bill C-268 passed before the Olympics. Could he tell us how the government’s intention was communicated to this house?

• (1630)

Senator Plett: No, I am not prepared to tell any senator about communications between this house and the other house.

Senator Cools: Senator Plett also suggested that there was great urgency on this bill, yet the record shows no urgency ever articulated in the bill or by the sponsors of the bill to this house.

How was the urgency of this bill communicated to this chamber?

Senator Plett: I think the honourable senator is well aware of the urgencies expressed on the bill because, as I recall, before prorogation she took offence when someone urged her to speak on this bill when she was not prepared to do so.

Senator Cools: That has nothing to do with the urgency of the bill. My idiosyncrasies are not related to the bill at all or its urgency.

Hon. Jane Cordy: I thank Senator Plett for speaking on an issue that I think everyone in this chamber, regardless of on which side of the house they sit, finds to be a horrifying abuse of human rights, particularly of children. I agree with the honourable senator’s comments, and we all share his anger that these individuals are in our great country, Canada. It is unfortunate that the bill has not been made into law, but that is because Parliament was prorogued.

The honourable senator said in his speech that we could make improvements after the bill becomes law. Why would we not make these improvements now? The senator is right that there is not a great deal of legislation on the Order Paper, so this seems to me to be the perfect time to ensure that it is the best bill that it can be and that we are tough on those who traffic in young people.

Senator Plett: I thank the senator. I have been in this house for a little over six months and I have learned that things do not happen nearly as quickly as I would like at the best of times. Taking a step backward will not get any bill passed very quickly.

Again, I urge the Senate to pass this bill without amendment rather than sending it anywhere.

Senator Cordy: Is the honourable senator suggesting that making a bill better is taking a step backwards?

Senator Plett: No, I am not. I believe that changing or trying to revamp the bill at all at this point is taking a step backward. I said that I support much of what Senator Dyck said, and I support stiffer penalties. I plan on being here, hopefully without term limits, for a number of years and to continue to work on this and other legislation.

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

[Translation]

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, as you all know, every senator is entitled to research ongoing debates, to consult and to participate in debates. There is certainly no intention to slow down a bill.

There is a process that must be followed in the Senate. I would like to say to my colleagues that if they had really wanted this bill to have been passed already, the government would not have prorogued. This bill could have already been passed.

(On motion of Senator Tardif, for Senator Carstairs, debate adjourned, on division.)

[English]

LEGAL AND CONSTITUTIONAL AFFAIRS

BUDGET AND AUTHORIZATION TO TRAVEL— STUDY ON PROVISIONS AND OPERATION OF DNA IDENTIFICATION ACT— SECOND REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the second report of the Standing Senate Committee on Legal and Constitutional Affairs (budget—study on the review of the DNA Identification Act—power to travel), presented in the Senate on March 18, 2010.

Hon. Joan Fraser: I move the adoption of the report.

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

(Motion agreed to and report adopted.)

HUMAN RIGHTS

COMMITTEE AUTHORIZED TO STUDY ISSUES RELATED TO NATIONAL AND INTERNATIONAL HUMAN RIGHTS OBLIGATIONS AND REFER PAPERS AND EVIDENCE SINCE FIRST SESSION OF THIRTY-SEVENTH PARLIAMENT

Hon. Janis G. Johnson, pursuant to notice of March 17, 2010, moved:

That the Standing Senate Committee on Human Rights be authorized to examine and monitor issues relating to human rights and, inter alia, to review the machinery of government dealing with Canada's international and national human rights obligations;

That the papers and evidence received and taken and work accomplished by the committee on this subject since

the beginning of the First session of the Thirty-seventh Parliament be referred to the committee; and

That the committee submit its final report to the Senate no later than June 30, 2010.

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

(Motion agreed to.)

COMMITTEE AUTHORIZED TO STUDY ISSUE OF SEXUAL EXPLOITATION OF CHILDREN AND REFER PAPERS AND EVIDENCE FROM SECOND SESSION OF FORTIETH PARLIAMENT

Hon. Janis G. Johnson, pursuant to notice of March 17, 2010, moved:

That the Standing Senate Committee on Human Rights be authorized to examine and report upon the issue of the sexual exploitation of children in Canada, with a particular emphasis on understanding the scope and prevalence of the problem of the sexual exploitation of children across the country and in particularly affected communities;

That the papers and evidence received and taken and work accomplished by the committee on this subject since the beginning of the Second session of the Fortieth Parliament be referred to the committee; and

That the committee submit its final report to the Senate no later than June 30, 2010, and that the committee retain all powers necessary to publicize its findings for 180 days after the tabling of the final report.

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

(Motion agreed to.)

COMMITTEE AUTHORIZED TO STUDY ISSUES OF DISCRIMINATION IN HIRING AND PROMOTION PRACTICES OF FEDERAL PUBLIC SERVICE AND LABOUR MARKET OUTCOMES FOR MINORITY GROUPS IN PRIVATE SECTOR AND REFER PAPERS AND EVIDENCE SINCE FIRST SESSION OF THIRTY-EIGHTH PARLIAMENT

Hon. Janis G. Johnson, pursuant to notice of March 17, 2010, moved:

That the Standing Senate Committee on Human Rights be authorized to examine issues of discrimination in the hiring and promotion practices of the Federal Public Service, to study the extent to which targets to achieve employment equity are being met, and to examine labour market outcomes for minority groups in the private sector;

That the papers and evidence received and taken and work accomplished by the committee on this subject since the beginning of the First session of the Thirty-eighth Parliament be referred to the committee; and

That the committee submit its final report to the Senate no later than June 30, 2010.

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

[Translation]

(Motion agreed to.)

COMMITTEE AUTHORIZED TO STUDY
INTERNATIONAL OBLIGATIONS REGARDING
CHILDREN'S RIGHTS AND FREEDOMS AND REFER
PAPERS AND EVIDENCE SINCE FIRST SESSION
OF THIRTY-EIGHTH PARLIAMENT

Hon. Janis G. Johnson, pursuant to notice of March 17, 2010, moved:

That the Standing Senate Committee on Human Rights be authorized to monitor the implementation of recommendations contained in the committee's report entitled *Children: The Silenced Citizens: Effective Implementation of Canada's International Obligations with Respect to the Rights of Children*, tabled in the Senate on April 25, 2007;

That the papers and evidence received and taken and work accomplished by the committee on this subject since the beginning of the First session of the Thirty-eighth Parliament be referred to the committee; and

That the committee submit its final report to the Senate no later than June 30, 2010.

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

(Motion agreed to.)

COMMITTEE AUTHORIZED TO STUDY ON-RESERVE
MATRIMONIAL REAL PROPERTY ON BREAKDOWN
OF MARRIAGE OR COMMON-LAW RELATIONSHIP
AND REFER PAPERS AND EVIDENCE SINCE
SECOND SESSION OF THIRTY-SEVENTH PARLIAMENT

Hon. Janis G. Johnson, pursuant to notice of March 17, 2010, moved:

That the Standing Senate Committee on Human Rights be authorized to invite the Minister of Indian Affairs and Northern Development to appear with his officials before the committee for the purpose of updating the members of the committee on actions taken concerning the recommendations contained in the committee's report entitled *A Hard Bed to lie in: Matrimonial Real Property on Reserve*, tabled in the Senate November 4, 2003;

That the papers and evidence received and taken and work accomplished by the committee on this subject since the beginning of the Second session of the Thirty-seventh Parliament be referred to the committee; and

That the committee continue to monitor developments on the subject and submit a final report to the Senate no later than June 30, 2010.

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

(Motion agreed to.)

BUSINESS OF THE SENATE

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, we are awaiting for a bill that was passed this afternoon in the other place. It is a government supply bill and is important as it contains very significant funding.

Generally speaking, these bills arrive somewhat belatedly, which does not give us much time to discuss and examine them.

You know that this side of the chamber is quite often criticized because supply bills arrive at the last minute. I would therefore like to propose to this honourable chamber that, in order to have the time required to study this bill in detail, we suspend this sitting from now until about 7 p.m., when the bill will most likely be available for us to look at.

Committees would be able to sit during this suspension and the only action left, after the suspension, would be to receive the bill. We have no intention of debating other bills; we will come back only to receive the bill, which would allow us to proceed with the bill on Thursday, as opposed to next Tuesday.

• (1640)

This bill must be passed by March 31. Therefore, the bill must have passed second and third reading and received Royal Assent by that date.

The sitting would be suspended for approximately two and a half hours. We would then return to receive the message from the House of Commons accompanied by the bill.

Therefore, with leave of the Senate and notwithstanding rule 58(1), I move:

That the sitting be suspended to the call of the Chair with a fifteen minute bell;

That, when the sitting resumes, it be either for the purpose of adjournment or to receive any messages from the House of Commons with bills to grant to Her Majesty sums of money for the federal administration; and

That committees have the power to sit during the suspension today, with rule 95(4) being suspended in relation thereto.

[English]

The Hon. the Speaker: Honourable senators, the Honourable Senator Comeau, Deputy Leader of the Government in the Senate, requires leave of the Senate for me to put the motion to the effect that the standing Senate committees scheduled to meet later today may sit even though the Senate may be sitting. Senator Comeau asks that the adjournment motion be not put now but that the Senate suspend to await a message from the other place. Such a request requires unanimous consent.

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, in speaking with the chair of the committee, he indicated that it was not necessary to move this motion, and that it was more important to deal with reports than to deal with supply at this time. I refuse unanimous consent.

The Hon. the Speaker: Honourable senators, leave is not granted.

It is therefore moved by the Honourable Senator Comeau, seconded by the Honourable Senator Di Nino, that the Senate do now adjourn.

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

Hon. Senators: Agreed.

(The Senate adjourned until tomorrow at 2 p.m.)

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